

# **Board Policy Manual**

## **Rock Valley College District #511**

Approved: April 8, 2014  
Individual policies revised as needed.

# Rock Valley College

## Vision, Mission, & Core Values

### Vision Statement

Rock Valley College empowers the community to grow as a society of learners through well-designed educational pathways, leading to further education, rewarding careers, cultural enrichment, and economic-technological development.

### Mission Statement

Rock Valley College empowers students and community through lifelong learning.

### Core Values

- **Learner-Centered Community:** Rock Valley College is dedicated to providing affordable lifelong learning opportunities that foster student success.
- **Mutual Respect:** At all times, Rock Valley College upholds the dignity of each individual by being ethical, respectful, fair, and courteous in communications and actions.
- **Excellence:** Rock Valley College maintains high expectations for teaching and learning and holds itself accountable for promoting continuous improvement.
- **Diversity:** Rock Valley College promotes, celebrates, and embraces differences, including cultural and ethnic diversity and diversity of thought.
- **Collaboration:** Rock Valley College fosters innovative, enriching partnerships within the college community and among others that serve the region.
- **Innovation:** Rock Valley College is a forward-thinking institution that explores creative approaches for the future.
- **Public Trust:** Rock Valley College honors and upholds its commitment to the community through integrity of actions and efficient use of resources.

Adopted: July 28, 2015

## RVC Board Policy 1:10.010

### Board Governance

#### Section 1. Purpose of the Board

The purpose of the Board of Trustees is to represent the public in determining what programs and services the College will offer, to whom, at what cost, with what priority, and to evaluate the performance of the organization.

Fundamental to the success of the College is the commitment of each Trustee to carry out his/her responsibilities as an elected official charged with providing District residents a quality, fully accredited, comprehensive community college.

*<sup>1</sup> The use of the masculine pronoun in this document is for convenience and ease of use only; the masculine pronoun includes the feminine pronoun as well.*

#### Section 2. The College Governing Board

The Board of Trustees of Community College District No. 511 has the legal authority and responsibility to govern the College in accordance with the Illinois Public Community College Act, 110 ILCS 805/1. The Board will appoint a President to organize and manage the institution within Board policy.

The Board of Trustees will encourage the President to seek the input of employees and the community in the development and updating of the College's Strategic Long-Range Plan. Such Plan will be approved annually by the Board of Trustees.

#### Section 3. Authority for Operations

The Board of Trustees derives its authority to govern from Sections 3-31 through 3-43 of the Illinois Public Community College Act, 110 ILCS 805/3-31 to 3-43. The Board will exercise all powers set forth in Sections 3-31 through 3-43 and all additional powers not inconsistent with the Illinois Public Community College Act.

#### Section 4. Board Duties and Responsibilities

The job of the Board of Trustees is to govern, not manage, the College.

##### A. Duties of the Board:

As the governing body of Community College District No. 511, the Board of Trustees is responsible for the development and adoption of Board policies and for making decisions related thereto. The Board's authority in this area is final, subject to applicable statutory and regulatory limitations. The President is responsible for developing appropriate administrative procedures to effectuate Board policies.

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The Board will seek input from members of the College community in the development of said policies.

Additionally, the Board of Trustees will:

1. Hire and work with the President, who will be the chief administrative officer of the College and the executive officer in dealing with the Board. Annually establish goals and evaluate the President's performance.
2. Ensure efficient and effective development, operation and maintenance of the College.
3. Execute all duties and powers authorized by the Illinois Public Community College Act, 110 ILCS 805/1 et seq.
4. Direct the President to formulate and revise policies as necessary for Board consideration. The President will seek employee input as necessary and appropriate.
5. Annually review the financial performance of the College and cause an audit to be made.
6. Annually adopt the Financial Plan of the College.
7. Ensure the quality of education provided by the College.
8. Annually adopt a comprehensive Strategic Long-Range Plan.
9. Annually review from the President a report on the Outcomes of the College.
10. Review matters recommended by the President and cause appropriate action to be taken.
11. Appoint legal counsel as needed.

## **B. Responsibilities of the Board:**

1. Operate in all ways mindful of its civic Trusteeship obligation to the citizens of its College district.
2. Be the sole governing body of the College. In carrying out its governing responsibility, the Board, as a whole, will keep adequately informed about educational and other relevant issues, actively gathering and retaining necessary information to enhance the decision-making process.
3. Focus on intended long term outcomes.

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4. Use the expertise of individual members to enhance the ability of the Board as a body.
5. Ensure the continuity of its governance capability through retraining, redevelopment, and the orientation of new members.
6. Make decisions, to the extent possible, on a consensus basis.

## Section 5. Authority and Responsibility of Members

Trustees have authority when acting as a part of the Board of Trustees in a legal session or proceeding of the Board. No individual member of the Board of Trustees has the power to speak or act in the name of the Board unless authorized to do so by the Board of Trustees. Trustees will maintain confidentiality of privileged and confidential information including all information discussed in closed session meetings and other communications, such as attorney-client privilege communications. Trustees will strive to demonstrate personal integrity and ethical behavior in word and action.

## Section 6. Code of Ethics

The Board of Trustees will conduct themselves in accordance with the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees.

### A. Prohibited Political Activities:

1. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of Rock Valley College in connection with any prohibited political activity.
2. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
3. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
4. Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are

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undertaken by an officer or employee on a voluntary basis which are not prohibited by this Code of Ethics.

5. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

## **B. Gift Ban:**

Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or Policy. No prohibited source shall intentionally offer or make a gift that violates this Section.

Exceptions. Section 1:10.010(B) is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any (i) contribution that is lawfully made under the Election Code, or (ii) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the

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recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intragovernmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100. Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

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## C. Definitions:

For purposes of this Code of Ethics, the following terms shall be given these definitions:

1. "Board" means the Board of Trustees of Community College District No. 511, Winnebago, Boone, DeKalb, McHenry, Ogle, and Stephenson Counties, Illinois.
2. "Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.
3. "Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code, 10 ILCS 5/1-3.
4. "Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act, 5 ILCS 315/3.
5. "Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Policy, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.
6. "Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.
7. "Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code 10 ILCS 5/9-1.4.
8. "Employee" means a person employed by Rock Valley College, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details



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of how the work is to be performed, but does not include an independent contractor.

9. "Employer" means Community College District 511.
10. "Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.
11. "Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.
12. "Officer" means a person who holds, by election or appointment, an office created by statute or law, regardless of whether the officer is compensated for service in his or her official capacity. The term "officer" includes all members of the Board of Trustees.
13. "Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.
14. "Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code, 10 ILCS 5/9-3, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.
15. "Prohibited political activity" means:
  - i. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
  - ii. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
  - iii. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution
  - iv. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum

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question.

- v. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- vi. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- vii. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- viii. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- ix. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- x. Preparing or reviewing responses to candidate questionnaires.
- xi. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- xii. Campaigning for any elective office or for or against any referendum question.
- xiii. Managing or working on a campaign for elective office or for or against any referendum question.
- xiv. Serving as a delegate, alternate, or proxy to a political party convention.
- xv. Participating in any recount or challenge to the outcome of any election.

16. "Prohibited source" means any person or entity who:

- i. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
- ii. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;

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- iii. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
- iv. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

## **D. Construction:**

This Ordinance shall be construed in a manner consistent with the provisions of the State Officials and Employees Ethics Act (codified at 5 ILCS 430/1-1 et. seq.). This Ordinance is intended to impose the same but not greater restrictions than the Act.

## **E. Penalties:**

1. A person who intentionally violates any provision of Section 6(a) of this Code of Ethics may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
2. A person who intentionally violates any provision of Section 6(b) of this Code of Ethics is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

Any person who intentionally makes a false report alleging a violation of any provision of this Code of Ethics to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

3. A violation of Section 6(a) of this Code of Ethics shall be prosecuted as a criminal offense by an attorney for Rock Valley College by filing in the circuit court any information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt. A violation of Section 6(b) of this Policy may be prosecuted as a quasi-criminal offense by an attorney for Rock Valley College, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.
4. In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Section 6, Code of Ethics, is subject to discipline or discharge.

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## Section 7. Conflicts of Interest

All Trustees shall conduct themselves and College business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

A conflict of interest arises whenever the Trustee has the opportunity to influence College operations or business decisions in ways that could result in a personal financial or political benefit to the employee or a member of a Trustee's immediate family. Personal financial benefits include, but are not limited to, direct financial payments, deferred compensation, gifts, or in-kind donations to the Trustee or immediate family member. Personal political benefits include, but are not limited to, contributions, donations, direct financial payments, loans, gifts, or in-kind donations to political campaigns or political action committees that support the Trustee.

Trustees shall voluntarily disclose any real or potential conflict of interest, and/or shall abstain from voting on any conflict of interest. Each Trustee will observe and adhere to the College's Code of Ethics Policy. No later than July 1st of each year, each Trustee shall provide a copy of the Statement of Economic Interest that is required to be filed annually with Winnebago County pursuant to the Illinois Governmental Ethics Act (5 ILCS 420/4A-102) to the College's Department of Human Resources.

Violation of this policy or failure to disclose or properly identify a conflict of interest may subject the Trustee to the penalties set forth in the Public Officer Prohibited Activities Act (50 ILCS 105/0.01, et seq.), the State Officials and Employees Ethics Act (5 ILCS 430/1-1, et seq.), and/or a public censure by the Board of Trustees. Such public censure shall be made in a Board resolution which shall state the nature of the violation.

**Reference:** AR 307, Board Report #7573, #7620

**Adopted:** July 23, 2013

**Revised:** December 11, 2018, June 25, 2019

## RVC Board Policy 1:10.020

### Membership of the Board

#### Section 1. Number and Selection

The Board of Trustees is comprised of seven (7) qualified voting members elected at-large by the District electorate and one (1) non-voting member elected by the student body in accordance with Section 3-7 of the Illinois Public Community College Act, 110 ILCS 805/3-7, the Illinois Election Code 10 ILCS 5/1-1 et seq., and other applicable statutes.

#### Section 2. Election

Board Trustee elections are conducted biannually in accordance with Sections 3-7 through 3-7.13 (as amended) of the Illinois Public Community College Act. Voting Trustees are elected for staggered terms of six (6) years.

#### Section 3. Qualifications of Members

Each voting Trustee shall, on the date of their election, be citizens of the United States, 18 years of age or older, residents of Illinois and District 511 for at least one year immediately preceding the election.

#### Section 4. Student Trustee

The Board of Trustees will have one (1) non-voting member who is a student enrolled in the College as provided by Section 3-7.24 of the Illinois Public Community College Act, 110 ILCS 805/3-7.24.

The student Trustee will be elected by the student body to a one-year term beginning on the date of the next regular meeting after the organizational meeting. The student assumes all the rights and responsibilities of a district-elected Board member with the exception of non-voting status. The student Trustee has the right to make and second motions, to attend all sessions of the Board, receive all materials district-elected Board members do, and has an advisory vote.

#### Section 5. Vacancies

Vacancies on the Board of Trustees shall be filled by the Board through appointment in accordance with Section 3-7 (f) of the Illinois Public Community College Act, 110 ILCS 805/3-7 (f). A vacancy arising because of resignation shall be deemed to have occurred whenever written notice of the resignation is received by the Board Secretary or when notice is given in a Board meeting. All Trustees shall be involved in the selection process for filling any vacancy.

The vacancy shall be filled by the remaining Board members in the following manner:

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- The person appointed to fill the vacancy must be 18 years of age and a resident of Community College District 511 for at least one year;
- The person appointed shall serve until a successor is elected and certified in accordance with the Election Code;
- If the vacancy occurs with less than four months remaining before the next scheduled consolidated election and the vacant seat is not scheduled to expire at that election, then the term of the appointee shall extend through that election until the succeeding consolidated election;
- If the term of the vacant position is scheduled to expire at the upcoming consolidated election, the appointed person shall serve only until a successor is elected and certified; and
- The Board must appoint a person to fill the vacancy within 60 days after the vacancy occurs. If the Board fails to fill the vacancy within 60 days after the vacancy occurs, then the chair of the Illinois Community College Board shall fill that vacancy and the person shall serve until a successor is elected and certified.

**Adopted:** July 23, 2013

## RVC Board Policy 1:10.030

### Officers

#### Section 1. Number, Election, Eligibility, and Term.

The officers of the Board of Trustees shall be the Chairperson, Vice Chairperson, Secretary, and Treasurer and any assistant to the above officers deemed necessary by the Board. The officers shall be elected or appointed by the Board of Trustees at the Reorganization Meeting. Vacancies in said offices may be filled at any meeting of the Board. The term of all officers shall be one (1) year or until their successors are elected, unless, by Board action, the term is extended to two years, in accordance with the statute.

#### Section 2. Chairperson

The Chairperson ("Chair") shall preside at all Board meetings and, whenever possible, represent the Board of Trustees at all official College or community functions.

The role of the Chair is, primarily, to uphold the integrity of the Board's process and, secondarily, to represent the Board to outside parties.

The Chair of the Board of Trustees will:

- A. Preside at all Board meetings in an efficient and effective manner, using Robert's Rules of Order, and shall set the tone for each meeting through positive leadership;
- B. Ensure that other Board members are informed of current and pending Board issues and processes;
- C. Make all Board standing committee appointments with the advice and consent of the Board;
- D. Attempt to arrive at a consensus by the members on Board decisions;
- E. Appoint and dissolve special ad hoc committees;
- F. Call special meetings, as required;
- G. Direct the preparation of the meeting agenda;
- H. Serve as an ex-officio member of all Board committees;
- I. Represent the interests of the Board on a day-to-day basis;
- J. Perform such other duties as prescribed by Board policy, law or by Board action; and

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- K. Act or designate another person to act, as spokesperson for the Board in communication to the public. The Chair or designated spokesperson will notify all individual Trustees as promptly as possible of his/her actions as the Board's representative.

## Section 3. Vice Chairperson

In the absence of the Chairperson, or in the event of his inability or refusal to act, the Vice Chairperson shall perform the duties of and shall have the same powers of the said Chairperson. The Vice-Chairperson shall serve until the duly elected Chairperson assumes or resumes his or her duties.

The Vice Chairperson shall perform such other duties as may be assigned to him by the Chairperson and the Board of Trustees.

## Section 4. Secretary

The Board of Trustees shall elect a Secretary to serve at the discretion of the Board. The Secretary shall certify a true copy of each official Board policy and the Board minutes.

The Secretary shall certify at the Reorganization Meeting of the Board, and on request at any other time, that a complete and accurate set of all Board minutes and policies are kept in compliance with State Statutes. The Secretary (or his/her designee) shall be the keeper of all books, records, and the Seal of the Board of Trustees and shall perform all duties assigned to him or her by the Chairperson and the Board of Trustees which includes attendance at all Board and committee meetings. If the Secretary is absent from a meeting, the Board of Trustees shall appoint a Board member as Secretary Pro Tempore.

Board minutes so certified shall be prepared by the Recording Secretary who shall be selected by the President and who shall be required to attend the meetings of the Board. Minutes shall be kept in an official record book specifically for that purpose and shall be kept on file in the Administration Center of the main campus as the official record of Board activity and shall be open to public inspection.

The duties of the Secretary of the Board shall be as follows:

- A. Attend all meetings of the Board and keep or cause to be kept by a competent recorder a full and accurate record of all votes and acts of the Board.
- B. Promptly furnish, or cause to be furnished, a copy of the minutes of each regular or special meeting of the Board to all members of the Board and to the President of the College.
- C. Record, or cause to be recorded, all calls for meetings of the Board, and notify all members of such meetings.
- D. Keep, or cause to be kept, a record in a separate book of the names of all members of the Board, the dates of their election, their length of term, the date of expiration of



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their terms of office, and a file of all reports made by committees of the Board.

- E. Keep, or cause to be kept, a current and complete record and text of the Policies of the Board and publish the same from time to time as directed by the Board.
- F. Furnish to the President of the College and to all members of the Board, immediately after change, amendments, or additions to the Policies of the Board, a complete, accurate, and official copy of the text thereof.

## Section 5. Treasurer

A Treasurer shall be appointed by the Board as provided by the Illinois Community College Act, 110 ILCS 805/3-18. Before duties begin, the Treasurer shall execute a bond in the manner and form provided for in the Illinois Community College Act, 110 ILCS 805/3-19. It shall be the duty of the Treasurer to:

- A. Perform all duties which the State of Illinois requires of the Treasurer.
- B. Keep an accurate record of all functions and transactions appropriate for the office.
- C. Furnish the Board with such reports as may be required.
- D. Invest funds in accordance with prescribed policy.

## Section 6. Removal

Any officer or agent elected or appointed by the Board of Trustees may be removed by the Board whenever, in its judgment, the best interests of the College would be served thereby, but such removal shall be without prejudice to other rights and duties of the office or agent.

**Adopted:** July 23, 2013

## RVC Board Policy 1:10.040

### Meetings of the Board

#### Section 1. Proclaiming Election Winners

At the first meeting following the election of Board Members held on the date required under the Consolidated Election Laws of the State of Illinois and not later than twenty- one (21) days thereafter, the Board shall meet for the purpose of proclaiming the winners of the election.

#### Section 2. Reorganization Meeting

The Reorganization Meeting shall be held annually. The reorganization in election years shall be held on or before the twenty-eighth (28th) day after the election. At all Organizational Meetings, the Chairperson of the Board, or, in his or her absence, the President of the Community College or the acting Chief Executive Officer of the College, shall convene the new Board, and conduct the election for Chairperson, Vice Chairperson, and Secretary. The reorganization meetings for non-election years shall be held at the regular meeting of the Board for the month of April.

The order of business shall be:

- A. Call to Order by Chairperson of Retiring Board;
- B. Roll Call by Secretary;
- C. Certification of Audit and Board Minutes and Policies by Secretary;
- D. Adjournment of Retiring Board, sine die;
- E. Convening of new Board by ranking hold-over officer from retiring Board who shall serve as temporary Chairperson;
- F. Seating of new members (Election Year);
- G. Election of Chairperson of Board;
- H. Election of Vice Chairperson;
- I. Election of Secretary;
- J. Appointment of Treasurer;
- K. Appointment of Attorney;
- L. Adoption of Policies of the Board;
- M. Appointment of Bank Depository(s);
- N. Appointment of Auditor(s);
- O. Appointment of Representatives to Standing Committees;
- P. Setting the Schedule of Regular Meetings for the Next Calendar Year.

#### Section 3. Regular Meetings

Regular business meetings of the Board shall be held on the fourth Tuesday of every month and shall be open to the public. Additional strategic meetings may be held as needed and shall be open to the public.

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A schedule of the regular meetings shall be posted at the beginning of each calendar year and shall state the regular dates, times and places of such meetings. An agenda for each regular meeting shall be posted at the entrance of the principal administration office, on the College's website and at the location where the actual meeting is to be held on the Friday prior to each regular meeting. The agenda shall remain posted on the College's website until the regular meeting is concluded. The place of said meeting shall be the regular meeting place of the Board or any properly designated place within Community College District 511.

The Board will provide notice of its regular meetings to any news media that has filed an annual request for such notice.

## Section 4. Agenda for Regular Meetings

The order of business set forth on the agenda may vary, as needed from meeting to meeting, but shall generally contain one or more of the following items of regular business and/or matters relevant to the exercise of the powers of duties of the Board of Trustees. In the event there is a public hearing, the public hearing will be held after the Study Session and generally before the General Session. The agenda for Regular Meetings shall be as follows:

- I. Study Session
  - A. Call to Order
  - B. Roll Call
- II. General Session
  - A. Minutes
  - B. Recognition of Registered Visitors
  - C. Presentations
  - D. Board Committee Reports
  - E. Reports
    - i. Vital Signs
    - ii. President
    - iii. Attorney
    - iv. ICCTA
    - v. Student Trustee
    - vi. Other
  - F. New Business
  - G. Unfinished Business
  - H. Trustee Comments
  - I. President's Comments
  - J. Closed Session
  - K. Adjourn

The agenda shall set forth the general subject matter of any resolution or ordinance that will be the subject of final action at the meeting.

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## Section 5. Special Meetings

A Special Meeting of the Board may be called by the Chairperson or by any three (3) members of the Board by giving notice thereof in writing stating the time, place, and purpose of the meeting. Except in the event of a bona fide emergency, such notice shall be given at least forty-eight hours before such meeting. The notice will include the agenda for the special meeting. The Board will provide notice of its special meetings to any news media that has filed an annual request for such notice.

## Section 6. Emergency Meetings

Notice of an Emergency Meeting shall be given as soon as practicable, but in any event prior to the holding of such meeting, to any news medium which has filed an annual request for notice.

## Section 7. Adjourned Meetings

A Regular Meeting may be adjourned to a future date as the Board may determine.

## Section 8. Waiver of Notice of Meetings

Notice of any meeting may be waived by a Board member. The attendance of a Board member at any meeting shall constitute a waiver of such notice for that meeting, except when the member attends the meeting for the express purpose of objecting to the transaction of any Board business because the meeting is not lawfully called or convened.

## Section 9. Closed Sessions and Closed Meetings

Closed Sessions and Closed Meetings may be held in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., as amended, modified or construed, and pursuant to adopted College policies.

At any meeting for which proper notice has been given, the Board may close all or part of the meeting by a majority vote of a quorum present for any of the reasons listed below or otherwise permitted by the Illinois Open Meetings Act. The specific authorized reason must be stated in the motion, recorded in the minutes, and approved by a roll call vote.

A single vote may be taken with respect to a series of meetings, a portion or portions of which are proposed to be closed to the public, provided that each meeting in such series involves the same particular matters and is scheduled to be held within three months of the vote.

The following subjects may be discussed in closed sessions:

1. Collective bargaining matters;
2. Information regarding the appointment, employment, compensation, discipline, performance, or dismissal of an employee including testimony on a complaint

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lodged against an employee;

3. Appointment of a member to fill a vacancy on the Board;
4. Acquisition, purchase or lease of real property, including meetings held for the purpose of discussing whether a particular parcel should be acquired;
5. The setting of a price for sale or lease of property owned;
6. The sale or purchase of securities, investments, or investment contract;
7. Campus security measures to respond to actual danger to the safety of employees, student, staff or public property;
8. Student disciplinary cases;
9. Litigation, when an action against, affecting or on behalf of the Board of Trustees has been filed and is pending before a court or other administrative tribunal, or when the Board of Trustees finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting;
10. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the Board of Trustees or any intergovernmental risk management association or self-insurance pool of which the Board of Trustees is a member; and
11. The discussion of minutes of meetings lawfully closed under the Illinois Open Meetings Act, whether for purpose of approval by the Board of the minutes or semi-annual review of the minutes.

## Section 10. Recording of Closed Meetings

A verbatim record shall be kept of all meetings of the Board of Trustees or any subsidiary "public body" (as defined by the Illinois Open Meetings Act, 5 ILCS 120 et seq. of the College which are closed to the public. The verbatim record shall be in the form of an audio or video recording. In addition, minutes shall be kept of all closed meetings in the manner required by the Illinois Open Meetings Act. Minutes of closed meetings shall be placed before the Board or the subsidiary body, as the case may be, for approval as to form and content as soon as practicable following the closed meeting. The Secretary of the Board, or his/her designee, shall maintain the verbatim recordings and minutes of all closed meetings of the Board and all subsidiary public bodies of the College. The President shall promulgate such procedures as may be necessary to maintain the confidentiality of such verbatim recordings and minutes. The verbatim record of closed meetings shall not be open for public inspection or subject to discovery, except as provided by law.

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## **Section 11. Budget Hearing**

A public hearing on the budget will be held each year prior to its adoption. Notice of the hearing will be published in the local newspapers in accordance with Section 103-20.1 of the Illinois Public Community College Act as amended, modified or construed.

## **Section 12. Special Hearings**

Special hearings will be set by official Board action, and the date and place for the hearings will be published in the local newspapers.

## **Section 13. Quorum and Voting**

A majority of the voting members of the Board of Trustees shall constitute a quorum for transaction of business at any meeting of said Board. If less than a majority of the duly qualified and acting voting Board members are present at said meeting, a majority of the members present may adjourn the meeting without further notice.

Unless otherwise provided herein and/or in the Illinois Public Community College Act, a majority of the votes of the members voting on a measure shall determine the outcome thereof, provided there is a quorum present. Voting ordinarily will be by voice except in matters requiring the expenditure of funds or the execution of contracts, when a roll call vote of the members shall be required. A roll call vote may also be used when requested by any member of the Board of Trustees.

For committee meetings, a majority of voting members of the committee shall constitute a quorum. If less than a majority of the duly qualified and acting committee members is present at the meeting, the Board Chair may act as an ex officio Board member to create a quorum at the committee meeting.

## **Section 14. Open to the Public**

All meetings and hearings of the Board will be open to the public, except Closed Sessions and Closed Meetings as indicated in Section 9 above.

## **Section 15. Workshops/Board Retreats**

The Board shall attend in-depth workshops or retreats organized for the purpose of assisting Board members to gain greater understanding of the College and issues affecting higher education. Workshops and/or retreats may be scheduled as deemed necessary or advisable. The news media will be given notice of the time and place of such meetings. Notice shall be posted at the entrance of the principal administration office and, when practicable, at the location where the actual meeting is to be held, not less than forty-eight (48) hours prior to the time of the meeting.

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## Section 16. Board Member Use of Electronic Means of Communication

Electronic means of communication (such as, without limitation, electronic mail, electronic chat, instant messaging, or other means of contemporaneous interactive communication) to, by, and between Board members in their capacity as Board members, shall not be used to conduct Board business in a manner that duplicates such contemporaneous interactive communication. Electronic communication use by Board members, in their capacity as Board members, shall be limited to:

- A. Disseminating information; and
- B. Messages or communications not involving deliberation, debate or decision- making among three or more Board members

Examples of permissible electronic communication are:

- A. Agenda item suggestions;
- B. Reminders regarding meeting times, date, and places;
- C. The dissemination of Board meeting agenda or public record Information concerning agenda items;
- D. Responses to questions posed by the community, administrators or College staff; and
- E. Questions or requests for information directed to administrators or College staff.

Board Member Attendance by a Means Other Than Physical Presence:

- A. If a quorum of Board members is physically present at a Board meeting, a majority of the Board may vote to allow a Board member who is not physically present to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the College; or (iii) a family or other emergency. "Other means" is by video or audio conference.
- B. If a Board member wishes to attend a meeting by other means, the Board member must notify the Board Secretary of the College before the meeting unless advance notice is impractical.

## Section 17. Rules of Procedure

In matters of procedure not governed by these Policies of the Board, or modified by the Board, Robert's Rules of Order, as revised, shall govern.

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Board meetings shall be conducted according to current Robert's Rules of Parliamentary Procedure, except as modified by the Board. The ayes and nays shall be called and entered upon each vote. Voting ordinarily will be by voice except when formal resolutions are required or when funds are to be expended, in which case the vote shall be by call of the roll. A roll call vote may also be used when requested by any member of the Board. Whenever a committee makes a report to the Board and the committee chairperson or other person making the report on behalf of the chairperson moves to accept the report, this motion shall not require a second.

## Section 18. Recognition of Registered Visitors

Visitors wishing to be heard at a Board meeting may be afforded time, subject to reasonable constraints, to comment or to ask questions of the Board and shall comply with the following guidelines:

- A. Individuals or groups who desire to speak to the Board shall submit a request on a designated card and turn in to the designated staff up to 10 minutes prior to the scheduled beginning of the meeting.
- B. Any request to speak to the Board shall include the name of individual(s), the organization represented (if any), the topic to be addressed, and whether they will speak for or against the issue.
- C. The public comment section of the agenda will be limited to a thirty (30) minute maximum, to be extended if necessary at the discretion of the Chairperson.
- D. Presentations by any one individual shall be limited to three (3) minutes.
- E. If more than one individual is to speak on a topic, each must speak consecutively. Each individual's presentation will be limited to three (3) minutes. The Chairperson shall have the option of halting presentations which repeat points already presented, or to limit the number of speakers addressing the same perspective (for or against) on a topic.
- F. The Board, at its option, may not comment on presentation to the Board.
- G. Informal opportunities to address the Board may be granted at the Chairperson's discretion.
- H. Ten copies of any document or other medium to be submitted to the Board are to be supplied for distribution to the President's Office at least three (3) days before a Board meeting.
- I. Visitor presentations and discussions related thereto may be closed or taken under advisement as the Board deems appropriate.



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- J. Nothing contained herein shall be construed to limit the power of the Board to impose other reasonable constraints upon the ability of visitors to comment to or ask questions of the Board.

## Section 19. Minutes

A record of all transactions of the Board will be set forth in the minute book of the Board, and all minute books will be kept by the Secretary of the Board as a permanent record of all Board actions and policy decisions in the College District. The approved minutes of all open sessions will be open to the inspection of the public at any time during normal business hours. Minutes of closed sessions will be kept in the same manner, but will remain closed until such time the items or topics of discussion are judged to be open under the requirements of the Illinois Open Meetings Act. All minutes will record the name of the person making a motion, the name of the person seconding the motion, and the vote. A member may request that the reason for his vote be recorded in the minutes, such request to be made at the time of voting.

All closed session minutes shall be recorded verbatim (audio or video), according to the amendments to Section 2.06 (a-f) of the Illinois Open Meetings Act.

**Adopted:** July 23, 2013

**Revised:** June 24, 2014

## RVC Board Policy 1:10.050

### Committees

#### Section 1. Special Committees

Special Committees may be created by the Chairperson of the Board or by Board action. The President of the College, with the approval of the Chairperson of the Board, may call meetings of the Board Committees and may (shall) attend all committee meetings, except when his or her employment or salary is under consideration. A Special Committee shall report recommendations to the Board for appropriate action and shall be dissolved when its report is complete and accepted by the Board.

#### Section 2. Committee of the Whole

The Board shall maintain a Committee of the Whole consisting of every Trustee. The Committee of the Whole will generally meet monthly to discuss College business in preparation for the Regular Board Meeting. Items discussed at the Committee of the Whole shall be according to the agenda for that specific meeting. The Committee of the Whole will not be used for the taking of Board actions.

#### Section 3. Standing Committees

The Board may appoint Standing Committees to provide the Trustees with additional oversight or heightened levels of awareness of key College matters. Standing Committees are comprised of Board members appointed by the Chair with the advice of the Board. College administrators may also be assigned to a Standing Committee as deemed appropriate by the Board of Trustees.

Standing Committees will not interfere with the wholeness of the Board's duties and responsibilities, nor with delegation from the Board to the President nor with President's authority.

**References:** Board Report 4377-1 through 4377-9 February 20, 1989  
Board Report 3257 September 22, 1980  
Attorney Resolution 307 July 23, 2013; Board Report 7430

**Adopted:** June 27, 2017

## RVC Board Policy 1:10.060

### Contracts and Finances

#### Section 1. Contracts

The Board of Trustees may authorize any officer or officers, agent or agents, by Resolution, to enter into any contract and execute and deliver any instrument on behalf of this Board. The President is expressly authorized to execute any contracts and grant documents approved by the Board.

#### Section 2. Finances

No funds shall be borrowed without specific authorization by Resolution of the Board for contracting any indebtedness.

#### Section 3. Checks and Depository

All checks, drafts, or orders for payment of wages, salaries, and/or other bills issued by this college district shall be signed by the properly designated officers in accordance with the Resolution filed with the depository. The depository of the funds of the Board of Trustees shall be designated by Resolution at the Reorganization Meeting.

**Adopted:** July 23, 2013

## RVC Board Policy 1:10.070

### Board Policies

#### Section 1. Policies of the Board

The exercise of Board powers concerning the Board structure and direction regarding the internal operating organization of the College may be classified as Policies of the Board.

“Policy” shall hereinafter be defined as a basic assumption or principle established by the Board of Trustees as a guideline for discretionary action by the administration, faculty, and staff in conducting the affairs of the College to achieve the stated goals or objectives.

The policies adopted by the Board of Trustees have been written to be consistent with the provision of law, but do not encompass all laws relating to the District’s activities. All members of the academic community shall be expected to know and shall be held responsible for observing all provisions of these policies pertinent to their specific activities.

The operation of the College, whether or not any action is covered by the stated Policies of the Board, shall be subject to the policy of the Illinois Community College Board, local, state, and federal statutes and to the United States Constitution.

#### Section 2. Intent of the Policies

Rules and procedures in support of the Policies of the Board are established by the administration, faculty, and staff members with the approval of the President in order to apply Board Policy to specific situations. Such rules and procedures shall be reduced to writing and shall subsequently be made a part of the College catalog, manuals and/or such handbooks as may be appropriate.

#### Section 3. Suspension

Any policy may be temporarily suspended, on an emergency basis only, by a majority vote of the entire Board of Trustees, which vote will be taken by roll call and will be entered in the minutes of the meeting.

**Reference:** Board Report 6607 May 26, 2009

**Adopted:** July 23, 2013

# Rock Valley College

## RVC Board Policy 1:10.080

### Amendments and Adoption of Board Policies

The Policies of the Board may be amended by a majority vote of the entire Board at any meeting provided that Board members receive official notice of the proposed amendment at the Regular Board meeting prior to the meeting at which said amendment is adopted. Amendment to a policy will be made by the repeal of an existing policy and/or the enactment of a new or additional policy. Vote on the change will be taken by roll call and entered in the minutes of the meeting.

These Policies of the Board may be amended, altered, or repealed and new rules adopted at any meeting of the Board of Trustees by a unanimous vote of all voting Board members.

**Adopted:** July 23, 2013

## RVC Board Policy 1:10.090

### The Board and the President

#### Section 1. President

The President of the College shall be the chief administrative officer of the internal operating organization of the College and shall be appointed by the Board. In addition, to the extent allowed by the Illinois Public Community College Act, the President may represent Rock Valley College on official and ceremonial occasions.

The Board of Trustees expects:

- A. The President, or his designee, to attend and inform and advise, without vote, in all meetings of the Board of Trustees, except where his absence is expressly desired or when the Board is in Executive Session.
- B. The President, or his designee, to attend all committee meetings of the Board and act as the resource person to the several committees of the Board, unless expressly asked to leave to enable the committee to go into executive session.
- C. The President to be responsible for the overall operation of the College by initiating, guiding, and directing activities which are necessary to fulfill the mission of the College and any such other expectations that the Board of Trustees may establish.

#### Section 2. Acting President

The President shall be authorized to designate a member of the College staff as Acting President during temporary disability or absence from the College. In the case of lengthy continued disability or absence of the President, in case of vacancy of the presidency, or under other special circumstances, the Board shall name an Acting President and shall negotiate a commensurate salary for said responsibility.

#### Section 3. Communication with the Board

The President shall serve as the primary channel of communication between the Board and all subordinate administrative officers and personnel of the internal organization, except that nothing herein is intended to limit the ability of the Board of Trustees to communicate with Administrators assigned to Board committees or other special projects.

Mail received by the College which is generally addresses to the "Board of Trustees" shall be opened by the President's Office and addressed with the Board accordingly. Mail addressed to individual Trustees received by the College shall not be opened and shall be forwarded to the Trustee as soon as practicable.

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The email addresses of Trustees shall be made available to the public. Such other contact information of a Trustee which is authorized for release by a Trustee shall also be made available.

## **Section 4. Emergency Action**

In the event of emergency situations not covered by specific policies, the College President shall have the authority to take any necessary or appropriate action as he or she deems to be required by such emergency. Action taken and the reason therefore shall be communicated to the Board as soon as practicable.

**Adopted:** July 23, 2013

# Rock Valley College

## RVC Board Policy 2:10.010

### Internal/External Communications

The Administration is authorized to implement guidelines for internal/external communications and marketing initiatives to increase accuracy, clarity, and timelines of communication processes.

**Reference:** Board Report 6223

**Implemented:** January 25, 2005

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 2:10.020

### Compliance with the Illinois Freedom of Information Act

The Board of Trustees recognizes the right of members of the public to have access to public records in accordance with the provisions of the Illinois Freedom of Information Act ("FOIA" or the "Act"), and affirms that it is the policy of the College to comply with the Act.

The College President shall designate one or more officials or employees of the College to serve as its Freedom of Information Officer(s), and shall develop and implement administrative procedures to effect compliance with the Act.

**Reference:** Board Report 6679

**Implemented:** January 26, 2010

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:10.030

### Abused and Neglected Child Reporting; Minors on Campus

Rock Valley College shall fully comply with the Abused and Neglected Child Reporting Act (“ANCRA”) (325 ILCS 5/1 *et seq.*) and Article II of the Juvenile Court Act of 1987 (“JCA”) (705 ILCS 405/2-1 *et seq.*).

**Mandated Reporters:** ANCRA provides that all personnel of institutions of higher education are mandated reporters. 325 ILCS 5/4. Mandated reporters are required to immediately report to the Department of Children and Family Services (“DCFS”) whenever there is **reasonable cause** to believe that a child with whom they have contact in their professional capacity may be **abused or neglected**.

Students enrolled in an academic program leading to a position as a childcare worker, school service personnel, and/or education degree are also mandated reporters pursuant to ANCRA.

In addition to the mandated reporting requirements under ANCRA, under the requirements of Article II of the JCA, which addresses the responsibilities of supervision of a minor and their welfare, if a mandated reporter has reasonable cause to believe that a minor known to them in their professional or official capacity is being abused or neglected, as those terms are defined under Article II of the JCA, that mandated reporter must immediately report to DCFS.

**Cooperation:** Employees and students are required to cooperate in the investigation of any report made pursuant to ANCRA.

**Immunity for Good Faith Reports:** ANCRA provides immunity for anyone who makes a report in good faith.

**No Retaliation:** Retaliation against any employee, student, volunteer, or other individuals who makes a good faith report of abuse or neglect or who participates in any investigation of abuse or neglect under ANCRA is prohibited. Anyone found to have engaged in prohibited retaliation may be subject to discipline, up to and including termination, expulsion, and/or other sanctions.

Procedures to implement this policy will be published through the College’s Human Resources Department and made available in that office, the Student Development office, and the College’s website.

**Minors on Campus:** The College recognizes that minors may accompany adults during visits to campus. Rock Valley College's practice is to be respectful and supportive of the families and children of students, employees, and visitors. As an institution of higher education, the College provides educational and support services primarily to adult learners, although a variety of activities, classes, and

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programs are offered to minors. The College is a public institution, available to its students and the general public who may wish to use its facilities, learn about its services and programs, or attend functions on the campus. The general public has the right to use the College's facilities and to visit the College during normal hours of operation.

In general, the College does not supervise minors outside of officially sanctioned programs and activities, and neither the College nor its employees, agents, or students may accept responsibility to do so on behalf of the College. It is the position of the College that non-enrolled minors represent a potential disruption to the learning environment. The College accepts neither responsibility nor liability for accidents or injuries that may occur to a non-enrolled minor while on campus. Responsibility and liability lie completely with the minor's parent or responsible adult.

Non-enrolled minors are not permitted in classrooms or other student work areas. Minors shall not be routinely present at an employee's workplace or accompany a student to his/her classes (e.g., office, classroom, labs, etc.) in lieu of other childcare arrangements. Exceptions may be granted by the employee's supervisor or a faculty member on an emergency basis and for a specified period of time. If such an exception is granted, the parent or accompanying adult shall be solely responsible for the minor while the minor is present on campus.

No student, employee, or visitor to the College shall leave a minor unattended at the College, including outside of classrooms where a parent or accompanying adult is attending an activity at the college, in campus buildings, on campus grounds, or in a vehicle.

Unattended minors who are on campus without a parent or accompanying adult may be asked by Rock Valley College Police to leave; may be referred to the Department of Children and Family Services (DCFS); or may be referred to the local police, depending upon the circumstances (e.g., child's age, address, behavior, etc.).

**Reference:** Board Report 6926, 7988

**Implemented:** August 28, 2012

**Revised:** April 8, 2014, October 25, 2022

# Rock Valley College

## RVC Board Policy 2:10.040

### Registered Sex Offenders Compliance Policy

The Federal Campus Sex Crimes Prevention Act of 2000, Section 1601 of PL 106-386, provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education.

As of January 1, 2012, the Illinois Sex Offender Registration Act, 730 ILCS 150/3, requires that any sex offender or sexual predator that will be employed at or enrolled in classes at higher education institutions must register with the campus police.

Rock Valley College will have procedures to implement this policy regarding Registered Sex Offenders in conformance with federal, state, and other legal requirements including the Campus Sex Crimes Prevention Act and the Illinois Sex Offender Act.

**Reference:** Board Report 6941

**Implemented:** October 23, 2012

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:10.050

### Official College Holidays

The following holidays are official Rock Valley College holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Juneteenth National Freedom Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Eve Day
- Christmas Day
- New Year's Eve Day

The Board of Trustees reserves the right to designate additional days as days on which the College is closed.

**Reference:** Board Report (BR) #4510, BR #7897

**Implemented:** February 19, 1990

**Revised:** January 25, 2022

# Rock Valley College

## RVC Board Policy 2:10.060

### Identity Theft Protection

Rock Valley College Board of Trustees authorizes the Administration to implement an Identity Theft Prevention Program in compliance with the Fair and Accurate Credit Transactions Act of 2003: 6 C.F.R. Part 681 (Federal Trade Commission Rule) and to implement policies to comply with the Identity Protection Act, 5 ILCS 179/1 et seq.

The purpose of this Identity Theft Prevention Program is to detect the warning signs - or "red flags" - of identity theft in our day to-day operations, take steps to prevent the crime, and mitigate the damage it inflicts. This Program establishes reasonable policies and procedures to facilitate the detection, prevention and mitigation of identity theft in connection with new and established Covered Accounts.

The Red Flag Rules apply to Creditors who are subject to administrative enforcement of the Fair Credit Reporting Act by the Federal Trade Commission, and the Red Flag Rules impose obligation on those creditors that maintain Covered Accounts. A Covered Account, under the Red Flag Rule, is basically a consumer account that involves multiple payments or transactions, such as a loan that is billed or payable monthly. The term Covered Account is also other accounts where there is a reasonably foreseeable risk to consumers or the safety and soundness of the credit from identity theft.

The Program applies to the creation, modification and access to Identifying Information of customers to the College. This Program does not replace or repeal any previously existing policies or programs addressing some or all of the activities that are the subject of this Program. This Program acts as a supplement to existing policies and programs.

**Reference:** Board Report 6594

**Implemented:** April 28, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:10.070

### Records Retention

In accordance with the Local Records Act, 50 ILCS 205/1, Local Records Commission, Illinois State Archives, and Office of the Secretary of State, Rock Valley College shall follow, all procedures for handling and disposing of both paper and electronic files.

**Implemented:** March 24, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:10.080

### Alcohol Served at Events

Rock Valley College will allow alcohol to be served only at specific events each year. Each event must be approved by the College President. Only beer and wine products will be allowed, and all procedures for proper insurance and approval will be required prior to the event.

All Local, State and Federal regulations regarding the serving of alcohol will be followed.

The Administration is authorized to adopt and maintain a procedure on the use of alcohol at College events.

**Reference:** Board Report 6609

**Implemented:** May 26, 2009

**Revised:** April 8, 2014



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## RVC Board Policy 2:10.090

### Smoking Compliance Policy

The Smoke Free Illinois Act (01/01/2008) requires that each public entity enforce NO SMOKING within a prescribed number of feet of public entrances and ventilation intakes.

The Smoke-Free Campus Act (08/18/2014) requires that smoking on Illinois campuses be restricted to inside personal vehicles.

Rock Valley College will establish procedures which inform occupants of campus of the restrictions and provide for adequate enforcement. Violators may be fined in accordance with the Smoke Free Illinois Act, the Smoke-Free Campus Act, and Rock Valley College Administrative Procedures.

**Reference:** Board Report 6485 and 6942, Attorney Report 343

**Implemented:** September 12, 2000

**Revised:** July 1, 2015

# Rock Valley College

## RVC Board Policy 2:10.100

### Solicitation

#### The Solicitation and Acceptance of Contributions (Gifts) and Exchange Transactions

Rock Valley College may identify financial needs for special projects, program development, and other educational endeavors that cannot be met through available funding sources. The College may seek external resources to meet identified needs. In addition, the Board of Trustees may accept contributions to the College and agrees to exchange transactions to meet financial needs.

#### Political Events on Campus

Illinois law expressly prohibits the use of public funds to urge electors to vote for or against any candidate or proposition or be appropriated for political or campaign purposes to any candidate or political organization. Election Code, 10 ILCS 5/9-25.1. Candidates for public office and individuals who support or oppose propositions before the electorate must be advised by the sponsoring College groups that:

1. A speech or appearance on College premises does not constitute an endorsement by the College of a candidate or the advocacy by the College of a position on a public question;
2. No direct solicitation of funds or distribution of campaign fund raising literature is permitted on College premises; and
3. No campaign materials which state or imply that the College supports or opposes a candidate or a public proposition may be distributed on College premises or elsewhere.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:10.110

### Information Technology Compliance

Rock Valley College will comply with all federal, state and local laws with regard to the use of Information Systems within the College network including archiving and storage and all electronic data transmissions into, within or out of the College network.

The College will comply with all federal, state and local laws with regard to all electronic data transmissions into or out of the College network, archiving and storage and use of Information Systems within the college network.

**Reference:** Board Report 6612

**Implemented:** May 26, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.010

### Health and Safety Standard

Rock Valley College shall maintain a healthy learning and working environment by complying with federal, state, and local environmental health and safety standards.

The Board of Trustees authorizes the Administration to implement a procedure regarding health and safety standards.

**Reference:** Board Report 6616

**Implemented:** May 26, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.020

### Rock Valley College Police Department

The Rock Valley College Police Department (“Police Department”) is created in accordance with the Illinois Public Community College Act (110 ILCS 805/3-42.1). The officers of the Police Department are conservators of the peace in accordance with the Act. Therefore, they are granted the same authority as police officers in cities and sheriffs in counties, including the power to make arrests on view or warrants of violations of State statutes and city or county ordinances.

The Police Department provides service, assistance, protection of life and property, enforces the laws of the State of Illinois, cooperates with and assists local law enforcement agencies in accordance with applicable statutes and mutual aid agreements.

The Police Department shall maintain a procedure manual which reflects current best practices and model procedures within the law enforcement profession. Officers shall be authorized to carry weapons, including firearms. All members of the Police Department shall receive training and maintain certification in accordance with applicable statutes.

**Reference:** Board Report 6616

**Implemented:** May 26, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.030

### Emergency Closing of Campus Plan

The Board of Trustees of Rock Valley College authorizes the Administration to institute an Emergency Closing of Campus Plan to maintain and enhance safety and security at the College during emergency or inclement conditions and to proactively address safety and security issues that may impact the College main campus and other owned centers. The purpose of this plan is to present a process, which the College President or his/her designee will use, to determine the need to close the College or any portion thereof. The plan shall include communication processes to notify employees and students of any closing.

**Implemented:** March 24, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.040

### Emergency Response Plan Policy

The Board of Trustees of Rock Valley College shall authorize the Administration to institute an Emergency Response Plan that will protect the interest, safety and health of all employees, students and guests in the event of an emergency.

**Reference:** Board Report 6457

**Implemented:** August 28, 2007

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.060

### Office Doors / Windows

The purpose of this policy is to allow visibility into offices to promote the safety of Rock Valley College faculty, staff and students.

- I. Office doors with a single glass pane and/or upper glass pane in doors with two panes and or walls with a door-length pane glass within three feet of the door must remain clear in accordance with the following:
  - A. Four-inch strip (or width of glass if less than 4 inches wide), from top to bottom, shall be clear of coverings of any type.
  - B. Remainder of upper glass pane may be covered with posters, curtains, etc., providing the covering is approved by the Divisional Chairperson/Director or supervisor.
- II. Lower glass pane in two-pane doors: no coverings of any type shall be permitted.
- III. Any variation must allow clear view into an office and must be approved by the Divisional Chairperson/Director or supervisor.
- IV. No coverings of any type shall be permitted on exterior glass panes of offices.

**Reference:** Board Report 231

**Implemented:** May 23, 1988

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 2:20.070

### Weapons / Concealed Carry

#### I. Statement of Purpose

Rock Valley College hereby establishes this Concealed Carry Policy (hereafter referred to as the "Policy") pursuant to the 2013 Illinois Firearm Concealed Carry Act, 430 ILCS 66/5 et seq. (the "Act"). The College is committed to providing a safe and secure environment for the College community and its guests. In support of this commitment, the College establishes restrictions on the ability to carry firearms or weapons on the College campus in accordance with the College's authority to promulgate rules and regulations under the Act.

#### II. Persons Covered by this Policy

This Policy applies to all employees, students, persons conducting business, or individuals visiting the College campus, as the term "campus" is defined in this Policy. Visitors include, but are not limited to, prospective students, former students and their representatives.

#### III. Prohibited Activities

##### A. Weapons or Firearms

The College maintains a weapons and firearms-free Campus. "Campus" means the College's campus at 3301 N. Mulford Road, Rockford, Illinois and includes all sites, whether owned, leased or controlled by the College where College programs, activities and classes are held. No person covered by this Policy, unless authorized by law or specifically exempted by federal or state law or College regulation, is authorized to possess a weapon or firearm while engaged in College-related business or activities.

It is the Policy of the College to prohibit:

(1) Any person covered by this Policy from possessing a weapon or firearm on property owned, leased or controlled by the College, even if that person has a valid federal or state license to possess a weapon or firearm. Property owned, leased or controlled by the College includes any vehicle, building, classroom, laboratory, medical clinic, hospital, artistic venue, or entertainment venue whether owned, leased or operated by the College, and any real property, including parking areas, sidewalks and common areas under the control of the College. This Policy also applies to all College-related

# Rock Valley College

organization property whether leased or owned by the College and all College-officially- recognized organization property whether leased or owned by the College.

(2) Any person covered by this Policy from displaying, brandishing, discharging or otherwise using any and all weapons or firearms, including concealed weapons or firearms.

## **B. Exceptions**

The provisions of this Policy do not apply to the possession of weapons or firearms in College vehicles, College buildings, on College grounds, or at any College-sponsored activity if the possession of weapons or firearms is related to one of the following exceptions:

- a. The weapon or firearm is used in connection with a weapons safety course, weapons education course, military science or law enforcement training course offered by the College and/or approved and authorized by the College.
- b. The weapon or firearm is carried by a full-time law enforcement officer required to carry a weapon or firearm as a condition of his or her employment; the weapon or firearm is carried by an enforcement officer from an external agency conducting official business at the College; the weapon or firearm is carried by a retired law enforcement officer qualified under the Law Enforcement Officer's Safety Act (Public Act 108-277); or for any other exception deemed necessary as determined by the Chief of the College Police Department
- c. The weapon or firearm is used in connection with sanctioned classes, athletics, or recreational sports practices, games, matches, tournaments or events on Campus when the activity requires the use of such weapons or firearms (e.g., fencing, starter pistols and archery).
- d. The use of simulated weapons or firearms in connection with College-related theatrical productions.

The exceptions to the prohibitions of concealed carry do not apply to off-duty law enforcement officers on Campus, including off duty law enforcement officers attending classes as students.

## **IV. Signage that Concealed Firearms are Prohibited**

The College's Facilities Department in consultation with the College's Police Department shall determine placement of clearly and conspicuously posted signs at all building entrances stating that concealed firearms are prohibited. Signs shall be in accordance with the design approved by the Illinois Department of State Police and shall be posted

# Rock Valley College

in accordance with any other signage regulations as may be promulgated from time to time by the Illinois Department of State Police.

The College's Facilities Department in consultation with the College's Police Department shall be responsible for the placement and maintenance of signage at building entrances.

## **V. Parking and Firearm Storage**

A weapon or firearm may be transported into a parking area within a vehicle if the weapon or firearm and its ammunition remain locked in a case out of plain view within the parked vehicle. "Case" is defined as a glove compartment or console that completely encases the weapon or firearm and its ammunition, the trunk of the vehicle, or a weapon or firearm carrying box, shipping box or other container. The weapon or firearm may only be removed from a vehicle for the limited purpose of storage or retrieval from within the trunk of the vehicle. A weapon or firearm must first be unloaded before removal from the vehicle.

The primary place of storage for a weapon or firearm is within a locked case out of plain view within a parked vehicle in an unrestricted parking area.

## **VI. Firearms in Rights of Way**

Notwithstanding any other provision in this Concealed Carry Policy, a person licensed to carry concealed firearms may carry concealed firearms while he or she is traveling along a public right of way that touches or crosses the College's Campus if the concealed firearm is carried on the person of the licensee in accordance with the provisions of the Act or is being transported in a vehicle by the licensee in accordance with the Act and all other applicable provisions of law.

## **VII. Enforcement**

Any individual visiting or conducting business on the property of the College found to be carrying or have carried a weapon or firearm onto the property of the College knowingly, or under circumstances in which the person should have known that he or she was in possession of a weapon or firearm, may be banned from the College Campus.

Any student found to be carrying or have carried a weapon or firearm onto the property of the College knowingly, or found to be carrying or have carried a weapon under circumstances in which the student should have known that he or she was in possession of a weapon or firearm, may be subject to discipline up to and including, but not limited to, expulsion from the College.

Any employee found to be carrying or have carried a weapon or firearm onto the property of the College knowingly, or be carrying or have carried a weapon or firearm under circumstances in which the employee should have known that he or she was in possession of a weapon or firearm, may be subject to discipline up to and

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including, but not limited to, immediate termination of employment, subject to such other employment rules or regulations in place.

Any individual found to be carrying or have carried a weapon or firearm onto the property of the College knowingly, or found to be carrying or have carried a weapon or firearm under circumstances in which the individual should have known that he or she was in possession of a weapon or firearm, may be subject to administrative action by the College and possible arrest and prosecution. Violations of this Policy may result in referrals to external law enforcement agencies.

## **VIII. Definitions**

A. The term "firearm" is defined as a "loaded or unloaded handgun." A "handgun" is defined as any "device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas that is designed to be held and fired by the use of a single hand." 430 ILCS 66/5.

B. The term "weapon" is defined as:

Any device, whether loaded or unloaded, that shoots a bullet, pellet, flare or any other projectile including those powered by CO<sub>2</sub>. This includes, but is not limited to, machine guns, rifles, shotguns, handguns or other firearm, BB/pellet gun, spring gun, paint ball gun, flare gun, stun gun, taser or dart gun and any ammunition for any such device. Any replica of the foregoing is also prohibited.

Any explosive device including, but not limited to, firecrackers and black powder.

Any device that is designed or traditionally used to inflict harm including, but not limited to, bows and arrows, any knife with a blade longer than three inches, hunting knife, fixed blade knife, throwing knives and daggers.

C. The term "clear and present danger" means:

"A person who demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official." 430 ILCS 66/105.

## **IX. College Police Department**

The College Police Department, in consultation with the College President and Board of Trustees, shall be responsible for the development and promulgation of procedures and protocols for storage and confiscation of weapons.

The College Police Department, in consultation with the College President and Board of Trustees, shall be responsible for determining the clear and conspicuous posting of signage at all building entrances, stating that concealed firearms are prohibited, and signs shall be in accordance with the design approved by the Illinois Department of State Police and posting shall comply with any other administrative

# Rock Valley College

rules or procedures that may be promulgated from time to time by the Illinois Department of State Police.

## **X. College Dean of Students**

Pursuant to the Firearm Concealed Carry Act, the College President or designee is required to report to the Illinois Department of State Police when a student is determined to pose a clear and present danger to himself, herself, or to others, within 24 hours of the determination and in accordance with Section 6-103.3 of the Mental Health and Developmental Disabilities Code, 405 ILCS 5/6-103.3. "Clear and present danger" is defined in this Policy.

The College Dean of Students shall be the designee of the College President responsible for reporting to the Department of State Police any student or visitor who is determined to pose a clear and present danger.

## **XI. Delegation**

The College's Board of Trustees hereby delegates to the President of the College the authority to promulgate additional policies, regulations and procedures related to and consistent with this Policy, the 2013 Illinois Firearm Concealed Carry Act and other relevant laws and regulations.

The President of the College shall from time to time report to the College's Board of Trustees any additional policies, regulations or procedures needed and the status of implementation of this Policy.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.080

### Communicable Diseases

Rock Valley College places a high priority on the need to prevent the spread of chronic, communicable diseases. The College is committed to educating its staff, students, and the community about protection from and control of communicable diseases, as defined by the Illinois Department of Public Health in the Illinois Control of Communicable Diseases Code, 77 Ill. Admin. Code 690.

The College shall develop consistent procedures for student and employee absence due to a communicable disease as described under Section 690.200 of the Illinois Control of Communicable Diseases Code including the protocol by which the College informs the Winnebago County Health Department of such communicable disease.

**Reference:** Board Report 6642

**Implemented:** August 23, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.090

### Hazardous Materials / Hazardous Communications

Rock Valley College will develop and maintain a procedure defining appropriate hazardous material documentation, communication, and disposal in accordance with pertinent statutes and regulations.

**Reference:** Board Report 6618

**Implemented:** May 26, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:20.100

### Campus Demonstrations

Rock Valley College respects the rights of individuals to self-expression and to demonstrate that expression peacefully. The Illinois Campus Demonstrations Policy Act, 110 ILCS 10/1, establishes that the College's Administration is responsible for establishing rules and regulations for maintaining decorum and order on the campuses of the institution.

The College shall develop procedures outlining rules and regulations to maintain order on the College's campuses, ensuring that the civil rights of others are not infringed, and establishing methods to secure the reasonable operation of college activities in accordance with all applicable statutes and regulations, including but not limited to the Illinois Campus Demonstrations Policy Act.

**Reference:** Board Report 6617

**Implemented:** May 26, 2009

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 2:20.110

### Campus Trespass Policy

Rock Valley College is a public institution of higher education that is generally open to the public. At the same time, the College is committed to safeguarding its students, employees and visitors, to ensuring the safe operation of College programs and activities, and to protecting College assets. In that regard, the College reserves the right to establish expectations and parameters governing visitors' presence on College property. The College further reserves the right to restrict a visitor's access to some or all College property, where a determination has been made that the visitor engaged in, or is reasonably likely to engage in: (a) criminal activity; (b) a violation of College policy; and/or (c) conduct that may reasonably be deemed to be threatening, disruptive and/or violent.

The Administration, in consultation with the College Police Department, shall develop procedures outlining the circumstances under which a visitor's access to or presence on College property may be restricted, and the process for issuing a no-trespass order to such visitor for a definite period of time, to be determined on a case-by-case basis.

Nothing in this Policy precludes the College from issuing a no trespass directive to a currently enrolled student pursuant to the College's existing policies and procedures governing students, including but not limited to the Student Code of Conduct.

**Reference:** Board Report 7673

**Adopted:** December 17, 2019

# Rock Valley College

## RVC Board Policy 2:30.010

### Conducting Institutional Research

Rock Valley College will develop procedures which ensure that research conducted at, for, or through the College properly protects the rights of research participants and safeguards the College.

**Reference:** Board Report 6201

**Implemented:** October 26, 2004

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:30.020

### Acceptable Use Policy for Information Technology Systems

The Rock Valley College Board of Trustees authorizes the Administration to develop and implement procedures for the acceptable use of Information Technology (IT) systems and resources, in order to protect the rights and privileges of the users of the IT systems, to ensure compliance with all applicable laws and regulations and to safeguard the College. All such systems shall be used only in accordance with this policy and the associated procedures. It shall be the responsibility of all users of College IT systems to be familiar with, understand and comply with this policy.

**Reference:** Board Report 6612

**Implemented:** May 26, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:30.030

### Computer Equipment

The Rock Valley College Board of Trustees authorizes the Administration to develop and implement procedures for the use of computer hardware and software.

Computing equipment shall be defined as, but not exclusive to, PC's, Mac's, switches, servers, blades, data projectors, computer accessories or other equipment necessary to run or access the College network. Certain guidelines, access, security and maintenance should be adhered to with this equipment.

**Reference:** Board Report 6643

**Implemented:** August 25, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:30.040

### Grants Policy

A consistent process for grant acquisition and administration will be implemented to help achieve Rock Valley College initiatives and standards of accountability.

**Reference:** Board Report 6219

**Implemented:** January 25, 2005

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:30.050

### Rock Valley College Donations and Foundation

The Rock Valley College Foundation (“Foundation”) solicits, receives, manages, and dedicates funds and property for the use and benefit of Rock Valley College and to support its educational mission. The College looks to the Foundation for funding of scholarships to support students in their pursuit of academic and career goals. Broad-based initiatives being conducted by the Foundation will support facilities improvements and will form a means of financial support for future program and facility needs.

There are many reasons advantageous to both the College and Foundation for centralizing all private donations for the benefit of the College through the Foundation.

These include:

1. The tracking and reporting of all gifts and/or pledges in compliance with the various Illinois governmental agencies, the Not-for-Profit Act, and professional fund-raising organizations of which Rock Valley is a member.
2. The issuance of the required tax deductibility information to each donor.
3. Appropriate appreciation and recognition of all donors.

Accordingly, the Board of Trustees approves and encourages the channeling of private (third-party) donations, both monetary and in-kind, to the Foundation.

**References:** Board Report 5789, 6904  
March 27, 2012 Memorandum of Understanding between Rock Valley College and Rock Valley College Foundation

**Implemented:** May 15, 2000  
May 22, 2012

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:40.010

### Facilities and Grounds Rental

The Rock Valley College Board of Trustees authorizes the Administration to develop and implement procedures for the acceptable use of the College Facilities and Grounds in order to encourage community organizations to use College facilities. Consistent with this position, the Board encourages use of College facilities by community groups at such times as the facilities and grounds are not required for College activities. Reservations will be considered on a first-come, first-served basis after College priorities have been satisfied. Rental requests will be handled through the Office of Facilities Planning Operations and Maintenance. The College reserves the right to deny the rental of any or all parts of the College facilities and/or grounds.

**References:** Board Report 6477

**Implemented:** November 27, 2007

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:40.020

### College Facility Development and Preservation

Rock Valley College shall provide safe, functional, clean, economically operating and aesthetically pleasing campuses using federal, state, or local guidelines; assuring that the physical plant, buildings, as well as grounds receive the necessary care, maintenance, and repair not only to extend their useful life to the College, but also to ensure that the integrity of the appearance of campuses is maintained.

Rock Valley College Board of Trustees shall authorize the Administration to implement a procedure regarding College facility development and preservation.

**References:** Board Report 6613

**Implemented:** May 26, 2009

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 2:40.030

### Fleet Management

Rock Valley College will provide safe, economical fleet equipment to meet College maintenance and transportation needs.

Rock Valley College Board of Trustees shall authorize Administration to implement a procedure regarding fleet management.

**References:** Board Report 6614

**Implemented:** May 26, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:40.040

### Shipping and Receiving

The purpose of the Rock Valley College campus-wide policy on shipping and receiving is to acknowledge that the establishment of central locations for Shipping and Receiving will best meet the requirements of the College. The central locations provide a safe environment as trucks are diverted away from students and staff.

It is the policy of the College to establish central locations for Shipping and Receiving to mitigate costs and personnel needs. Commitment to the fixed asset management policy and procedures is implemented through relationships with the Mail Distribution Center (MDC). Delivery and pickup by any vendor at other campus buildings is not permissible without preauthorization of the MDC.

**Implemented:** March 24, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:40.050

### Mail Service

Rock Valley College aims to establish central locations for the processing of inter-campus and external mailings related to the College's official business following Federal mailing guidelines. The Mail Distribution Center (MDC) is a restricted service that distributes and processes the College's official mail. The College prohibits the use of MDC for personal or the private gain of employees or non-College groups.

**Implemented:** March 24, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 2:40.060

### Disposal of Assets

Rock Valley College will follow prevailing statutes to dispose of Public assets. The Board of Trustees allows the College, to the extent permitted by the prevailing statutes, to dispose of public assets which includes, but is not limited to, the following categories integral to the operation or administration of the College: all equipment (scientific, office, audio visual, fitness, maintenance, communication, administrative), furniture, computers, software, vehicles, and all other items that have an asset tag affixed. The office of Business Services will facilitate the disposal procedures.

The disposal of all land and buildings and building improvements owned or leased by the College must have Board of Trustees approval and are excluded from this policy.

**Reference:** Board Report 4255

**Implemented:** March 21, 1988

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.010

### Equal Employment Opportunity

It is the policy of Rock Valley College to provide equal opportunity in its admissions, employment and educational programs and activities consistent with federal and state law. Discrimination is prohibited on the basis of race, color, religion, national origin, ancestry, citizenship status, sex, age, physical or mental disability, marital status, order of protection status, sexual orientation, gender identity (including gender expression and gender questioning), veteran status, or unfavorable military discharge, use of lawful products while not at work, genetic information, or other legally protected categories.

This policy of equal employment opportunity applies to all policies and procedures. This policy governs admission, access, participation, and treatment in programs and activities, application for and treatment in all aspects of employment, including but not limited to: recruitment, hiring, transfers, promotions, demotions, reclassifications, compensation, benefits, tuition assistance, training, discipline, lay-offs, termination, social and recreational programs, use of College facilities, or any other terms, conditions, and privileges of employment.

Upon request Rock Valley College will make reasonable accommodations for qualified individuals with known disabilities unless doing so would create an undue hardship.

Individuals who believe they have not received equal employment opportunities or with questions about any type of discrimination in the workplace should bring these concerns to the attention of the Human Resource Department. Employees may raise concerns without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including dismissal as an employee of Rock Valley College.

**Reference:** Board Report 6977

**Implemented:** February 27, 2013

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.020

### Procedures Implementing the College's Policy Prohibiting Sex-Based Misconduct

#### I. Purpose

The College is committed to maintaining a safe and healthy educational and employment environment that is free from discrimination, harassment and misconduct on the basis of sex, which includes sexual orientation or gender-related identity. The purpose of these Procedures is to implement the College's Policy Prohibiting Sex-Based Misconduct, Non Discrimination- Students Policy (Board Policy 4:10.010), and Equal Employment Opportunity Policy (Board Policy 3.10.010), ensure a safe and healthy educational and employment environment, and meet legal requirements in accordance with: Title IX of the Education Amendments of 1972 ("Title IX"), which prohibits discrimination on the basis of sex in the College's education programs or activities; relevant sections of the Violence Against Women Reauthorization Act ("VAWA"); Title VII of the Civil Rights Act of 1964 ("Title VII"), which prohibits discrimination on the basis of sex in employment; relevant sections of the Illinois Human Rights Act, which prohibits discrimination on the basis of sex or sexual orientation, including gender-related identity; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), which requires timely warning to the community of certain immediate threats; the Preventing Sexual Violence in Higher Education Act; and other applicable law and local ordinances.

The College has an affirmative duty to take immediate and appropriate action once it knows or its management should know of an act of sex-based discrimination, sexual harassment or other sex-based misconduct in any of its educational or employment programs or activities. The College will promptly and thoroughly investigate any complaints of sexual discrimination, harassment and/or misconduct in accordance with the procedures set forth below.

#### II. Jurisdiction

The College's Policy Prohibiting Sex-Based Misconduct and these implementing Procedures apply to students, faculty, staff, appointees, or third parties, regardless of sexual orientation or gender-identity, whenever the misconduct occurs:

- A. On College property; or
- B. Off College property if:

# Rock Valley College

1. The conduct was in connection with a College or College-recognized program or activity; or
2. The conduct may have the effect of creating a hostile environment for a member of the College community.

## **III. Scope**

These Procedures govern sex-based misconduct in various forms, many of which may trigger legal obligations under one or more state and federal laws. In no case does the inapplicability of

a particular legal framework requires the College not to address an act of misconduct falling within the scope of these Procedures.

Sections I-VII and IX-X include provisions relevant to sex-based misconduct in all its forms.

Sections VI.A and VI.B address specific reporting procedures for students and employees, respectively. Section VIII, which describes a grievance process with a required live hearing, applies only to formal Title IX complaints and complaints alleging sexual violence, domestic violence, dating violence or stalking.

Appendix A provides definitions for these Procedures.

## **IV. Administration**

### **A. Title IX Coordinator**

The College has designated the Dean of Students and Executive Director of Human Resources as the Title IX Coordinator(s). Contact information for the Title IX Coordinator(s) is as follows:

Terrica Huntley Dean of Students Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921 -4187  
Email: T.Huntley@Rockvalleycollege.edu

Joe Simpson, PHR, SHRM-CP Executive Director of Human Resources Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921-4752  
Email: J.Simpson@Rockvalleycollege.edu

Responsibilities of the Title IX Coordinator(s) include, but are not limited to:

# Rock Valley College

- Overseeing the College's response to all Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports or complaints.
- Being informed of all reports and complaints raising Title IX issues, including those initially filed with another individual or office or if the investigation will be conducted by another individual or office.
- Conducting and/or assigning Title IX investigations, including the investigation of facts relative to a complaint.
  - With respect to Title IX complaints that relate to a College employee as the complainant or as the respondent, the Title IX Coordinator(s) will partner with the Department of Human Resources to manage the investigation into the allegations and recommend any appropriate sanctions against an employee.
  - The Title IX Coordinator must not be the decision-maker for a determination of responsibility in response to a formal Title IX complaint of sexual harassment.
- Coordinating any appropriate supportive measures and ensuring the effective implementation of any remedies.
- Ensuring that appropriate policies and procedures are in place for working with law enforcement and coordinating services with local victim advocacy organizations and services providers, including rape crisis centers.
- Ensuring that adequate training is provided to students, faculty and staff on Title IX issues.
- Monitoring students' participation in athletics and across academic fields to ensure that sex discrimination is not causing any disproportionate enrollment based on sex or otherwise negatively affecting a student's access to equal educational opportunities.
- Developing a method to survey the school climate and coordinating the collection and analysis of information from that survey.
- Promoting an educational and employment environment which is free of sex discrimination and gender bias.

The College has designated the Manager of Student Life and the Vice President of Human Resources as the Deputy Title IX Coordinator(s). The Deputy Title IX Coordinators' contact information is:

Luevinus Muhammad, Manager of Student Life Rock Valley College  
3301 N. Mulford Road Rockford, IL. 61114



# Rock Valley College

Telephone: 815-921-4183

Email: l.muhammad@rockvalleycollege.edu

Jim Handley, Vice President of Human Resources Rock Valley College

3301 N. Mulford Road Rockford, IL 61114

Telephone: 815-921-

Email: J.Handley@Rockvalleycollege.edu

The role of the Deputy Title IX Coordinator includes but is not limited to:

- to assist the Title IX Coordinator with Title IX training for students, employees, faculty and responsible employees.
- The Deputy Title IX Coordinator also assists with monitoring compliance and deadlines, and provides case management for tracking and reporting of incidents.
- The Deputy completes Title IX investigations, to include taking complainant, respondent and witness statements, writing summary reports, issuing findings and making recommendations to the Title IX Coordinator.
- The Deputy offers resources and information as appropriate for all parties.
- The Deputy provides primary prevention and awareness education and, in consultation with the Title IX Coordinator, reviews materials, publications and the College's website for accuracy, consistency and compliance.

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator(s) or to the Assistant Secretary for Civil Rights at the United States Department of Education:

Office for Civil Rights, Chicago Office

U.S. Department of Education Citigroup Center

500 W. Madison Street, Suite 1475

Chicago, IL 60661-4544

Telephone: (312) 730-1560 Email: OCR.Chicago@ed.gov

## **B. Department of Human Resources**

The Department of Human Resources will partner with the Title IX Coordinator with respect to any complaints of sex-based misconduct that involve a College employee as the complainant or as the respondent. For any such complaints that involve a College employee as the respondent and fall outside the scope of Title IX, the Department of Human Resources will manage the investigation into the allegations and issue a decision and any appropriate sanction(s).

For complaints of sex-based misconduct that involve a College employee as the respondent, investigatory and disciplinary procedures required by any applicable collective bargaining agreement will apply in addition to these Procedures.

## **V. Options for Assistance Following an Incident of Sex-Based Discrimination, Harassment or Misconduct**

# Rock Valley College

## A. On- and Off-Campus Counselors and Advocates

The following on- and off-campus counselors and advocates can provide an immediate confidential\* response in a crisis situation, as well as ongoing assistance and support:

1. Remedies, 24 hour Domestic Violence  
<https://www.remediesrenewinglives.org/>  
National Domestic Violence Hotline Number: 1-800-799-7233 (SAFE)  
Address:  
220 Easton Parkway  
Rockford, IL 61108  
Local Phone Number: 815 962 6102
2. \*Illinois Coalition Against Sexual Assault (ICASA) <https://icasa.org/crisis-centers>  
Address:  
100 North 16th Street  
Springfield, IL 62703  
Local Phone Number: 217 753 4117
3. Rockford Sexual Assault Counseling (RSAC)- \*Affiliated with ICASA  
[www.rockfordsexualassaultcounseling.org](http://www.rockfordsexualassaultcounseling.org)  
  
RSAC Winnebago County  
Address: 4990 E. State Street  
Rockford, IL 61108  
Local Phone Number: 815-636-9811  
  
RSAC Ogle County  
Address: 412 W Washington  
Oregon, IL 61061  
Local Phone Number: (815)-732-0000  
  
RSAC Boone County  
Address: 860 Biester Drive, Suite 205  
Belvidere, IL 61008  
Local Phone Number: (815) 544-6821
4. (For Employees Only) Perspectives- Employee Assistance Program  
[www.perspectivesltd.com](http://www.perspectivesltd.com)  
Hotline Phone Number: 800-456-6327

\*Indicates Confidential Advisors, as defined in Appendix A.

# Rock Valley College

Note: While the above-listed counselors and advocates may maintain a reporting person's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law.

## **B. Emergency Response**

Anyone who experiences or observes an emergency situation should immediately call 911 and/or one of the phone numbers listed below:

Anyone who experiences or observes an emergency situation should immediately call 911.

## **C. On- and Off-Campus Health Care Options**

Individuals may seek treatment for injuries, preventative treatment for sexually transmitted disease, and/or other health services by contacting one of the following health care providers:

1. \*OSF Medical Center  
Address: 5510 E. State Street  
Rockford, IL 61108  
Local Phone Number: 815-395-4555
2. Javon Bea Rockford Memorial Hospital  
Address: 2400 N. Rockton Ave Rockford, IL 61103  
Local Phone Number: 815-971-5000
3. \*Javon Bea Rockford Memorial Hospital  
Address: 8201 E. Riverside Blvd.  
Rockford, IL 61114  
Local Phone Number: 815-971-7000
4. \*Swedish American Hospital  
Address: 1401 E. State Street  
Rockford, IL 61104  
Local Phone Number: 779-696-4400

\*Indicates health care options which provide medical forensic services (rape kits) and/or Sexual Assault Nurse Examiners at no cost, pursuant to the Sexual Assault Survivors Emergency Treatment Act (410 ILCS 70).

Seeking medical treatment also serves to preserve physical evidence of sexual violence.

Off-campus health care providers will generally maintain confidentiality and not share information with the College unless the reporting person requests the disclosure and signs a consent or waiver form. Note, however, that while these

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health care providers may maintain a reporting person's confidentiality vis-à-vis the College, they may have other reporting obligations under State law.

## **D. State of Illinois Sexual Harassment and Discrimination Helpline**

The Illinois Department of Human Rights has established a helpline for individuals to obtain information about their reporting options and referrals to other resources. The helpline is available Monday through Friday, from 8:30 a.m. to 5:00 p.m., at (877) 236-7703.

## **VI. Making a Report of Alleged Sex-Based Misconduct**

Any student, employee or community member who wishes to avail himself or herself of these Procedures may do so by making a report to the Title IX Coordinator. Students may also make a report to any Responsible Employee, as defined below. Detailed information concerning student and employee reporting follows below.

### **A. Student Reporting**

The College encourages students who have experienced sex-based misconduct to talk with someone about what happened so that they can get the support they need and so that the College can respond appropriately. Different employees on campus have different reporting obligations with regard to alleged sex-based misconduct. Some College employees (referred to as "Responsible Employees") are required to report all incidents of sex-based misconduct to the Title IX Coordinator, including the identities of the persons involved in the incident. While only designated Responsible Employees are required to report all incidents of sex-based misconduct to the Title IX Coordinator, all members of the College community (including students) are encouraged to report such incidents to the Title IX Coordinator.

The various reporting options available are set forth in further detail below. Regardless of to whom a report is made, the College will provide the person alleged to be the victim, if identified, with concise information, written in plain language, of the person's rights and options pursuant to these Procedures.

Immunity for Good-Faith Reporting: Students who in good faith report an alleged violation of the College's Policy Prohibiting Sex-Based Misconduct will be granted immunity and will not receive a disciplinary sanction for a student conduct violation (such as underage drinking) revealed during the course of reporting. Immunity will not be provided for student conduct violations which the College determines are egregious, including without limitation misconduct which places the health or safety of another person at risk.

#### **1. Student Reporting to the Title IX Coordinator(s)**

Students are encouraged to report alleged incidents of sex-based misconduct to the Title IX Coordinator(s) directly. The College's Title IX Coordinator(s) are:

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Terrica Huntley Dean of Students Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921 -4187  
Email: T.Huntley@Rockvalleycollege.edu

Joe Simpson, PHR, SHRM-CP Executive Director of Human Resources Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921-4752  
Email: J.Simpson@Rockvalleycollege.edu

## 2. Student Reporting to Responsible Employees

A Responsible Employee, as defined in Appendix A, must report to the Title IX Coordinator all relevant details about an alleged incident of sex-based misconduct shared by a student, including the date, time and specific location of the alleged incident, and the names of all involved individuals. To the extent possible, information shared with a Responsible Employee will be disclosed only to the Title IX Coordinator and/or those individuals responsible for handling the College's response to the report.

The following categories of employees are the College's Responsible Employees:

- Title IX Coordinator(s)
- College Administrators
- Supervisors and Managerial Staff
- Faculty
- Campus Police
- Coaches
- Academic Advisors
- Advisors of all the student clubs/organizations

Before a student reveals any information to Responsible Employee, the employee should ensure that the student understands the employee's reporting obligations. If the student wants to make a confidential report, the Responsible Employee should direct the student to the confidential resources listed in Section VI.A.3 below.

If the student wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the student that the College will consider the request, but that the College cannot guarantee it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Title IX Coordinator of the student's request for confidentiality.

## 3. Confidential Reporting

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Students who wish to confidentially report an incident of sex-based misconduct may make a confidential report to:

Andrea McCauley  
Personal and Success Counselor Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921 -4105  
Email: A.McCauley@Rockvalleycollege.edu

The individuals in this list are Confidential Advisors, as defined in Appendix A. Professional, licensed counselors who provide mental health counseling to students (including counselors who act in that role under the supervision of a licensed counselor) are not required to report any information about an alleged incident to the Title IX Coordinator without a student's permission.

Note: While the individuals listed above may maintain a student's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law. Any College employee who suspects or receives knowledge that a minor student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, is required to: 1) immediately report or cause a report to be made to the Illinois Department of Children and Family Services (DCFS) on its Child Abuse Hotline; and 2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office.

Also Note: If the College determines that a person alleged to be the perpetrator of sexual misconduct poses a serious and immediate threat to the College community, College Police may be called upon to issue a timely warning to the College community. Any such warning will not include any information that identifies the person alleged to be the victim.

## 4. Electronic and/or Anonymous Reporting

The College maintains an online system for electronic reporting. The reporter may choose to provide his/her identity or may choose to report anonymously. The system will notify the user, before he/she enters information, that entering personally identifying information may serve as notice to the College for the purpose of triggering an investigation. Anonymous reports can be filed at [https://cm.maxient.com/reportingform.php?RockValleyCollege&layout\\_id=3](https://cm.maxient.com/reportingform.php?RockValleyCollege&layout_id=3). Where a reporter chooses to provide his/her identity and contact information, the College will respond to the reporter within 12 hours.

## 5. Note Regarding Student Participation in Public Awareness Events

Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents are not considered notice to the College of sex-based discrimination, harassment or misconduct for purposes of triggering an obligation to

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investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College will provide information about students' rights at these events.

## **B. Employee Reporting**

### 1. Alleged Sex-Based Misconduct of a Student

In addition to the reporting requirements for Responsible Employees (see Section VI.A), all College employees who have information regarding sex-based misconduct of a student should report it to the Title IX Coordinator or any Responsible Employee.

### 2. Alleged Sex-Based Misconduct of an Employee

An employee should notify the Title IX Coordinator or Department of Human Resources if he or she believes that the College or a member of the College community has engaged in sex discrimination, sexual harassment or other sex-based misconduct in violation of the College's Policy Prohibiting Sex-Based Misconduct or Non Discrimination-Students Policy and Equal Employment Opportunity Policy.

### 3. Knowingly False Reporting

A person who knowingly makes a false report of sex-based misconduct may be subject to disciplinary action, up to and including suspension, expulsion, or termination. A determination regarding responsibility, alone, is not sufficient to conclude that a person knowingly made a false report.

## **C. Board Member Reporting**

Members of the College's Board of Trustees and other elected officials should promptly report claims of sex-based misconduct against a Board member. Board members and elected officials should report claims of sex-based misconduct against a Board member to the Board Chair or College President. If the report is made to the College President, the President shall promptly notify the Board Chair, or if the Board Chair is the subject of the complaint, the Board Vice Chair. When a complaint of sex-based misconduct is made against a member of the Board of Trustees, the Board Chair shall consult with legal counsel for the College to arrange for an independent review of the allegations. If the allegations concern the Board Chair, or the Board Chair is a witness or otherwise conflicted, the Board Vice Chair shall so consult with legal counsel. If the allegations concern both the Board Chair and the Board Vice Chair, and/or they are witnesses or otherwise conflicted, the Board Secretary shall so consult with legal counsel. The investigator shall prepare a written report and submit it to the Board.

## **VII. College Response to Reports of Alleged Sex Discrimination, Harassment or Other Misconduct**

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## **A. Processing of Report**

Upon receipt of a report, the Title IX Coordinator will analyze the report to determine the appropriate method for processing and reviewing it.

For any report alleging sexual harassment, as defined under Title IX, and/or alleging sexual violence, domestic violence, dating violence or stalking pursuant to the Preventing Sexual Violence in Higher Education Act, the Title IX Coordinator will promptly contact the person alleged to be the victim (hereinafter “complainant”) to:

1. Discuss the availability of supportive measures (see Section VII.B below);
2. Consider the complainant’s wishes with respect to supportive measures;
3. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
4. Explain to the complainant the process for filing a formal complaint.

## **B. Supportive Measures**

Supportive measures (also referred to as “interim protective measures”) are non-disciplinary, non- punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a complainant or respondent, irrespective of whether a formal complaint has been filed.

Examples of supportive measures that the College may offer include, but are not limited to:

- Counseling and mental health support;
- Extensions of deadlines or other course-related adjustments;
- Leaves of absence;
- Changes to academic, living, dining, transportation and/or working schedules or situations;
- Increased security and monitoring of certain areas of campus;
- Issuance and enforcement of mutual campus no contact orders; and
- Enforcement of an order of protection or no contact order entered by a State civil or criminal court.

A report of alleged sex-based misconduct may also prompt the College to consider broader remedial action, such as increased monitoring, supervision or security at locations where the alleged incident occurred; increased education and prevention efforts, including to targeted population groups; the use of climate assessments and/or victimization surveys; and/or revisions to the College’s policies and practices.



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The College will maintain as confidential any supportive measures provided to a complainant or respondent, to the extent that maintaining such confidentiality would not impair the College's ability to provide the supportive measures.

The Title IX Coordinator(s) is/are responsible for coordinating the College's implementation of supportive measures.

## **C. Emergency Removals and/or Administrative Leave**

Prior to initiating or completing the Grievance Process in response to a formal complaint, described further in Section VIII below, or in the absence of a formal complaint, the College may remove a respondent from the College's education program or activity on an emergency basis. Where the alleged conduct, if proven, would constitute sexual harassment as defined under Title IX, the College will effectuate an emergency removal only where the College has determined, based on an individualized safety and risk analysis, that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In such cases, the College will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

In addition, the College may place an employee on administrative leave during the pendency of the Grievance Process in response to a formal complaint.

## **D. Clery Act Reporting Obligations**

Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), 20 U.S.C. § 1092(f), the College will issue timely warnings to the campus community about crimes that have already occurred but may continue to pose a serious or ongoing threat to students and employees. The Clery Act also requires the College to maintain a public crime log and publish an Annual Security Report ("ASR") available to all current students and employees. The ASR documents three calendar years of select campus crime statistics (including statistics regarding incidents of dating violence, domestic violence, and stalking),

security policies and procedures, and information on the basic rights guaranteed to victims of sexual assault.

## **VIII. Grievance Process for Complaints Alleging Title IX Sexual Harassment and/or Alleging Sexual Violence, Domestic Violence, Dating Violence or Stalking**

For purposes of this Grievance Process, a formal complaint is a document filed by a complainant or signed by the Title IX Coordinator, alleging (a) sexual harassment in violation of Title IX and/or (b) sexual violence, domestic violence, dating violence or stalking in violation of the Preventing Sexual Violence in Higher Education Act; and requesting that the College investigate the allegation. At the time of filing a formal complaint pursuant to this

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Grievance Process, the complainant must be participating in or attempting to participate in the College's education programs or activities, either as a student or an employee. Should a formal complaint be filed, the Title IX Coordinator will investigate the formal complaint or appoint a qualified person to undertake the investigation on his or her behalf.

The College as it deems appropriate may extend the time provided in this Grievance Process to comply with a requirement and may postpone the scheduled date for any proceeding, meeting, or hearing, provided that the extended deadline or postponed date would not exceed a time limit required by law. If one of the parties requested the extension or postponement, that it is available on an equal basis to both parties and will be communicated in writing.

## **A. Notice of Allegations**

Within 10 business days after signing a formal complaint or receiving a formal complaint filed by a complainant, the Title IX Coordinator will provide written notice to the parties who are known of the following:

1. This Grievance Process, including the informal resolution process, where applicable.
2. The allegations potentially constituting sexual harassment under Title IX and/or sexual violence, domestic violence, dating violence or stalking under the Preventing Sexual Violence in Higher Education Act, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
3. 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.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. That the parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence, whether obtained from a party or other source.
6. The College Code of Conduct provision(s) that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of an investigation, the College decides to investigate allegations that are not included in the initial written notice of allegations, the Title IX

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Coordinator will provide subsequent written notice of the additional allegations to all known parties.

## **B. Informal Resolution**

At any time after receiving the initial notice of allegations (See Section VIII.A above), and prior to a determination regarding responsibility being reached, the complainant and respondent may request to participate in an informal resolution process. Informal resolution will only occur with both parties' voluntary, written consent. At any time prior to agreeing to a resolution, any party will have the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The College does not permit informal resolution in cases involving alleged sexual harassment, sexual violence, domestic violence, dating violence or stalking by a College employee toward a student.

## **C. Consolidation of Formal Complaints**

The Title IX Coordinator may consolidate formal complaints as to allegations against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.

## **D. Dismissal of Formal Complaints**

If, during the course of an investigation or following an investigation into a formal complaint, the Title IX Coordinator or designated Investigator determines that the conduct alleged in the formal complaint would not constitute sexual harassment as defined in 34 C.F.R. § 106.30 (Title IX) even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the Title IX Coordinator will dismiss the formal complaint with regard to that conduct for purposes of Title IX. In cases where the College determines that Title IX is not applicable but the College still intends to apply this Grievance Process to resolve the alleged misconduct, the College will inform the parties that Title IX is inapplicable but that such Process will nevertheless be applied. In addition, dismissal of a formal complaint for purposes of Title IX does not preclude action under other College policies and procedures.

The Title IX Coordinator may dismiss a formal complaint, or any allegations therein, at any time during an investigation if: (1) the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; (2) the respondent is no longer enrolled or employed by the College; or (3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal

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complaint or allegations therein. The decision to dismiss a formal complaint for all purposes may require consultation with the Human Resources or Student Services Department.

Upon dismissal—either of a complaint altogether, or of a complaint for purposes of Title IX—the Title IX Coordinator or Investigator will promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties. Dismissal of a formal complaint under this Process does not preclude action under other College policies and procedures.

## **E. Investigation of Formal Complaint**

The Title IX Coordinator will appoint one or more trained investigators to undertake an investigation into a formal complaint. Throughout the investigation, the parties will be afforded an equal opportunity to present witnesses including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Investigator will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. Any proceeding, meeting, or hearing held to resolve formal complaints pursuant to this Grievance Process will protect the privacy of the participating parties and witnesses.

Both parties will be afforded an opportunity to be accompanied to any meeting or proceeding by an advisor of their choice, who may be, but is not required to be, an attorney. The advisor's role is limited to providing support, guidance and/or advice, and to conducting cross-examination during the live hearing (see Section VIII.F below). A party's advisor may not speak on behalf of the party during any meeting, interview or hearing and must comply with all behavioral rules and expectations set forth in these Procedures. If a party's advisor violates these Procedures or engages in behavior that harasses, abuses or intimidates a party, witness or individual resolving a complaint, that advisor may be prohibited from further participation.

When a party's participation is invited or expected at an investigative interview or other meeting, the Investigator will provide that party with written notice of the date, time, location, participants, and purpose of said interview or meeting at least three (3) business days prior to the interview or meeting.

At the conclusion of the investigation and prior to the Investigator's completion of his/her investigative report, the Investigator will send to each party (and the party's advisor, if any) the evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, in electronic format. The parties will have 10 business days to submit a written response to the evidence, which the Investigator will consider prior to completion of his/her investigative report.

After receiving and reviewing the parties' written responses, if any, the Investigator will create an investigative report that fairly summarizes the relevant evidence, and will forward a copy of his/her report to the Title IX Coordinator. Upon receipt of the

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Investigator's Report, the Title IX Coordinator will schedule a hearing. At least 10 business days prior to the hearing, the Title IX Coordinator will:

- (1) Provide both parties with written notice of the hearing date, time, location, participants (including the name of the appointed Hearing Officer) and purpose of the hearing; and
- (2) Send to each party (and the party's advisor, if any) the investigative report [in electronic format or hard copy] for their review and written response.

## **F. Hearings**

A hearing will be conducted by a Hearing Officer appointed by the College. Both parties will have the opportunity to request a substitution if the participation of the appointed Hearing Officer poses a conflict of interest. A party wishing to request a substitution must contact the Title IX Coordinator within three (3) business days after the party's receipt of the notice of hearing to make such a request.

At the request of either party, the College will arrange for the live hearing to occur with the parties located in separate rooms, with technology enabling the Hearing Officer and parties to simultaneously see and hearing the party or witness answering questions. A party wishing to request that the live hearing occur with the parties located in separate rooms must contact the Title IX Coordinator to request such an arrangement at least three (3) business days in advance of the hearing. The College may conduct any live hearing virtually, with the participants in one or more separate geographical locations, and with technology enabling participants simultaneously to see and hear each other.

At the live hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination will be conducted directly, orally, and in real time by the party's advisor of choice and may never be conducted by a party personally.

If a party does not have an advisor who is available to conduct cross-examination on behalf of that party at the live hearing, then the College will provide the party with an advisor of the College's choice, free of charge, to conduct cross-examination on behalf of that party. To invoke this right, the party must notify the Title IX Coordinator at least three (3) business days in advance of the hearing that the party does not have an advisor to conduct cross-examination. A party who fails to notify the College that he/she does not have an advisor within the required three (3) business day timeframe will waive the right to request that an advisor be appointed.

Only relevant questions, as determined by the Hearing Officer, may be asked of a party or witness. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted, except where:

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1. The questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or
2. 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.

If a party or witness does not submit to cross-examination at the live hearing, either due to absence from the hearing or due to the party's or witness's refusal to answer cross-examination or other questions, the Hearing Officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility; however, the Hearing Officer will not draw an

inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The College will make all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint available for the parties' inspection and review during the hearing. In addition, the College will create an audio or audiovisual recording, or transcript, of the live hearing, which the Title IX Coordinator will make available to the parties for inspection and review upon request.

## **G. Determination Regarding Responsibility**

Within ten (10) business days after the conclusion of the hearing, the Hearing Officer will make a decision regarding responsibility. The Hearing Officer will apply a preponderance of the evidence standard when determining responsibility. Within seven (7) business days of reaching his/her decision, the Hearing Officer will issue a written determination to both parties simultaneously. The written determination will include:

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 C.F.R. § 106.30 (Title IX) and/or constituting sexual violence, domestic violence, dating violence or stalking pursuant to the Preventing Sexual Violence in Higher Education Act;
2. 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;

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3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the College Code of Conduct or other conduct standards to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the complainant; and
6. The procedures and permissible bases for the complainant and respondent to appeal.

## **H. Appeals**

Both parties will have the right to appeal any determination regarding responsibility, and any dismissal of a formal complaint or allegations therein, to the Vice President of Student Services or designee. An appeal must be based on one or more of the following grounds:

1. A procedural irregularity occurred;
2. New evidence or information exists that could affect the outcome of the matter;
3. The Title IX Coordinator, Investigator or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that affected the outcome of the matter; and/or
4. The sanction is disproportionate with the violation.

A party who wishes to appeal a determination regarding responsibility or a dismissal of a formal complaint or allegations therein must submit a written appeal request to the Title IX Coordinator within seven (7) business days of the party's receipt of the written determination or written dismissal notice. The written appeal request must identify the ground(s) on which the party seeks to appeal the determination or dismissal.

Within seven (7) business days of the Title IX Coordinator's receipt of an appeal request, the Title IX Coordinator will forward the appeal request to the Vice President of Student Services or designee and will notify the other party in writing that an appeal has been filed. Before reaching a determination regarding the appeal, the Vice President of Student Services will afford both parties an equal opportunity to submit a statement in support of, or challenging, the determination or responsibility or dismissal that is the subject of the appeal. Within seven (7) business days after the

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Vice President of Student Services or designee has concluded his/her review of the appeal, the Vice President of Student Services or designee will issue a written decision simultaneously to both parties, describing the outcome of the appeal and the rationale for the outcome. The Vice President of Student Services or designee's decision is final.

## **IX. Prevention and Education for Students**

The College will review on an ongoing basis, its sexual discrimination, harassment and misconduct prevention and education programming to ensure students and employees are provided substantive opportunities to learn about sexual discrimination, harassment and misconduct, including primary prevention, bystander intervention, risk reduction, consent, reporting methods, relevant College policies and procedures, retaliation, survivor-centered and trauma-informed response, relevant definitions, and other pertinent topics.

The College, in conjunction with its Rockford Area Equity & Title IX Professionals task force established pursuant to the Campus Security Enhancement Act of 2008 (110 ILCS 12/10), will annually review its prevention and education offerings to identify ways in which to enhance its effectiveness.

## **X. Training**

The Title IX Coordinator(s), campus law enforcement, campus security, college administrators and supervisors, Dean of Students Office personnel, and anyone else involved in the receipt of reports of, responding to, investigating or adjudicating alleged incidents of sexual discrimination, harassment or other misconduct, or involved in the referral or provision of services to survivors receive annual education and training on primary prevention, bystander intervention, risk reduction, consent, reporting obligations, investigation procedures, confidentiality requirements,

relevant College policies and procedures, retaliation, survivor-centered and trauma-informed response, relevant definitions, and other pertinent topics.

In addition to the above training, individuals who investigate or resolve complaints, including through informal resolutions, receive at least 8-10 hours of annual training on issues related to Preventing Sexual Violence in Higher Education Act offenses including sexual violence, domestic violence, dating violence, and stalking; the scope of the College's education program or activity; the Title IX and College definitions of sexual harassment; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and how to conduct the College's Grievance Process outlined in Section VIII, above. Decision-makers in particular receive training on any technology to be used at live hearings and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators in particular receive training on issues of relevance so as to enable them to create an investigative report that fairly summarizes relevant evidence.



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All Confidential Advisors receive 40 hours of training on sexual violence before being designated a Confidential Advisor. Annually thereafter, Confidential Advisors attend a minimum of six (6) hours of ongoing educational training on issues related to sexual violence. Confidential Advisors also receive periodic training on the College administrative process, interim protective measures and accommodations, and the College's Grievance Process pursuant to Section VIII above.

The College, in conjunction with its Rockford Area Equity & Title IX Professionals task force established pursuant to the Campus Security Enhancement Act of 2008 (110 ILCS 12/10), will annually review its training offerings to identify ways in which to enhance its effectiveness.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

## APPENDIX A

### **Definitions for the College's Sex-Based Misconduct Procedures**

- A. Bystander Intervention:** see Section 5 of the Preventing Sexual Violence in Higher Education Act, 110 ILCS 155/5.
- B. Complainant:** an individual who is alleged to be the victim of conduct that could constitute sex-based misconduct.
- C. Confidential Advisor:** a person who is employed or contracted by the College to provide emergency and ongoing support to student survivors of sexual violence. Confidential Advisors may include persons employed by a community-based sexual assault crisis center with whom the College partners. Individuals designated as "Responsible Employees" in Section VI of these Procedures are not Confidential Advisors.
- D. Consent:** knowing and voluntary agreement to engage in sexual activity. Coercion, force, or the threat of either invalidates consent. Consent may not be inferred from silence, passivity, or a lack of verbal or physical resistance. A person's manner of dress does not constitute consent. Past consent to sexual activities does not imply ongoing or future consent. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. Consent may be withdrawn at any time. A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances,

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including without limitation the following: 1) the person is incapacitated due to the use or influence of alcohol or drugs; 2) the person is asleep or unconscious; 3) the person is under age; or 4) the person is incapacitated due to a mental disability.

- E. Dating Violence:** 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 length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- F. Domestic Violence:** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Illinois, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Illinois.
- G. Education Program or Activity:** a location, event, or circumstance over which the College exercised substantial control over both the respondent and the context in which the sex-based misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College.
- H. Hate Crime:** an act or an attempted act that violates a criminal statute by any person that in any way constitutes an expression of hostility toward the victim because of his or her sex, race, ethnicity, religion, age, disability, national origin, sexual orientation, or gender-related identity, color, marital status, military status or unfavorable military discharge.
- I. Hostile Environment Caused by Sexual Harassment:** a sexually harassing hostile environment is created when conduct by an individual is so severe, pervasive or persistent that it denies or limits an individual's ability to participate in or receive the benefits, services or opportunities of the College's educational programs or activities or the individual's employment access, benefits or opportunities. In determining whether a hostile environment has been created, the conduct in question will be considered from both a subjective and an objective perspective of a reasonable person in the alleged victim's position, considering all the circumstances.
- J. Incapacitation:** when a person is incapable of giving consent due to the person's age, use of drugs or alcohol, or because an intellectual or

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other disability which prevents the person from having the capacity to give consent.

- K. Intimidation:** to intentionally make another timid or fearful, to compel or deter by or as if by threats. Intimidation is a form of retaliation prohibited by the College's Policy Prohibiting Sex-Based Misconduct and these Procedures.
- L. Preponderance of the Evidence:** when considering all the evidence in the case, the decision-maker is persuaded that the allegations are more probably true than not true.
- M. Respondent:** an individual who has been reported to be the perpetrator of conduct that could constitute sex-based misconduct.
- N. Responsible Employee:** A College employee who has the authority to redress sex-based misconduct, who has the duty to report incidents of such misconduct or other student misconduct, or whom a student could reasonably believe has this authority or duty. Section VI of these Procedures lists categories of employees who are Responsible Employees for the College.
- O. Retaliation:** Any form of retaliation, including intimidation, threats, harassment and other adverse action taken or threatened against any complainant or person reporting or filing a complaint alleging sexual discrimination, harassment or misconduct or any person cooperating in the investigation of such allegations (including testifying, assisting or participating in any manner in an investigation) is strictly prohibited and may violate the protections of the State Employees and Officials Ethics Act, the Whistleblower Act, and the Illinois Human Rights Act. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by the College's Sex- Based Misconduct Policy and these Procedures. Retaliation may result in disciplinary or other action independent of the sanctions or supportive measures imposed in response to the allegations of sexual discrimination, harassment or misconduct.
- P. Sexual Assault:** any type of sexual contact or behavior that occurs by force or coercion, without consent of the recipient of the unwanted sexual activity, or in a familial relationship of a degree that would prohibit marriage. It includes sexual acts against a person who is unable to consent either due to age or lack of capacity or impairment. Examples include forcible sexual intercourse, forcible sodomy, forcible fondling, child molestation, incest, attempted rape, statutory rape and rape. Sexual assault can occur between members of the same or opposite sex. Sexual assault includes any forced act against one's will where sex is the weapon.

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- Q. Sex-Based Misconduct:** Misconduct on the basis of sex, sexual orientation or gender-related identity. Such misconduct includes sex discrimination, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, sexual violence and stalking.
- R. Sexual Exploitation:** when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos or other images of an individual's sexual activity or intimate body parts with an intent to embarrass such individual, non-consensual voyeurism, knowingly transmitting HIV or a sexually transmitted disease to another, or exposing one's genitals to another in non-consensual circumstances.
- S. Sexual Harassment:** Unwelcome sexual advances, requests for sexual acts or favors, and other verbal, non-verbal or physical conduct of a sexual nature when:
- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, academic advancement, evaluation, or grades;
  - Submission to or rejection of such conduct by an individual is used as a basis for employment, academic advancement, evaluation, or grading decisions affecting that individual;
  - Such conduct has the purpose or effect of substantially interfering with an individual's employment or educational performance or creating an intimidating, hostile, or offensive employment or educational environment; or
  - Such conduct denies or limits an individual's ability to participate in or receive the benefits, services or opportunities of the College's educational programs or activities or the individual's employment access, benefits or opportunities.

Examples of conduct of a sexual nature may include:

- Verbal: Specific demands for sexual favors, sexual innuendoes, sexually suggestive comments, jokes of a sexual nature, sexual propositions, or sexual threats, whether spoken or in emails, articles, documents, or other writings.
- Non-Verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds or gestures, leering, whistling, or obscene gestures.

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- Physical: Touching, pinching, brushing the body, or any unwelcome or coerced sexual activity, including sexual assault.
- T. Sexual Violence:** physical sexual acts attempted or perpetuated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age, use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.
- U. Survivor:** an individual who has experienced sexual violence, domestic violence, dating violence, or stalking while enrolled, employed, or attending an event at a higher education institution.
- V. Survivor-Centered:** See Section 5 of the Preventing Sexual Violence in Higher Education Act, 110 ILCS 155/5.
- W. Stalking:** 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.
- X. Threat:** any oral or written expression or gesture that could be interpreted by a reasonable person as conveying an intent to cause harm to persons or property.
- Y. Trauma-Informed Response:** See Section 5 of the Preventing Sexual Violence in Higher Education Act, 110 ILCS 155/5.

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# Rock Valley College

## RVC Board Policy 3:10.030

### Access to Personnel Files

Rock Valley College maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals, salary increases, disciplinary actions, and other employment records. All personnel files are maintained, disseminated and inspected consistent with the Illinois Personnel Records Review Act, 820 ILCS 40 et seq., the Illinois Record Act, 5 ILCS 203 et seq. and other applicable state and federal laws.

An employee may examine items in his or her own personnel file with a 24 hour written notice to the Vice President of Human Resources or designee. Records from other colleges and university credits made available to RVC will remain confidential and property of the College. All materials added to his or her file by RVC personnel shall be available for perusal. He or she may wish to write a statement of explanation in answer to negative materials in his or her file.

Each individual's complete personnel file is accessible on a need to know basis through the Office of Human Resources.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 6478

**Implemented:** November 27, 2007

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.040

### Copyright

Rock Valley College shall make every effort to comply with United States copyright law as set forth in the *Copyright Act of 1976*, 17 U.S.C. 101 et seq. and its amendments and any new acts or amendments enacted in the future, as well as international copyright laws. All Rock Valley College employees (faculty and staff), anyone officially performing duties on behalf of Rock Valley College, and Rock Valley College students (enrolled in credit or non-credit courses) are expected to comply with all applicable copyright laws.

Rock Valley College will make available to its community (faculty, staff and students) information about copyright law in order to promote compliance.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 6861, 6862

**Implemented:** February 28, 2012

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.050

### Employee Code of Ethics

The Board of Trustees of Rock Valley College expects that its employees will maintain high standards of personal conduct, work performance, punctuality and attendance. Rock Valley College maintains standards of conduct and work rules for its employees that are necessary to protect the interests and property of students, employees and the college.

Infractions, including but not limited to, violations of the college policies, procedures and practices; incompetent or inefficient service; insubordination; illegal acts; willful neglect of duty; dishonesty; or unethical or unprofessional conduct constitute misconduct on the part of the employee.

The provisions of Article I, Section 6 of these Rock Valley College Board Policies shall apply to all College employees.

Misconduct may result in disciplinary action, up to and including dismissal as an employee of Rock Valley College.

**Reference:** Board Report 6122

**Implemented:** November 25, 2003

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 3:10.060

### Corporal Punishment

Inflicting bodily harm upon an individual for disciplinary purposes (corporal punishment) is strictly prohibited throughout Rock Valley College.

Nothing contained in this policy is intended to prohibit any justifiable use of forces as established and interpreted by applicable law. In addition, nothing contained in this policy is intended to affect any policy, procedure, regulation, rule or law which governs the operations and functions of the Rock Valley College Police Department or officers employed by the Department.

**Reference:** Board Report 6066

**Implemented:** May 27, 2003

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.070

### Violence and Disruptive Behavior

The College will take reasonable precautions to minimize the potential for workplace violence and disruptive behavior. Employees should immediately notify the Rock Valley College Police Department of any potentially threatening, disruptive, or uncomfortable situation.

**Reference:** Board Report 6621

**Implemented:** January 25, 2005

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.080

### Oral English Proficiency

As required by Section 3-29.2 of the *Illinois Public Community College Act*, 110 ILCS 805/3-29.2, Rock Valley College will, in its hiring practices, assess the oral English proficiency of all persons providing classroom instruction to ensure that candidates can adequately communicate with their students.

**Reference:** Board Report 6861

**Implemented:** February 28, 2012

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.090

### Personnel Reports

Human Resources shall prepare and provide a Personnel Report at each regular monthly Board meeting via a Board Report. The Personnel Report will contain all appointments, promotions, demotions, departures, lateral transfers, reclassifications, and retirements for all College employees who are classified as Administration, Administration Leadership, and Faculty/Teaching specialists.

At the end of each fiscal year, Human Resources shall prepare an annual report to be provided to the Board which shall contain metrics on all full-time employees working for the College, including employee numbers, employee demographics, promotions, demotions, departures, lateral transfers, reclassifications, retirements, and turnover rates.

**Reference:** Board Report 5542, 7583

**Implemented:** January 26, 1998

**Revised:** April 8, 2014, January 29, 2019

# Rock Valley College

## RVC Board Policy 3:10.100

### Whistleblower Policy

Rock Valley College is committed to the highest ethical standards and conducting its operations in compliance with all federal and state laws and regulations. The purpose of this policy is to encourage all members of the College community to report allegations of internal wrongdoing and to provide assurance that they will be protected from retaliation for such reporting in good faith pursuant to the *Illinois Whistleblower Act*, 740 ICLS 174/1 et seq., and other applicable state and federal laws.

For purposes of this policy, wrongdoing may include but is not limited to:

- (1) Crimes or violations of the law or governmental regulations;
- (2) Fraud or financial irregularity;
- (3) Improper use of College funds, property or assets;
- (4) Corruption, malfeasance, bribery, theft, coercion or blackmail; and
- (5) Other unethical conduct.

Upon receipt of a report of wrongdoing, the College will initiate an internal investigation. The College will take appropriate action against anyone found to have engaged in fraudulent or dishonest conduct, including disciplinary action by the College, and/or civil and criminal prosecution when warranted.

In accordance with the *Illinois Whistleblower Act*, neither the Board nor employees of the College may retaliate against a whistleblower who has reasonable cause to believe that the information reported discloses a violation of a State or federal law, rule, or regulation or for refusing to participate in an activity that they reasonably believe would result in a violation of a state or federal law, rule or regulation.

Whistleblowers who believe that they have been retaliated against may file a written complaint with the Vice President of Human Resources or the President. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

**Implemented:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:10.110

### Drug and Alcohol-Free Workplace Policy

#### Purpose

In compliance with the following:

- *Drug-Free Workplace Act of 1988*, 41 U.S.C. § 8101, et seq.
- *Safe and Drug-Free Schools and Communities Act of 1994*, 20 U.S.C. § 7101, et seq.
- *Code of Federal Regulations*, 49 C.F.R. Part 40
- *Substance Abuse Prevention on Public Works Projects Act*, 820 ILCS 265/1, et seq.
- *Right to Privacy in the Workplace Act*, 820 ILCS 55/1, et seq.
- *Cannabis Regulation and Tax Act*, Illinois Public Act 101-0027

Rock Valley College has a longstanding commitment to provide a safe, quality-oriented and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of Rock Valley College employees and students, in addition to the security of the College's equipment and facilities. For these reasons, Rock Valley College is committed to the elimination of drug and alcohol use and abuse in the workplace.

#### Scope and Enforcement

This Policy applies to all employees and all applicants for employment of Rock Valley College. The Human Resources (HR) department, under the direction of the Vice President of Human Resources, is responsible for policy interpretation, administration, and enforcement.

#### Employee Assistance

The College will assist and support employees who voluntarily seek help for drug or alcohol problems before they become subject to a drug test, discipline or termination under this or other College Policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers or otherwise accommodated as required by law.

Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this Policy previously. When a drug test is initiated under this policy, the tested employee forfeits the opportunity to be granted a leave of absence for treatment, unless otherwise required by law, and will face possible discipline for any violation of this policy, up to and including discharge.

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## Work Rules

Employees should report to work fit for duty and free of any impairment by illegal drugs, marijuana or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and employees must promptly disclose any work restrictions to their supervisor.

1. Whenever employees are working for the College, are operating any College vehicle, are operating a private vehicle in the course of employment with the College, are present on College premises, are conducting college-related work offsite or are on call, they are prohibited from:
  - a. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug or drug paraphernalia;
  - b. Being under the influence of alcohol, marijuana or an illegal drug as defined in this Policy; and
  - c. Possessing or consuming alcohol or marijuana.
2. Likewise, employees are prohibited from misuse of legal drugs when they are working for the College or are on call. Such misuse may include, without limitation, the use of legal drugs that have not been obtained legally, the use of a drug in a manner different than prescribed, and abuse of over-the-counter medications.
3. Rock Valley College will not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked. Prescribed drug containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization.
4. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

## Required Testing

Employees subject to the requirements of U.S. Department of Transportation regulations or the *Substance Abuse Prevention on Public Works Projects Act*, 820 ILCS 265/1, et seq., shall be tested in accordance with the applicable regulations and statutory provisions, in addition to the testing and discipline provisions of this policy.

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## Pre-employment

Applicants being considered for hire in safety-sensitive positions such as Police and Maintenance, or positions requiring a Commercial Driver's License (CDL), must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

## Reasonable suspicion

Employees are subject to testing at any time a supervisor or other member of College management observes or reasonably suspects apparent workplace use of, possession of or impairment by illegal drugs, alcohol or marijuana. A member of the HR department or the Chief Operating Officer should be consulted before sending an employee for testing.

When reasonable suspicion testing is warranted, both the member of management and a member of the HR department will meet with the employee to explain the observations and the requirement to undergo a drug and/or alcohol test within two hours of the initial observations or, if not practicable within two hours, as soon as practicable thereafter. Refusal by an employee will be treated as a positive drug test result and will make the employee subject to discipline, including termination.

*Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of Human Resources or management must transport the employee.*

## Post-accident

Employees are subject to testing when they cause or contribute to accidents that seriously damage a Rock Valley College vehicle, machinery, equipment or property or that injures or reasonably could have injured themselves or another individual. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including without limitation a College vehicle, lawn mowing equipment or aerial/man-lift) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must begin within two hours following the accident or, if not practicable within two hours, as soon as practicable thereafter. Refusal by an employee will be treated as a positive drug test result and will result in immediate termination of employment.

*Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of Human Resources or management must transport the employee.*

## Collection and Testing Procedures

**Alcohol** – Employees subject to alcohol testing may be transported to a College-designated facility and directed to provide specimens. Alcohol tests may involve a



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breath, blood or saliva test, at the College's discretion. For purposes of this policy, positive test results generated by law enforcement or medical providers may be considered by the College as work rule violations.

**Marijuana and Other Drugs** – Applicants and employees subject to drug testing for marijuana and other drugs may be transported to a College-designated testing facility and directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens will be sent to a federally certified laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone and propoxyphene use. (Where indicated, specimens may be tested for other drugs.) The laboratory will screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

The laboratory will transmit all positive drug test results to a Medical Review Officer (MRO) retained by the College, who will offer individuals with positive results a reasonable opportunity to rebut or explain the results. Individuals with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicant's or employee's own expense. Such requests must be made within 72 hours of notice of test results. If the second facility fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test. In no event should a positive test result be communicated to Rock Valley College until such time that the MRO has confirmed the test to be positive.

## Consequences

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply or retest in the future.

If the College determines that it will impose discipline on the basis that an employee is under the influence or impaired by illegal drugs, marijuana or alcohol, the College will afford the employee a reasonable opportunity to contest the basis of the College's determination.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be subject to discipline, up to and including termination. If the employee refuses to be tested, and the College believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

Employees who test positive, or otherwise violate this policy, will be subject to discipline, up to and including termination. The College in its discretion may offer an employee the opportunity to return to work on a last-chance basis pursuant to a rehabilitation program based on mutually agreeable terms, which may include without limitation follow-up drug testing at times and frequencies determined by

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the College for a minimum of one year but not more than two years, as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be immediately discharged from employment.

Employees will be paid for time spent in alcohol or drug testing and then suspended without pay pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management, a union representative (if requested and applicable), and Human Resources. Should the results prove to be negative, the employee will receive back pay for the time of suspension.

## Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO will 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 as required by law, among College management and supervisors on a need-to-know basis, and when relevant to a grievance, charge, claim or other proceeding initiated by or on behalf of an employee or applicant.

## Inspections

Rock Valley College reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband; affected employees may have union representation (if applicable) involved in this process. All employees, students and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

## Crimes Involving Drugs

Rock Valley College prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on College premises, while conducting College business, or while on call. Law enforcement personnel may be notified, as appropriate, when criminal activity is suspected.

The College reserves the right to take appropriate disciplinary action for illegal drug use, sale or distribution while off College premises and off duty. All employees who are convicted of, plead guilty to or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to HR within five calendar days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension without pay to allow the College to review the nature of the charges and the employee's past record.

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## Definitions

“College premises” includes all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by Rock Valley College or any site on which the College is conducting business.

“Employee” includes, for purposes of this policy, any person receiving compensation to perform services for the College, including full-time employees, part-time employees, and independent contractors.

“Illegal drug” means a substance whose use or possession is controlled by **federal** law and that is not being used as prescribed by a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.)

“Refuse to cooperate” means to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate.

“Under the influence of alcohol” means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or odors that reasonably cause a supervisor or other member of College management to conclude that an employee is impaired because of alcohol use.

“Under the influence of drugs” means a confirmed positive test result for illegal drug use or actions, appearance, speech or odors that reasonably cause a supervisor or other member of College management to conclude that an employee is impaired because of drug use. Such drug use may be of illegal drugs or legal drugs, including without limitation the use of legal drugs that have not been obtained legally, the use of a legal drug in a manner different than prescribed, and abuse of over-the-counter medications.

**Reference:** Board Policy 641, Board Report 6156, AR 314, Board Report 7674

**Implemented:** April 11, 1989

**Revised:** April 28, 2004; April 8, 2014; December 17, 2019

## RVC Board Policy 3:10.120

### Conflict of Interest

All employees shall conduct themselves and College business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

A conflict of interest arises whenever the employee has the opportunity to influence College operations or business decisions in ways that could result in a personal financial benefits to the employee or a member of an employee's immediate family. Personal financial benefits include, but are not limited to, direct financial payments, deferred compensation, gifts, or in-kind donations to the employee or immediate family member.

The following are examples of conflicts of interest requiring employee disclosure or abstention, and are only illustrations and not meant to be exclusive:

1. An employee or immediate family member of the employee owns, in whole or in part, a business entity with which the College does or proposes to do business, and the employee is in a decision-making role or otherwise is in a position to influence the College's business decisions regarding the business entity, or otherwise benefit from the College transacting business with the entity.
2. An employee holds or assumes an executive, officer or director position in a for-profit or not-for-profit business or entity engaged in educational, commercial, or activities similar to those of the College.
3. Employee participates in consultation activities for a for-profit or not-for-profit business or entity or entity engaged in educational, commercial, or activities similar to those of the College.

The following activities are prohibited:

1. Using College property, facilities, equipment or other resources in any manner that results in personal financial benefit to an employee or a member of an employee's immediate family.
2. Using College property, facilities, equipment or other resources in any manner to perform outside work or to further private interests (e.g. vehicles, supplies, facilities, equipment or inside information).

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3. Using College stationary or letterhead in connection with outside activities, other than activities having a legitimate relationship to the performance of College business.
4. Using College facilities or the employee's position at the College for the purpose of advocating, endorsing, or marketing the sale of any goods or services, other than as part of the employee's College responsibilities, without the prior approval of a supervisor.
5. Requiring students to use the employee's published works and products for papers and lectures when the employee is realizing a profit from the published works and products.
6. Using the College's name, trademark or trade name for personal business or economic gain to the employee or a member of the employee's immediate family.
7. Using any College data or information for personal financial benefit to the employee or a member of the employee's immediate family.
8. Using any College employee for any outside activity during normal work time for which he or she is receiving compensation from the College.
9. Participating in the selection or awarding of a contract between the College and any entity with which an employee is seeking employment or has been offered employment.
10. Obtaining personal financial gain from fellow employees, students, and persons doing business with the College in the course of outside employment.
11. Accepting gifts, except those of nominal value (\$25 or less), from any person doing, or seeking to do, business with the College.
12. Other activities may be prohibited if a supervisor concludes that there is no reasonable way to manage an associated conflict of interest.

Employees shall voluntarily disclose to his or her supervisor any situation in which the employee has a real or potential conflict of interest. Each employee will observe and adhere to the College's Employee Code of Ethics Policy. All employees required to file statements of economic interest under the Illinois Government Ethics Act, 5 ILCS 420/4A-101(i), shall also report that information to the College. The Administration shall prepare procedures and forms for employees to disclose their economic interests to the College, including all information required to be disclosed under the Ethics Act (5 ILCS 420/4A-102).

Violation or failure to disclose or properly identify a conflict of interest may subject the employee to disciplinary action.

# Rock Valley College

**Reference:** Board Report 7574

**Implemented:** December 11, 2018

# Rock Valley College

## RVC Board Policy 3:10.160

### Remote Work Policy

#### Purpose

In compliance with the following:

- *Fair Labor Standards Act*
- *Illinois Wage Payment and Collection Act*
- *Americans with Disabilities Act*

Rock Valley College recognizes that certain employees may need to work at alternate work locations as a regular part of their duties or for a short period of time, including without limitation to accommodate emergency situations such as temporary campus or building closures. This policy will govern the conditions under which certain employees work at alternate work locations for all or part of their scheduled work week. Remote work arrangements may also be granted on a case-by-case basis at the request of an employee for a short duration or considered as a reasonable accommodation for qualifying employees.

#### Scope and Enforcement

This Policy applies to all employees for employment of Rock Valley College. The Human Resources (HR) department, under the direction of the Vice President of Human Resources, is responsible for policy interpretation, administration, and enforcement, consistent with the College's Remote Work administrative procedures.

#### Definitions

- **Alternate work locations:** approved locations, other than the employee's central workplace, where official College business is performed, such as satellite campuses.
- **Central workplace:** an employer's place of work where the employee is normally scheduled to work.
- **Remote work:** performing job duties for the College at locations other than the employee's central workplace, subject to the approval described in this policy.

# Rock Valley College

## Policy

Remote work is often a temporary work arrangement, and it is appropriate for only some employees and positions. No College employee is entitled to or guaranteed the opportunity to work remotely. Certain categories of positions may be ineligible for remote work, while others may require remote work on a regular basis. Supervisors will consult with the HR department to determine a position's eligibility for remote work arrangements. For employees in eligible positions, supervisors will consult with the HR department to decide whether to approve remote work on a case-by-case basis, taking into consideration the likelihood of the employee succeeding in a remote work arrangement and the supervisor's ability to manage remote workers, among other relevant factors.

Employees who are approved to work remotely must perform essentially the same work they would perform in the central workplace in accordance with their same performance expectations and other agreed-upon terms. The College may require alternative timekeeping or other accountability measures as a condition of a remote work arrangement. An employee's classification, compensation, and benefits will not change for an employee approved for remote work.

When the College requires an employee to work remotely and does not provide the necessary equipment, the employee may be eligible for a recurring allowance or other reimbursement to cover some portion of cell phone plan and/or internet expenses. The Accounts Payable Department will provide reimbursements under the conditions provided in the College's Remote Work administrative procedures. Employees are not eligible for reimbursement unless the College authorized or required the expenses and the employee submits a reimbursement request to the HR Department pursuant to those procedures.

**Reference:** Board Report 7735

**Implemented:** July 28, 2020



# Rock Valley College

## RVC Board Policy 3:10.270

### Service and Other Animals Policy

Rock Valley College recognizes the importance of allowing people with disabilities who require the use of service animals to receive the benefit of the work or tasks provided by such animals while on campus. As such, it is the College's policy to ensure that all individuals with disabilities who require the assistance of a service animal have an equal opportunity to access College property, courses, programs, and activities. The College Administration shall establish Procedures implementing this Policy.

Except as set forth in the Procedures implementing this Policy, service animals will be permitted to accompany individuals with disabilities in all public areas of the College. For purposes of this Policy, "service animal" is defined as a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed by the service animal must be directly related to the individual's disability. Miniature horses may also be permitted on campus in certain circumstances where they have been individually trained to do work or perform tasks for the benefit of an individual with a disability.

Animals that do not satisfy the above criteria are prohibited from Rock Valley College owned and operated buildings and grounds, except with prior authorization by Chief Operating Officer or designee.

In implementing this Policy, Rock Valley College complies with the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Amendments Act of 2008 (ADAAA), Section 504 of the Rehabilitation Act of 1973, the Service Animal Access Act/White Cane Law, and all other federal and State laws pertaining to service animals and/or accommodations for individuals with disabilities.

**Reference:** Board Report 7788

**Implemented:** February 23, 2021

# Rock Valley College

## RVC Board Policy 3:20.010

### Job Posting and Hiring

It is the policy of Rock Valley College to employ the most qualified candidate for vacant positions. Regular full-time and continuous part-time positions will be posted upon approval to fill a vacancy. Vacant positions will be consistently advertised internally and externally to ensure that employees and other interested individuals are notified regarding employment opportunities at the College. Applications will be accepted through an electronic process. Rock Valley College is an Equal Employment Opportunity College and will comply with all applicable federal and state laws when posting and filling vacant positions.

The President shall have the authority to approve new hires and to assign employment start dates. The Board shall approve the personnel report at each regular Board meeting via a Board report. Should the President determine that it is in the best interests of the College to alter the full-time or continuous part-time position counts beyond the approved budget, the Board of Trustees shall be consulted in advance of any hiring.

This Policy will be administered consistent with 110 ILCS 805/3-42 and the College's collective bargaining agreement obligations where applicable.

# Rock Valley College

## RVC Board Policy 3:20.020

### Employment Classifications

The following job categories/employment classifications shall be used by the College:

#### Job Categories

Pursuant to the Fair Labor Standards Act, all employees will be categorized as either:

- **Exempt:** Exempt employees will be compensated on a salaried basis and will not be eligible for overtime pay.
- **Non-exempt:** Non-exempt employees will be compensated on an hourly basis and will be eligible for overtime pay.

#### Employment Classifications

- **Introductory:** Employees who are within the first 90 days of employment or within 90 days after an internal transfer or promotion. The introductory period may be extended at the discretion of the Vice President of Human Resources.
- **Full-time:** Employees who work a minimum of 40 hours per workweek on a regular basis. Full-time employees are eligible for the benefits programs offered by the College.
- **Part-time:** Employees who work up to 25 hours per workweek on a regular basis.

#### Position Classifications

The following are the recognized position classifications of College personnel:

- **Faculty/Teaching Specialists:** Employees appointed to positions in the academic area by 9- or 10-month contracts and who are covered by the Collective Bargaining Agreement between the College and the Faculty Association.
- **Administrative/Professional Staff:** Non-grant employees who are appointed by way of fixed term contracts. Typically, these are full-time employees hired to work 12 months.
- **Support Personnel:** Regular full-time classified employees who are employed for specific position assignments on a continuous basis.

# Rock Valley College

- **Grant Personnel:** Full-time and part-time employees who are paid from state and/or federally subsidized funds. Grant personnel are hired for specific assignments as outlined in the approved grant. The terms and conditions of employment are defined in the grant.
- **Adjunct Instructors:** Adjunct instructors employed on a semester or less basis. Adjunct instructors teach a maximum of 12 CHE's per semester.
- **Continuous Part-Time/Other Part-time Support Staff:** Part-time classified and/or administrative or professional staff that are either scheduled to work on a regular, continuous basis or are employed to work on specific assignments with a definitive ending date. Continuous Part-Time and Other Part-time Support Staff are scheduled to work 25 hours or less per week.
- **Temporary Employees:** When the College has an unusually heavy workload or an unfilled vacancy, or when a regular employee is on leave for an extended period, the College may employ a temporary employee for a limited time period.

Temporary employees usually work 20-25-hour weeks and are assigned in a specified area when extra help may be needed. The request for a temporary employee must be approved by the appropriate Leadership Team Member, the Chief Financial Officer and the Vice President of Human Resources. No temporary employee may begin employment prior to written notification from Human Resources.

Managers should make efforts to fill vacant positions in a timely manner. Temporary employees will be paid at rates established for temporary employment.

- **Student Workers:** The College provides student employment through two sources of funding:
  1. RVC Student Employment Program – students are paid entirely through unsubsidized College funds.
  2. Federal College Work Study Program (FCWSP) – students who demonstrate financial need are paid through this federally funded program. FCWSP employees are paid 75% from federal funds and 25% from College funds.

Student workers are hired through the financial aid office.

**Reference:** Board Report 6978

**Implemented:** February 26, 2013

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.030

### Criminal Background Investigation

Consistent with the *Campus Security Enhancement Act of 2008*, 110 ILCS 12/1 et seq., Rock Valley College will conduct a criminal background investigation prior to employing any individual. Applicants are required to complete the Criminal Background Investigation Authorization and Waiver form. Employees who transfer or are promoted may be subject to background investigations as determined by the Vice President of Human Resources or designee.

All criminal background investigations will be conducted by the Rock Valley College Human Resources department.

**Reference:** Board Report 7989

**Implemented:** March 24, 2009

**Revised:** April 8, 2014, October 25, 2022

# Rock Valley College

## RVC Board Policy 3:20.040

### Recruiting and Relocation Expense Reimbursements

#### Recruiting Reimbursements

Upon prior written approval by the Vice President of Human Resources, the College may approve the reimbursement of expenses for travel, hotel and reasonable meals for up to \$750.00 for applicants to the College who reside outside of the College District. Receipts must be submitted. Alcohol expenses will not be reimbursed.

When necessary, the Rock Valley College Search Committee chair and one other member of the Search Committee may take an applicant to lunch and/or dinner and receive reimbursement for reasonable expenses. Meal expenses for Search Committee members will be applied to the interviewing departmental budget.

#### Relocation Reimbursements:

Upon prior written approval by the Vice President of Human Resources, relocation assistance may be available as part of an employment offer for new, full-time employees satisfying the IRS requirement for deductibility of moving expenses as a direct result of accepting employment at Rock Valley College, within one year of their start date, pursuant to the following reimbursement schedule:

- Grades 21 and above are eligible for up to \$3,000.00.
- Grades 17-20 are eligible for up to \$2,500.00.
- Grades 11-16 are eligible for up to \$1,000.00.
- Full-time faculty are eligible for up to \$2,500.00.

Reimbursement will be considered only for actual expenses eligible which may include:

1. Actual expenses to move household goods and personal effects (including packing, crating, transporting and storage expenses).
2. Traveling (including lodging, but not meals) to your new home.

Exceptions to this Recruiting and Relocation Reimbursement policy must be approved in writing in advance by the Vice President of Human Resources. This Policy does not apply to presidential search committees.

**Reference:** Board Reports 6519, 6520

**Implemented:** June 24, 2008

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.050

### Worker's Compensation

All paid employees of the College will be covered under the provisions of the *Illinois Workers' Compensation Act*, 820 ILCS 305/1 et seq., for all job-related injuries covered by the Act. An employee's *Family and Medical Leave Act* leave entitlement will be applied to any worker's compensation absence to the extent permitted by law. Assignment of light duty work will be at the sole discretion of the College, as determined by the Vice President of Administrative Services or designee in consultation with the employee's supervisor.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Implemented:** March 24, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.060

### Tardiness and Absences

Any Rock Valley College employee who is tardy or absent shall notify their immediate supervisor within fifteen minutes, or earlier, of the employee's normal starting time. In the areas where shift work is required, employees shall provide at least one hour notice to their supervisor.

Any College employee not properly reporting an absence may not be paid for the absence.

Any College employee who has been hospitalized for any time during an absence of three or more consecutive days must provide a doctor's release prior to returning to work. The release must state that the employee is, in the judgment of the doctor, capable of returning to work as of a specified date. The employee will not be allowed to return to work prior to the specified date, and the employee must return to work on the specified date an extension of the absence is required. Extensions must be approved by the appropriate Vice-President.

The College reserves the right to terminate employment for a history of tardiness and absence, and/or for being absent three consecutive days without proper notification.

**Reference:** Board Reports 2303, 909, 150

**Implemented:** February 28, 2012

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 3:20.070

### Employee Discipline

It is the intent of Rock Valley College to foster optimum performance and otherwise assist all employees in successfully accomplishing their professional responsibilities.

Reasons for disciplinary sanctions include, but are not necessarily limited to, conviction of a serious crime or offense, dishonesty or theft, willful damage to College property, immorality or indecent conduct, falsification of records, unsatisfactory attendance, unsatisfactory work performance, insubordination, failure to comply with prior Board or administrative directives, violation of Board Policy, or any other act committed while a College employee, which is detrimental to the general welfare and best interests of the College, as determined by the College.

In connection with any allegation of misconduct, the College may suspend an employee with pay pending the outcome of the College's investigation of the allegation. The College will notify any employee who is suspended with pay of the general nature of the allegations.

Recognizing that the preferred desired outcome of disciplining any employee is positive change in the employee's performance and/or conduct, the College may utilize the following disciplinary options:

- Step 1 - Oral Warning
- Step 2 - Written Warning
- Step 3 - Written Warning and Suspension Without Pay
- Step 4 - Dismissal

The College fully reserves the right to bypass any of these steps if, in the College's sole discretion, it determines that the severity or repetitive nature of the employee's performance and/or conduct warrants a more severe level of discipline, up to and including immediate dismissal.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 6121

**Implemented:** March 24, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.080

### Problem Resolution Policy for Educational Support Personnel (ESP) and Professional Staff Association (PSA)

Rock Valley College is committed to providing a fair and equitable working environment in which all individuals are treated with respect and dignity. The College's Administration shall develop administrative procedures for resolving alleged unfair or inappropriate treatment by a supervisor or an alleged violation of Board Policy.

**Reference:** Board Report 6548

**Implemented:** September 23, 2008

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.090

### Employment of Related Parties

The Board of Trustees is committed to ensuring the hiring and retention of the most qualified individuals for all positions and preventing nepotism at the College. In order to avoid both the reality and the appearance of nepotism in employment, related parties of College employees or Trustees may only be employed or hired as independent contractors under the following conditions:

No employment decision regarding an employee, applicant, or independent contractor may be made by a College employee or Trustee who is related to the employee, applicant, or independent contractor. This includes, but is not limited to, references, interviewing, hiring, any supervisory activity, evaluation, recommendation, compensation, other employment benefits, or termination.

For purposes of this policy, "related party" means members of the same family including a child, spouse, mother, father, brother, sister, stepchild, stepparent, or grandparent (including the spouse of the foregoing) or people living in the same residence. People living in the same residence are individuals residing at the same US postal address.

If an employee becomes a related party of a subordinate, the individuals involved will be offered an opportunity for alternate employment. If neither person volunteers for alternate employment, the employee with the least seniority will be transferred to a different assignment at an equivalent level of pay.

The employee/employees are responsible for promptly notifying the College of a relationship that is covered by this Policy.

The written approval of the President will be necessary in making exceptions to this Policy. Individuals who are employed by the College as of December 2013, will be excluded from this Policy in their current position. This Policy applies to the employment of full-time, part-time, temporary employees, and independent contractors.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Implemented:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.100

### Physical Examinations and Fitness for Duty

#### Physical Examination

Designated positions at Rock Valley College may require weight restrictions and certain lifting requirements. For those positions, a physical examination will be required and the employee will be notified. The examination will take place at the College's expense.

#### Fitness for Duty

In instances where the employee exhibits manifestations of diminished capacity in their areas of responsibility and/or where the employee exhibits behaviors that pose a direct threat to the employee's own safety or the safety of others, the Board of Trustees reserves the right to request a Fitness for Duty examination by a Physician chosen by the College at the College's expense. The employee may designate a Board-Certified Physician to conduct the examination.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 6330

**Implemented:** April 4, 2016

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.110

### Independent Contractors

Rock Valley College may retain the services of independent contractors as necessary. Employees of the College cannot also serve as independent contractors.

**Reference:** Board Policy 191

**Implemented:** October 19, 1981

**Revised:** April 8, 2014

## RVC Board Policy 3:20.120

### Changes in Job Titles and Organizational Restructuring

The Administration will periodically review job descriptions, job analysis and the College's organizational structure. Recommendations on changes will be made as needed.

**Reference:** Board Report 6143

**Implemented:** February 24, 2004

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.130

### Separation of Employment

The administration will maintain procedures on the employment termination process.

**Reference:** Board Reports 2386, 1224

**Implemented:** February 18, 1974

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:20.140

### Attendance of Faculty Members and Administrators at Commencement Exercises

Commencement exercises always fall on a day within the academic calendar approved by the Board. Attendance at these exercises are a part of the duties of certain administrators and all full-time faculty members.

Any administrator or faculty member who is unable to attend commencement exercises because of illness, professional duties, or urgent personal business should request the appropriate leave.

**Reference:** Board Policy 96

**Implemented:** November 23, 1970

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 3:20.150

### Employee Recognition

The College values employees who provide outstanding service or contributions to the College, or who enhance the College's mission and educational reputation in the College community. The Administration will establish criteria and procedures for Employee Recognition.

**Reference:** Board Report 4820

**Implemented:** July 20, 1992

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:30.010

### Health and Life Insurance

The opportunity for coverage under a health insurance plan and group term life insurance policy will be made available to eligible employees. The extent of coverage and ratio of cost sharing for each employee group will be determined by the Board of Trustees. The Board reserves the right to modify or change insurance provisions and coverage, consistent with any collective bargaining obligations and applicable limitations in collective bargaining agreements covering the College's eligible employees.

The College's health insurance plan will be administered consistent with all provisions of the *Health Insurance Portability and Accountability Act of 1996* (HIPAA), and all other applicable federal and state laws.

This Policy will also be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 5336

**Implemented:** May 20, 1996

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:30.020

### Health Insurance Portability and Accountability Act (HIPAA)

Rock Valley College will comply with all requirements of the *Health Insurance Portability and Accountability Act of 1996* ("HIPAA"), including requirements for ensuring the security and privacy of individuals' medical information. The College is subject to the HIPAA Privacy Rule requirements as both a health plan, based on the College's flexible benefits spending plan, and as a plan sponsor based on the College's other health plans.

The College designates the Human Resources Department as the sole healthcare component of a hybrid entity in accordance with HIPAA. The College's Human Resources Department shall comply with all HIPAA obligations applicable to a health plan. The remainder of the College is designated as a non-healthcare component of the hybrid entity and not subject to the requirements of a health plan as defined under HIPAA. The College as a whole shall comply with all of its obligations under HIPAA which are applicable to a plan sponsor as defined under HIPAA.

The Administration is authorized to adopt procedures necessary to comply with the obligations of the hybrid entity status of the Human Resources Department, as well as the College's general obligations as a health plan sponsor.

**Reference:** Board Report 6148

**Implemented:** March 23, 2004

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:30.030

### Insurance Coverage for Full-Time Faculty Members Who Retire or Resign

Full-time faculty members (and other professional 9/10-month employees in similar situations) who participate in the College's medical and dental group insurance plans at the time of retirement or resignation, and who leave the College no earlier than the last day of a spring semester but no later than August 31 of the same year shall:

- be allowed to continue in the College's Dental Plan until August 31 of the last year of employment, and
- be required to make payments for the Dental Plan in the same amount as full-time faculty members.

For retirees, the retiree shall:

- be allowed to continue in the Medical Plan until August 31 of the year of retirement, and
- be required to make payments in the same amount as full-time faculty members or as other retirees, whichever is less costly to the retiree, through August 31 of the year of retirement.

For those who resign, the resignee shall:

- be allowed to continue in the Medical Plan as determined by COBRA, and have COBRA payments made by the Board of Trustees through August 31 of the year of resignation.

Full-time faculty members whose employment is terminated shall not be allowed to continue in the College's Medical Plan or Dental Plan after the last day of the month of termination unless specifically required by COBRA, or other State/Federal laws, or in the termination agreement. Group life insurance terminates on the last day of the month of employment.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 5336

**Implemented:** May 20, 1996

**Revised:** April 8, 2014

## RVC Board Policy 3:30.040

### Vacation

The Board of Trustees recognizes that employees need opportunities for rest, relaxation and personal pursuits. Eligible employees earn and may use vacation leave as provided in the vacation procedure.

Employee Status	Days of Vacation per Year	Maximum Number of Hours of Unused Time Accrued
Full-time Exempt, Non-Grant Funded	20 days of vacation per year. (Based on per pay period accrual.)	160 unused vacation hours, as of December 31
Full-time Non-Exempt, Non-Grant Funded	Year 1 through 5 = 10 days. Year 6 through 10 = 15 days. Year 11 or more = 20 days. (Based on per pay period accrual.)	160 unused vacation hours, as of December 31
Full-time Exempt, Grant Funded	20 days of vacation per year. (50% distribution on January 1 and 50% distribution on July 1)	None, as of the end of the contract period
Full-time Non-Exempt, Grant Funded	Year 1 through 5 = 10 days. Year 6 through 10 = 15 days. Year 11 or more = 20 days. (50% distribution on January 1 and 50% distribution on July 1)	None, as of the end of the contract period

1. Vacation hours shall be accrued on an ongoing pro rata basis.
2. Written requests for vacation leave must be submitted to the immediate supervisor to be forwarded to Payroll.
3. The earliest request for time off takes priority. If two or more requests are made at the same time, priority shall be given to the employee with the most seniority.
4. Vacation shall be granted to the employee's preference as long as necessary staff is maintained to meet operation requirements. During vacation periods, work assignments shall be shared.
5. Requests cannot be submitted more than one year from the date of request.
6. Upon separation of employment, employees will be paid all accrued but unused vacation.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 6269; 7295

**Implemented:** March 24, 2009

**Revised:** April 8, 2014; April 26, 2016 (Effective May 1, 2016)

# Rock Valley College

## RVC Board Policy 3:30.050

### Tax-Sheltered/Deferred Compensation Plans

All eligible, non-student employees may participate in tax-sheltered annuity and/or deferred compensation programs through payroll deduction in accordance with Section 403(b) (tax sheltered annuities) and 457 (deferred compensation) of the *Internal Revenue Code*. The Board of Trustees assumes no liability for the investment decisions of any 403(b) or 457(b) vendors.

All companies must provide certification to the College that they follow Internal Revenue Service (IRS) guidelines for administering 403(b) and 457 programs.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 6182

**Implemented:** July 27, 2004

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:30.060

### Tuition Assistance

The College will reimburse eligible employees for the cost of tuition for the successful completion of prior approved course work or equivalent study, not to exceed the amount approved by the Board of Trustees for the fiscal year. Such reimbursement is subject to the approval of the Vice President of Human Resources.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 5670; 6249; 6682

**Implemented:** January 24, 2000; April 26, 2005; January 26, 2010

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:30.070

### College-Sponsored Trainings, Seminars and Workshops

The College will sponsor mandatory training, seminars and workshops. Identified employees are expected to attend, subject to obtaining prior approval from their immediate supervisor.

Subject to obtaining prior approval from their immediate supervisor, employees may enroll in optional College-sponsored trainings, seminars and workshops. When space is available in a seminar or workshop, the College division or department will not be charged for the employee's registration fee. A special fee for handouts and/or meals may be charged.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Implemented:** March 24, 2009

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 3:30.080

### Jury Duty/Compulsory Witness

Full-time and continuous part-time employees shall be granted time off without loss of pay for jury duty or to serve as a witness if subpoenaed. The employee shall notify their immediate supervisor as soon as possible after being subpoenaed or notified of jury duty.

The employee may retain any compensation or fees received for service as a juror or witness, and any reimbursement for travel expenses.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 2301

**Implemented:** March 24, 2009

**Revised:** April 8, 2014

## RVC Board Policy 3:30.090

### Family and Medical Leave

#### 1. FAMILY AND MEDICAL LEAVE DEFINED:

In accordance with and subject to the *Family and Medical Leave Act of 1993* (the "FMLA") and the *Public Community College Act* ("PCCA"), unpaid leaves of absence are available to eligible Rock Valley College employees for certain enumerated reasons. The College will grant an eligible employee up to a total of 12 work weeks during any rolling 12-month period to take family and medical leave when the employee is unable to work because of the following reasons:

- a. The birth and first-year care of a child;
- b. The placement of a child with an employee in connection with the adoption or foster care of a child by an employee;
- c. To care for a child, parent or spouse who has a serious health condition, as those terms are defined by the FMLA;
- d. The employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her position;
- e. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty service). "Qualifying exigencies" exist in the following categories: short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, parental care and additional activities as provided in the FMLA regulation; or

To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember with a serious injury or illness. A "covered servicemember" means (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. *Covered veteran* means an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

# Rock Valley College

An employee seeking family and medical leave must be eligible for such leave under the FMLA, the PCCA, or both. To be eligible for family and medical leave under the FMLA, an employee must:

- a. have been employed by Rock Valley College for at least a total of 12 months prior to the event giving rise to the need for leave;
- b. have been employed for at least 1250 hours of service over the 12-month period immediately preceding the commencement of the leave; and
- c. be employed at a worksite where Rock Valley College employs at least 50 employees within a 75-mile radius of that worksite.

To be eligible for family and medical leave under the PCCA, an employee must:

- a. have been employed by the College for at least 12 months; and
- b. have worked at least 1000 hours in the previous 12-month period.

The College will grant family and medical leave under the PCCA under the same terms and conditions as FMLA leave, as described further in this Policy.

Spouses employed by the College are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a dependent child or parent (but not a parent-in-law) who has a serious health condition as defined in the regulations implementing the FMLA.

Spouses employed by the College are entitled to a combined total of 26 weeks if a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty exists.

Family and medical leave is unpaid. However, employees on family leave must use accrued vacation, personal or family leave for the birth or placement of a child for adoption or foster care. Employees must also use vacation, personal and/or sick leave to care for an immediate family member (spouse, child or parent, but not parent-in-law) or the employee's own serious health condition prior to being placed in unpaid status. If and when all available paid time off is exhausted, the remainder of the family or medical leave shall be unpaid. Employees are required to use available paid time off first, before unpaid leave is granted.

## **2. JOB PROTECTION/REINSTATEMENT:**

Upon return from an approved family or medical leave that is equal to or less than the aggregate maximum of 12 weeks required by law, an employee will be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. An employee is not entitled to job protection within the aggregate leave exceeds 12 weeks in any rolling 12-month period.

However, Rock Valley College may refuse to reinstate:

# Rock Valley College

- a. certain highly paid “key” employees after using family or medical leave. “Key employee is an eligible salaried employee who is among the highest paid ten percent of employees. Such employees would be notified of their status as a “key” employee in response to the employee’s notice of intent to take family or medical leave. The employee would be offered a reasonable opportunity to work. A final determination as to whether reinstatement will be denied will be made at the end of the leave period if the employee requests restoration.
- b. employees who would have been laid off or otherwise had their employment terminated had they continued to work during the period the family or medical leave was used.

### **3. REQUESTING FAMILY OR MEDICAL LEAVE:**

An employee requesting family or medical leave is required to:

- a. provide 30-day advance notice before the leave is to begin to his/her supervisor and the Vice President of Human Resources when the need for family or medical leave is foreseeable. Where the need for leave is not foreseeable, the employee must give notice as soon as possible (within 1 to 2 business days of learning of the need for leave, except in extraordinary circumstances). Employees must provide at least verbal notice sufficient to make the College aware of their need for family or medical leave, and the anticipated timing and duration of the leave. Failure to provide such notice may be grounds for delay in granting the leave;
- b. within fifteen calendar days after the College’s request for family or medical certification is made, provide a medical certification from the employee or family member’s health care provider supporting the need for a leave due to the employee’s own serious health condition or that of an immediate family member. When the leave is to care for a covered servicemember with a serious illness or injury, the employee must provide a certificate completed by an authorized health care provider for the covered servicemember and any other additional information in accordance with the FMLA’s regulations. When the leave is because of a qualified exigency, the employee must provide a copy of the covered military member’s active duty orders or other documentation issued by the military indicating that the covered military member is on active duty or call to active duty status in support of a contingency operation, the dates of the covered military member’s active duty service and any other additional information in accordance with the FMLA’s regulations. Failure to provide a satisfactory certification may result in a denial or postponement of a leave;
- c. provide periodic, (normally every thirty (30) days) written updates to the Vice President of Human Resources during the leave on the employee’s status and intent to return to work.

# Rock Valley College

The Human Resources Department will require clarification or authentication of medical certification that is incomplete or insufficient as needed in accordance with the FMLA.

## **4. INTERMITTENT FAMILY AND MEDICAL LEAVE**

An eligible employee may take family or medical leave on an intermittent basis in accordance with the FMLA's regulations. An employee needing intermittent leave must consult with the College regarding the scheduling of such leave so as to minimize the disruption to the College's operations.

## **5. VACATION ACCRUAL AND GROUP HEALTH COVERAGE WHILE ON LEAVE:**

An employee on family or medical leave is not eligible to accrue vacation time. An employee on family or medical leave will continue in the group health insurance, life insurance and long-term disability programs under the same terms and conditions that the employee was covered prior to the leave. The employee is responsible for paying the employee's portion of the premiums associated with these programs while on family or medical leave. The obligation of Rock Valley College to continue an employee's medical coverage shall cease if the employee's premium payment is more than thirty (30) days late or informs Rock Valley College of an intent not to return to work at the end of a leave period. In the event either of the foregoing occur, or if the employee fails to return to work when the leave entitlement is used up, the employee shall be responsible for reimbursing the College for the employer-paid portion of the employee's benefits premiums. When an employee exhausts his or her family or medical leave and is unable to return to work, the employee will be entitled to continuing medical insurance coverage under COBRA.

## **6. MEDICAL CERTIFICATION TO RETURN TO WORK**

Upon return from a leave resulting from the employee's own serious health condition, the employee must provide the College's Human Resources Department with certification from a health care provider indicating that the employee is fit to return to work and able to perform the essential duties of his or her job. The College may deny the employee's return to work until the medical certification is submitted.

## **7. ADMINISTRATION OF POLICY**

Rock Valley College intends to administer this policy in accordance with the requirements of the FMLA and any other applicable law pertaining to family and medical leaves. Therefore, this policy will be interpreted and applied in a manner that accords with all applicable legal regulations and requirements. Any leave of absence that is granted to an eligible employee under this policy or any other College policy, including but not limited to the Worker's Compensation policy, for a purpose specified above shall run concurrently and be credited against the 12-week benefit contained in this policy to the extent permitted by applicable law.

## 8. EXIGENCY AND SERVICEMEMBER FAMILY LEAVE

In accordance with the National Defense Authorization Act, an eligible employee who is the family member of a covered servicemember is permitted to take up to 26 work weeks of leave in a single 12-month period to care for a covered servicemember with a serious illness or injury incurred in the line of duty on active duty. These 26 work weeks include the 12 work weeks of job protection provided by Rock Valley College's Family and Medical Leave policy that will be available to eligible employees with a covered military member serving in the National Guard or Reserves to use for any "qualifying exigency" arising out of the fact that a covered military member is on active duty or called to active duty status in support of a contingency operation. Accordingly, all eligible employees shall be entitled to Exigency and Servicemember Family Leave, on a gender-neutral basis, provided leave is taken in accordance with the following provisions.

Applicable Definitions and Limitations.

### A. Definitions

1. "Covered Servicemember," as used herein, shall mean a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is otherwise on the temporary disability retired list, for a serious illness or injury incurred in the line of duty.
2. "Qualified Exigency," as used herein, shall be defined to include one or more of the following exigencies as provided in the U.S. Department of Labor ("DOL") Regulations implementing the Military Family Leave provisions of the *Family and Medical Leave Act*:
  - a. Short-notice deployment (for up to seven calendar days beginning on the date a covered military member is notified of an impending call or order to active duty in support of a contingency operation);
  - b. To attend military events and related activities;
  - c. For childcare and school activities as enumerated by the DOL Regulations (29 C.F.R. Section 825.106(a)(3));
  - d. To make or update financial or legal arrangements to address the covered military member's absence while on active duty or call to active duty status or to act as the Covered Servicemember's representative before a federal, state or local agency to obtain, arrange, or appeal military benefits while the Covered Servicemember is on active duty or call to active duty status;

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- e. To attend counseling provided by someone other than a health care provider for oneself, for the Covered Servicemember, or the Covered Servicemember's child or stepchild, provided that the need for counseling arises from the active duty or call to active duty status of the Covered Servicemember;
- f. To spend time with a Covered Servicemember who is on short-term, temporary rest and recuperation leave during the period of deployment (for up to five days for each instance of rest and recuperation);
- g. To attend post-deployment activities and address issues arising from the death of a Covered Servicemember while on active duty status; and
- h. To address other events which arise out of the Covered Servicemember's active duty or call to active duty status provided that the College and the employee agree that such leave shall qualify as an exigency, and agree to both the timing and duration of such leave.

**B. Exigency Leave.** Eligible employees shall be entitled to a total of twelve (12) work weeks of unpaid leave during the twelve (12) month period because of any "Qualifying Exigency" arising out of the active duty or call to active duty in the Armed Forces in support of a contingency operation of the employee's spouse, son, daughter or parent, subject to the following:

- 1. the employee must state a qualifying reason for the needed leave to allow the College to determine whether the purpose for the leave is one allowed under the Act;
- 2. leave may be taken on an intermittent basis (in separate blocks of time) or reduced schedule (reducing the usual number of hours per week or per day) because of a "Qualifying Exigency," subject to the requirements and limitations set forth in the FMLA Regulations; and
- 3. the College may require requests seeking leave due to a "Qualifying Exigency" be supported by a signed Certification of Qualifying Exigency for Military Leave in the form provided by Rock Valley College.

**C. Servicemember Family Leave.** Eligible employees (the spouse, son, daughter, parent, or next of kin of a Covered Servicemember) shall be entitled to a total of twenty-six (26) work weeks of unpaid leave during a single twelve (12) month period to care for a Covered Servicemember (beginning the first day the eligible employee takes leave to care for a Covered Servicemember) provided that the Covered Servicemember's injury or illness renders him or her medically unfit to perform duties of the member's office, grade, rank or rating, subject to the following:

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1. the employee must state a qualifying reason for the leave to allow the College to determine whether the purpose for the leave is one allowed under the Act;
2. a husband and wife who are both employed by the College and both eligible for leave, are only permitted to take a combined total of twenty-six (26) weeks of leave during a single twelve (12) month period;
3. leave to care for a Covered Servicemember and leave for any other FMLA-qualifying event may not exceed twenty-six (26) weeks in a single twelve (12) month period;
4. leave may be taken on an intermittent basis (in separate blocks of time due to a single illness or injury) or reduced schedule (reducing the usual number of hours per week or per day) if medically necessary; and
5. The College may require that requests seeking leave for Servicemember Family Leave be supported by medical certification from the Covered Servicemember's health care provider sufficient to establish that the Covered Servicemember is in need of care. Such medical certification must be submitted within 15 calendar days after the Superintendent or his or her designee requests the certification.

In cases where the College has reason to doubt the validity of a medical certification it may seek authentication or clarification in accordance with DOL Regulations (29 C.F.R. Section 825.307(a)).

The College reserves the right to request certification at a later date in cases where it does not initially request medical certification to support the leave request but it later has reason to question the appropriateness or duration of the leave. The College may deny a leave request, for foreseeable leaves, or deny continuation of leave, for unforeseeable leaves, until the employee provides the required certification.

- D. Substitution of Paid Leave.** Other available paid vacation, personal or family leave must be substituted for Exigency and Servicemember leave prior to being placed in unpaid status. Where leave is necessitated by the care for a seriously ill or injured Servicemember, sick leave must be used prior to an employee being placed in unpaid status. Any substitution required by this policy will count towards the employee's Exigency or Servicemember Family Leave entitlement. The College will pay sick leave only under circumstances permitted by the applicable sick leave policy. Use of Exigency or Servicemember Family Leave shall not necessarily preclude the use of other applicable unpaid leave that will extend the employee's leave beyond 12 weeks, or 26 weeks where applicable, provided that the use of Exigency or Servicemember Family Leave shall not serve to extend such other unpaid leave.



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- E. Notice.** When practicable, employees must provide at least 30 days' notice to the College of the date when a leave is to begin. If 30 days' notice is not practicable, the notice must be given as soon as practicable. Employees shall provide at least verbal notice sufficient to make the College aware that he or she needs Exigency or Servicemember Family Leave, and the anticipated timing and duration of the leave. Failure to give the required notice may result in the delay in granting the requested leave until at least 30 days after the date the employee provides notice.
- F. Continuation of Health Benefits.** During Exigency or Servicemember Family Leave, employees are entitled to continuation of health benefits that would have been provided if they were working. If the College contributes a portion of an employee's health plan premiums during a period of unpaid Exigency or Servicemember Family Leave, it may recover the amount of such payments if the employee fails to return to work after such leave has been exhausted or expires, as provided under the FMLA.
- G. Return to Work.** An employee returning from Exigency or Servicemember Family Leave will be given an equivalent position to his or her position before the leave, subject to the College's reinstatement policies and practices set forth in its Family and Medical Leave policy and FMLA regulations.
- H. Implementing Procedures:** Rock Valley College may develop procedural guidelines to implement this policy consistent with the Family and Medical Leave Act.

**Reference:** Board Report 6575; 7886

**Implemented:** January 16, 2009

**Revised:** April 8, 2014; December 21, 2021

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## RVC Board Policy 3:30.100

### Military Leave

Rock Valley College employees who are members of any reserve component of the United States Armed Services, the National Guard, or the Illinois State Guard, should advise the College of their military status in advance of pending military service.

Military leave will be administered pursuant to applicable State and federal law, including the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), the Illinois Service Member Employment and Reemployment Rights Act ("IERRA"), and the Illinois Public Community College Act ("IPCCA"). The College will process and administer compensation and benefits during military leave in accordance with applicable law and administrative guidelines. To the extent the language in this Policy conflicts with USERRA, IERRA, and/or the IPCCA, the College will apply the requirements of USERRA, IERRA, and/or the IPCCA.

Consistent with the IPCCA, any employee who is mobilized to active military duty will receive the same regular compensation that the employee receives or was receiving as an employee of the College at the time of the mobilization to active military duty, plus any health insurance and other benefits he or she was receiving or accruing at that time, minus the amount of base pay for military service, for the duration of the active military service. Consistent with IERRA, an employee may elect to use accrued vacation, annual, or similar leave with pay in lieu of differential compensation during any period of military leave.

During periods of military leave for inactive duty (such as weekend drills and regularly scheduled unit training assemblies), an employee will receive the same regular compensation that the employee receives minus the daily rate of compensation for military service in accordance with the applicable drill pay chart.

During periods of military leave for annual training, employees will continue to receive full compensation for up to 30 days per calendar year, which may be performed non- synchronously.

The employee's military duty shall not result in the loss or diminishment of any employment benefit, service credit, or status accrued at the time the duty commenced. A non-probationary employee who is absent on military leave shall, for the period of military leave, be credited with the average of the efficiency or performance ratings or evaluations received for the three

(3) years immediately before the absence for military leave. Additionally, the rating shall not be less than the rating that he or she received for the rated period immediately prior to his or her absence on military leave. In computing seniority and service requirements for promotion eligibility or any other benefit of employment, the period of military duty shall be counted as civilian service.

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Employees who are members of any reserve component as defined above, upon the completion of active military service, shall be entitled to continued employment rights and reemployment rights consistent with USERRA. Employees returning from active duty should notify the College of the conclusion of their active duty as soon as possible as consistent with USERRA. Failure to notify the College as required under USERRA may result in a waiver of rights.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 6331, 7619

**Implemented:** March 24, 2009

**Revised:** June 25, 2019

# Rock Valley College

## RVC Board Policy 3:30.110

### Victims' Economic Security and Safety Act (VESSA)

Rock Valley College will grant full-time and part-time employees up to a total of 12 workweeks of leave to address domestic violence.

Rock Valley College will grant employees unpaid leave in accordance with the *Victims' Economic Security and Safety Act* ("VESSA" or "the Act"), 820 ILCS 180/1, et seq. The Act provides an employee who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence as defined by VESSA, or who has a family or household member who is a victim of such crimes of violence, the right to take up to a total of 12 workweeks of unpaid leave from work during any 12-month period to address the violence by:

- A. seeking medical attention for, or recovering from, physical or psychological injuries caused by any crime of violence to the employee or the employee's family or household member;
- B. obtaining services from a victim services organization for the employee or the employee's family or household member;
- C. obtaining psychological or other counseling for the employee or the employee's family or household member;
- D. participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future crimes of violence or ensure economic security; or
- E. seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from any crime of violence.

Such leave shall not be available to an employee to address violence against the employee's family or household member if the employee's interests as they relate to the violence are adverse to the interests of the family or household member.

The Act governs the requirements, scheduling, continuity of benefits, and all other terms of the leave. This Act prohibits the College from discharging, discriminating, or retaliating against any employee who exercises his or her rights to take such unpaid leave. If the basis for an employee's leave under the Act also qualifies for FMLA leave, both leaves will run concurrently.

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This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Reports 6169, 7887

**Implemented:** March 24, 2009

**Revised:** December 21, 2021

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## RVC Board Policy 3:30.120

### Special Leave of Absence for Full-Time Employees

An employee with at least 6 months of employment may apply for an unpaid leave of absence. A special leave of absence without pay and without loss of seniority, status, appointment, or accrued benefits, may be granted if recommended by the employee's supervisor and approved by the Vice President of Human Resources. A leave of absence for more than one calendar month must be approved by the President. Where applicable, the College will run an employee's leave entitlement under the *Family and Medical Leave Act* ("FMLA") concurrently with any leave granted under this Policy.

If the request for leave of absence without pay is for more than three (3) calendar months, a recommendation shall be submitted to the Board of Trustees for its approval. After a leave of absence of one calendar month, the employee (a) shall not accrue sick leave and/or vacation; (b) shall pay health and major medical insurance premiums; (c) shall pay life insurance premiums; and (d) shall not accrue other designated benefits. Insurance coverage shall be dropped if the employee elects not to pay the premium.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Report 2300-A

**Implemented:** September 4, 1973

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 3:30.130

### Leave for In-Service Training and Workshops

An employee may request to be released from regular duties to attend in-service training and workshops without loss of pay. The College will not pay overtime to attend workshops and/or in-service training requested by an employee. Remuneration for expenses shall be according to Board policy.

Leave for in-service training or workshops shall be granted on the following basis:

- a. Appropriateness to duties of person requesting leave.
- b. Budgeting restrictions.
- c. Previous participation in similar program.
- d. Seniority.
- e. Best interests of the College as determined by the immediate supervisor and the appropriate Leadership Team member.

Requests to attend in-service trainings and workshops must be in writing and submitted to the immediate supervisor and the appropriate Leadership Team member for approval.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Reports 1152, 1170

**Implemented:** September 4, 1973

**Revised:** April 8, 2014

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## RVC Board Policy 3:30.150

### Bereavement Leave

The Board of Trustees of Rock Valley College recognizes that employees may require time following the death of a covered family member to grieve such loss and make arrangements for and/or attend funerals or other similar services. Accordingly, all eligible employees (as defined under the FMLA) are eligible for bereavement leave under this Policy.

In accordance with the Illinois Family Bereavement Leave Act (“the Act”), and subject to administrative procedures adopted by the College, the College will provide each eligible employee up to two (2) working weeks (ten [10] workdays) of bereavement leave, in which three (3) of those workdays will be paid, in the event of:

1. the death of an employee’s covered family member. For purposes of this Policy, the term “covered family member” shall include the employee's spouse, domestic partner, an individual living in the employee's household at the time of death, child, foster child, step-child, son-in-law, daughter-in-law, brother, half-brother, step-brother, brother-in-law, sister, half-sister, step-sister, sister-in-law, parent, foster parent or person who has served in that role, legal guardian who has reared the employee, step-parent, parent-in-law, grandparent, grandparent-in-law, grandchild, nephew, step-nephew, niece, step-niece, uncle, step-uncle, great-uncle, aunt, step-aunt, or great-aunt.
2. an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, a failed adoption match or adoption that is not finalized because it is contested by another party, a failed surrogacy agreement, a diagnosis that negatively impacts pregnancy or fertility, or a stillbirth. For these reasons, the Illinois Department of Labor has developed a form to be filled out by the applicable healthcare practitioner or adoption or surrogacy organization, certifying such an event has occurred. An employer may not require that the employee identify which type of event occurred, necessitating the basis for leave.

The College shall adopt administrative procedures to implement this Policy. The College reserves the right to require employees to provide evidence documenting the need for such leave. Where applicable, this Policy will be administered with the College’s collective bargaining obligations.

**Reference:** Board Reports 7395, 7898, 8002

**Implemented:** March 28, 2017

**Revised:** January 25, 2022; December 13, 2022



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## RVC Board Policy 3:40.010

### Compensation Philosophy

The College intends to provide a fair and equitable compensation package to all non-union full-time and continuous part-time employee groups to the extent possible. The compensation package will include salary, benefits and working conditions. In making compensation decisions, the College will consider the impact of such decisions on the College's students. The College acknowledges that providing a competitive compensation package is a key component in the College's approach to recruiting, retaining and motivating employees.

The College's compensation programs will be guided by the following objectives:

- Establish pay levels for positions on the basis of their external competitiveness with relevant labor markets and their relative internal value;
- Reward employees on the basis of work performance;
- Administer pay equitably and consistently;
- Establish appropriate compensation procedures:

### Methodology

**External markets** define pay levels that may vary according to where, and with whom, the College competes for qualified employees. In some cases the local labor market is considered, and for other positions, regional or national markets must be targeted.

**Internal job value relationships** are also factored into the setting of compensation rates. Although basic salary rates or ranges for similar positions are established on a system wide basis, the individual effectiveness of employees will have a direct relationship to their respective rates of pay, including good performance, educational achievement and career competencies.

**Salary survey data** shall include, but not be limited to, reports from the Illinois Community College Board (ICCB), the College's peer and contiguous community colleges, the AAIM Employers' Association, the Society of Human Resource Management (SHRM), the Consumer Price Index (CPI) fiscal year-to-date average and other professional compensation sources as needed.

This survey data will be used to periodically determine whether adjustments to the RVC salary ranges are warranted. Any decisions on salary adjustments will be made in a timely manner.

Employees whose salary is above the minimum of their salary range shall not be eligible for any approved across the board (ATB) increase but will be eligible for any merit (pay for performance) increases. However if merit pay is awarded, it shall be

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payable in one lump sum on July 1 and shall not be added to the employees' base pay.

**Reference:** Board Reports 6650, 6650-2

**Implemented:** October 27, 2009

**Revised:** April 8, 2014

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## RVC Board Policy 3:40.020

### Salary Program

The Administration will ensure appropriate administration of a salary program for all non-union College employees. The administration will maintain procedures to facilitate administration of the salary program. The Board shall approve the salary of the President and Leadership Team Members.

**Reference:** Board Reports 6979, 6902, 6903, 6411, 6555, 6634, 6635, 7036

**Implemented:** April 8, 2014

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## RVC Board Policy 3:40.030

### Employees Serving as Instructors Arts and Sciences/Career Education (AS/CE)

Subject to supervisory approval, employees of the College who are qualified and who have been requested by an academic department may teach classes during non-work hours. Any instruction during work hours requires a schedule of time to be made up and submitted to the supervisor and the Human Resource Department prior to the start of instruction.

Calculation of pay per contact hour is equal to 0.825% of the employee's base salary rate or lane and column from the Adjunct Faculty Salary Schedule, whichever is greater, but not greater than the faculty overload rate.

**Reference:** Board Report 6628

**Implemented:** June 30, 2009

**Revised:** April 8, 2014

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## RVC Board Policy 3:40.040

### Temporary Employees

The College will employ temporary employees as needed. Temporary employees are employees who are hired for a definite duration of no more than 180 days.

Temporary assignments may be extended upon written request to the Executive Director of Human Resources and upon approval.

Temporary employees will be paid within the pay grade of the employee they are replacing. Temporary employees are not eligible for College-provided benefits.

**Reference:** Board Reports 6628, 7584

**Implemented:** February 27, 1978

**Revised:** April 8, 2014; January 29, 2019

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## RVC Board Policy 3:40.050

### Shift Differential

Full-time, non-exempt employees will qualify for differential pay for work performed during the second or third shift. The amount of the shift differential will be approved by the Board of Trustees.

This Policy will be administered consistent with the College's collective bargaining agreements where applicable.

**Reference:** Board Report 2431

**Implemented:** June 22, 1974

**Revised:** April 8, 2014

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## RVC Board Policy 3:40.060

### Overtime/Compensatory Time

Rock Valley College will fully comply with its obligations under the *Illinois Minimum Wage Law* ("IMWL"), 820 ILCS 105/1 et seq., and the *Fair Labor Standards Act*, ("FLSA") 29 U.S.C. §201 et seq.

The work week shall begin on 12:01 a.m. on Monday and end on the following Sunday at 12:00 a.m. "Overtime" is time worked in excess of 40 hours in a single work week. Holidays, vacation, compensatory time and other leave time (whether paid or unpaid) do not count towards hours worked for purposes of determining overtime. Non-exempt employees shall be paid one and one-half times their regular rate of pay for all overtime hours worked in a work week consistent with the FLSA and IMWL.

The College discourages overtime work by non-exempt employees. A non-exempt employee shall not work overtime without his or her supervisor's express approval.

The Administration is authorized to adopt and maintain procedures regarding overtime and compensatory time. In the event of a conflict between the Policy and State or federal law, the latter shall control.

This Policy will be administered consistent with the College's collective bargaining agreement obligations where applicable.

**Reference:** Board Reports 6157, 6220

**Implemented:** March 24, 2009; January 25, 2005

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.010

### Non-Discrimination

The College provides equal opportunities in its admissions, educational and extracurricular programs and activities consistent with federal and state law. Discrimination is prohibited on the basis of race, color; religion, national origin, ancestry, citizenship status, sex, age, physical or mental disability, marital status, order of protection status, sexual orientation, including but not limited to gender related identity discrimination, veteran status, or unfavorable military discharge, use of lawful products while not at work, genetic information, or other legally protected categories.

This policy of equal educational opportunities applies to all policies and procedures. This policy governs admission, access, participation, and treatment in College programs and activities, and application for and treatment in all aspects of educational and extracurricular programs and activities.

Upon request RVC will make reasonable accommodations for qualified individuals with known disabilities unless doing so would create an undue hardship.

Individuals who believe they have not received equal educational opportunities or with questions about any type of discrimination in the educational setting should bring these concerns to the attention of the Vice President of Student Development. Students may raise concerns without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including expulsion or termination.

**Adopted:** April 8, 2014



# Rock Valley College

## RVC Board Policy 4.10.020

### Procedure's Implementing the College's Policy Prohibiting Sex-Based Misconduct

#### I. Purpose

The College is committed to maintaining a safe and healthy educational and employment environment that is free from discrimination, harassment and misconduct on the basis of sex, which includes sexual orientation or gender-related identity. The purpose of these Procedures is to implement the College's Policy Prohibiting Sex-Based Misconduct, Non Discrimination- Students Policy (Board Policy 4:10.010), and Equal Employment Opportunity Policy (Board Policy 3.10.010), ensure a safe and healthy educational and employment environment, and meet legal requirements in accordance with: Title IX of the *Education Amendments of 1972* ("Title IX"), which prohibits discrimination on the basis of sex in the College's education programs or activities; relevant sections of the *Violence Against Women Reauthorization Act* ("VAWA"); Title VII of the Civil Rights Act of 1964 ("Title VII"), which prohibits discrimination on the basis of sex in employment; relevant sections of the *Illinois Human Rights Act*, which prohibits discrimination on the basis of sex or sexual orientation, including gender-related identity; the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* ("Clery Act"), which requires timely warning to the community of certain immediate threats; the *Preventing Sexual Violence in Higher Education Act*; and other applicable law and local ordinances.

The College has an affirmative duty to take immediate and appropriate action once it knows or its management should know of an act of sex-based discrimination, sexual harassment or other sex- based misconduct in any of its educational or employment programs or activities. The College will promptly and thoroughly investigate any complaints of sexual discrimination, harassment and/or misconduct in accordance with the procedures set forth below.

#### II. Jurisdiction

The College's Policy Prohibiting Sex-Based Misconduct and these implementing Procedures apply to students, faculty, staff, appointees, or third parties, regardless of sexual orientation or gender-identity, whenever the misconduct occurs:

- A.** On College property; or
- B.** Off College property if:
  1. The conduct was in connection with a College or College-recognized program or activity; or
  2. The conduct may have the effect of creating a hostile environment for a member of the College community.

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## III. Scope

These Procedures govern sex-based misconduct in various forms, many of which may trigger legal obligations under one or more state and federal laws. In no case does the inapplicability of a particular legal framework require the College not to address an act of misconduct falling within the scope of these Procedures.

Sections I-VII and IX-X include provisions relevant to sex-based misconduct in all its forms.

Sections VI.A and VI.B address specific reporting procedures for students and employees, respectively. Section VIII, which describes a grievance process with a required live hearing, applies only to formal Title IX complaints and complaints alleging sexual violence, domestic violence, dating violence or stalking.

Appendix A provides definitions for these Procedures.

## IV. Administration

- A. Title IX Coordinator:** The College has designated the Dean of Students and Executive Director of Human Resources as the Title IX Coordinator(s). Contact information for the Title IX Coordinator(s) is as follows:

Terrica Huntley  
Dean of Students  
Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921 -4187  
Email: [T.Huntley@Rockvalleycollege.edu](mailto:T.Huntley@Rockvalleycollege.edu)

Joe Simpson, PHR, SHRM-CP  
Executive Director of Human Resources  
Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921-4752  
Email: [J.Simpson@Rockvalleycollege.edu](mailto:J.Simpson@Rockvalleycollege.edu)

Responsibilities of the Title IX Coordinator(s) include, but are not limited to:

- Overseeing the College's response to all Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports or complaints.
- Being informed of all reports and complaints raising Title IX issues, including those initially filed with another individual or office or if the investigation will be conducted by another individual or office.
- Conducting and/or assigning Title IX investigations, including the investigation of facts relative to a complaint.

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- With respect to Title IX complaints that relate to a College employee as the complainant or as the respondent, the Title IX Coordinator(s) will partner with the Department of Human Resources to manage the investigation into the allegations and recommend any appropriate sanctions against an employee.
- The Title IX Coordinator must not be the decision-maker for a determination of responsibility in response to a formal Title IX complaint of sexual harassment.
- Coordinating any appropriate supportive measures and ensuring the effective implementation of any remedies.
- Ensuring that appropriate policies and procedures are in place for working with law enforcement and coordinating services with local victim advocacy organizations and services providers, including rape crisis centers.
- Ensuring that adequate training is provided to students, faculty and staff on Title IX issues.
- Monitoring students' participation in athletics and across academic fields to ensure that sex discrimination is not causing any disproportionate enrollment based on sex or otherwise negatively affecting a student's access to equal educational opportunities.
- Developing a method to survey the school climate and coordinating the collection and analysis of information from that survey.
- Promoting an educational and employment environment which is free of sex discrimination and gender bias.

The College has designated the Manager of Student Life and the Vice President of Human Resources as the Deputy Title IX Coordinator(s). The Deputy Title IX Coordinators' contact information is:

Luevinus Muhammad, Manager of Student Life  
Rock Valley College  
3301 N. Mulford Road Rockford, IL. 61114  
Telephone: 815-921-4183  
Email: [l.muhammad@rockvalleycollege.edu](mailto:l.muhammad@rockvalleycollege.edu)

Jim Handley, Vice President of Human Resources  
Rock Valley College  
3301 N. Mulford Road Rockford, IL 61114  
Telephone: 815-921-  
Email: [J.Handley@Rockvalleycollege.edu](mailto:J.Handley@Rockvalleycollege.edu)

The role of the Deputy Title IX Coordinator includes but is not limited to:

- to assist the Title IX Coordinator with Title IX training for students, employees, faculty and responsible employees.
- The Deputy Title IX Coordinator also assists with monitoring compliance and deadlines, and provides case management for tracking and reporting of incidents.

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- The Deputy completes Title IX investigations, to include taking complainant, respondent and witness statements, writing summary reports, issuing findings and making recommendations to the Title IX Coordinator.
- The Deputy offers resources and information as appropriate for all parties.
- The Deputy provides primary prevention and awareness education and, in consultation with the Title IX Coordinator, reviews materials, publications and the College's website for accuracy, consistency and compliance.

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator(s) or to the Assistant Secretary for Civil Rights at the United States Department of Education:

Office for Civil Rights, Chicago Office  
U.S. Department of Education Citigroup Center  
500 W. Madison Street, Suite 1475  
Chicago, IL 60661-4544  
Telephone: (312) 730-1560 Email: OCR.Chicago@ed.gov

## **B. Department of Human Resources**

The Department of Human Resources will partner with the Title IX Coordinator with respect to any complaints of sex-based misconduct that involve a College employee as the complainant or as the respondent. For any such complaints that involve a College employee as the respondent and fall outside the scope of Title IX, the Department of Human Resources will manage the investigation into the allegations and issue a decision and any appropriate sanction(s).

For complaints of sex-based misconduct that involve a College employee as the respondent, investigatory and disciplinary procedures required by any applicable collective bargaining agreement will apply in addition to these Procedures.

## **V. Options for Assistance Following an Incident of Sex-Based Discrimination, Harassment or Misconduct**

### **A. On- and Off-Campus Counselors and Advocates**

The following on- and off-campus counselors and advocates can provide an immediate confidential\* response in a crisis situation, as well as ongoing assistance and support:

1. **Remedies, 24-hour Domestic Violence**  
<https://www.remediesrenewinglives.org/>  
**National Domestic Violence Hotline Number:** 1-800-799-7233 (SAFE)  
Address: 220 Easton Parkway, Rockford, IL 61108  
Local Phone Number: 815-962-6102

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2. **\*Illinois Coalition Against Sexual Assault (ICASA)**  
<https://icasa.org/crisis-centers>  
Address: 100 North 16th Street, Springfield, IL 62703  
Local Phone Number: 217-753-4117
3. **Rockford Sexual Assault Counseling (RSAC)** – \*Affiliated with ICASA  
[www.rockfordsexualassaultcounseling.org](http://www.rockfordsexualassaultcounseling.org)
  - i. **RSAC Winnebago County**  
Address: 4990 E. State Street, Rockford, IL 61108  
Local Phone Number: 815-636-9811
  - ii. **RSAC Ogle County**  
Address: 412 W Washington, Oregon, IL 61061  
Local Phone Number: 815-732-0000
  - iii. **RSAC Boone County**  
Address: 860 Biester Drive, Suite 205, Belvidere, IL 61008  
Local Phone Number: 815-544-6821
4. **(For Employees Only) Perspectives – Employee Assistance Program**  
[www.perspectivesltd.com](http://www.perspectivesltd.com)  
Hotline Phone Number: 800-456-6327

\*Indicates Confidential Advisors, as defined in Appendix A.

Note: While the above-listed counselors and advocates may maintain a reporting person's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law.

## B. Emergency Response

**Anyone who experiences or observes an emergency situation should immediately call 911** and/or one of the phone numbers listed below.

## C. On- and Off-Campus Health Care Options

Individuals may seek treatment for injuries, preventative treatment for sexually transmitted disease, and/or other health services by contacting one of the following health care providers:

1. **\*OSF Medical Center**  
Address: 5510 E. State Street, Rockford, IL 61108  
Local Phone Number: 815-395-4555
2. **Javon Bea Rockford Memorial Hospital**  
Address: 2400 N. Rockton Ave, Rockford, IL 61103

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Local Phone Number: 815-971-5000

3. **\*Javon Bea Rockford Memorial Hospital**  
Address: 8201 E. Riverside Blvd., Rockford, IL 61114  
Local Phone Number: 815-971-7000
4. **\*Swedish American Hospital**  
Address: 1401 E. State Street, Rockford, IL 61104  
Local Phone Number: 779-696-4400

\*Indicates health care options which provide medical forensic services (rape kits) and/or Sexual Assault Nurse Examiners at no cost, pursuant to the *Sexual Assault Survivors Emergency Treatment Act* (410 ILCS 70).

Seeking medical treatment also serves to preserve physical evidence of sexual violence.

Off-campus health care providers will generally maintain confidentiality and not share information with the College unless the reporting person requests the disclosure and signs a consent or waiver form. Note, however, that while these health care providers may maintain a reporting person's confidentiality vis-à-vis the College, they may have other reporting obligations under State law.

## **D. State of Illinois Sexual Harassment and Discrimination Helpline**

The Illinois Department of Human Rights has established a helpline for individuals to obtain information about their reporting options and referrals to other resources. The helpline is available Monday through Friday, from 8:30 a.m. to 5:00 p.m., at (877) 236-7703.

## **VI. Making a Report of Alleged Sex-Based Misconduct**

Any student, employee or community member who wishes to avail himself or herself of these Procedures may do so by making a report to the Title IX Coordinator. Students may also make a report to any Responsible Employee, as defined below. Detailed information concerning student and employee reporting follows below.

### **A. Student Reporting**

The College encourages students who have experienced sex-based misconduct to talk with someone about what happened so that they can get the support they need and so that the College can respond appropriately. Different employees on campus have different reporting obligations with regard to alleged sex-based misconduct. Some College employees (referred to as "Responsible Employees") are required to report all incidents of sex-based misconduct to the Title IX Coordinator, including the identities of the persons involved in the incident. While only designated Responsible Employees are required to report all incidents of sex-based misconduct to the Title

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IX Coordinator, all members of the College community (including students) are encouraged to report such incidents to the Title IX Coordinator.

The various reporting options available are set forth in further detail below. Regardless of to whom a report is made, the College will provide the person alleged to be the victim, if identified, with concise information, written in plain language, of the person's rights and options pursuant to these Procedures.

**Immunity for Good-Faith Reporting:** Students who in good faith report an alleged violation of the College's Policy Prohibiting Sex-Based Misconduct will be granted immunity and will not receive a disciplinary sanction for a student conduct violation (such as underage drinking) revealed during the course of reporting. Immunity will not be provided for student conduct violations which the College determines are egregious, including without limitation misconduct which places the health or safety of another person at risk.

## 1. Student Reporting to the Title IX Coordinator(s)

Students are encouraged to report alleged incidents of sex-based misconduct to the Title IX Coordinator(s) directly. The College's Title IX Coordinator(s) are:

Terrica Huntley Dean of Students  
Rock Valley College  
3301 North Mulford Road  
Rockford, IL 61114  
Telephone: (815) 921 -4187  
Email: [T.Huntley@Rockvalleycollege.edu](mailto:T.Huntley@Rockvalleycollege.edu)

Joe Simpson, PHR, SHRM-CP  
Executive Director of Human Resources  
Rock Valley College  
3301 North Mulford Road Rockford, IL 61114  
Telephone: (815) 921-4752  
Email: [J.Simpson@Rockvalleycollege.edu](mailto:J.Simpson@Rockvalleycollege.edu)

## 2. Student Reporting to Responsible Employees

A Responsible Employee, as defined in Appendix A, must report to the Title IX Coordinator all relevant details about an alleged incident of sex-based misconduct shared by a student, including the date, time and specific location of the alleged incident, and the names of all involved individuals. To the extent possible, information shared with a Responsible Employee will be disclosed only to the Title IX Coordinator and/or those individuals responsible for handling the College's response to the report.

The following categories of employees are the College's Responsible Employees:

- Title IX Coordinator(s)
- College Administrators

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- Supervisors and Managerial Staff
- Faculty
- Campus Police
- Coaches
- Academic Advisors
- Advisors of all the student clubs/organizations

Before a student reveals any information to Responsible Employee, the employee should ensure that the student understands the employee's reporting obligations. If the student wants to make a confidential report, the Responsible Employee should direct the student to the confidential resources listed in Section VI.A.3 below.

If the student wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the student that the College will consider the request, but that the College cannot guarantee it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Title IX Coordinator of the student's request for confidentiality.

### **3. Confidential Reporting**

Students who wish to confidentially report an incident of sex-based misconduct may make a confidential report to:

Andrea McCauley  
Personal and Success Counselor  
Rock Valley College  
3301 North Mulford Road  
Rockford, IL 61114  
Telephone: (815) 921-4105  
Email: [A.McCauley@Rockvalleycollege.edu](mailto:A.McCauley@Rockvalleycollege.edu)

The individuals in this list are Confidential Advisors, as defined in Appendix A. Professional, licensed counselors who provide mental health counseling to students (including counselors who act in that role under the supervision of a licensed counselor) are not required to report any information about an alleged incident to the Title IX Coordinator without a student's permission.

Note: While the individuals listed above may maintain a student's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law. Any College employee who suspects or receives knowledge that a minor student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, is required to: 1) immediately report or cause a report to be made to the Illinois Department of Children and Family Services (DCFS) on its Child Abuse Hotline; and 2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office.

Also Note: If the College determines that a person alleged to be the perpetrator of sexual misconduct poses a serious and immediate threat to the College community,



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College Police may be called upon to issue a timely warning to the College community. Any such warning will not include any information that identifies the person alleged to be the victim.

## **4. Electronic and/or Anonymous Reporting**

The College maintains an online system for electronic reporting. The reporter may choose to provide his/her identity or may choose to report anonymously. The system will notify the user, before he/she enters information, that entering personally identifying information may serve as notice to the College for the purpose of triggering an investigation. Anonymous reports can be filed at [https://cm.maxient.com/reportingform.php?RockValleyCollege&layout\\_id=3](https://cm.maxient.com/reportingform.php?RockValleyCollege&layout_id=3). Where a reporter chooses to provide his/her identity and contact information, the College will respond to the reporter within 12 hours.

## **5. Note Regarding Student Participation in Public Awareness Events**

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs” or other forums in which students disclose incidents are not considered notice to the College of sex-based discrimination, harassment or misconduct for purposes of triggering an obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College will provide information about students’ rights at these events.

## **B. Employee Reporting**

### **1. Alleged Sex-Based Misconduct of a Student**

In addition to the reporting requirements for Responsible Employees (see Section VI.A), all College employees who have information regarding sex-based misconduct of a student should report it to the Title IX Coordinator or any Responsible Employee.

### **2. Alleged Sex-Based Misconduct of an Employee**

An employee should notify the Title IX Coordinator or Department of Human Resources if he or she believes that the College or a member of the College community has engaged in sex discrimination, sexual harassment or other sex-based misconduct in violation of the College’s Policy Prohibiting Sex-Based Misconduct or Non-Discrimination-Students Policy and Equal Employment Opportunity Policy.

### **3. Knowingly False Reporting**

A person who knowingly makes a false report of sex-based misconduct may be subject to disciplinary action, up to and including suspension, expulsion, or termination. A determination regarding responsibility, alone, is not sufficient to conclude that a person knowingly made a false report.

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## C. Board Member Reporting

Members of the College's Board of Trustees and other elected officials should promptly report claims of sex-based misconduct against a Board member. Board members and elected officials should report claims of sex-based misconduct against a Board member to the Board Chair or College President. If the report is made to the College President, the President shall promptly notify the Board Chair, or if the Board Chair is the subject of the complaint, the Board Vice Chair. When a complaint of sex-based misconduct is made against a member of the Board of Trustees, the Board Chair shall consult with legal counsel for the College to arrange for an independent review of the allegations. If the allegations concern the Board Chair, or the Board Chair is a witness or otherwise conflicted, the Board Vice Chair shall so consult with legal counsel. If the allegations concern both the Board Chair and the Board Vice Chair, and/or they are witnesses or otherwise conflicted, the Board Secretary shall so consult with legal counsel. The investigator shall prepare a written report and submit it to the Board.

## VII. College Response to Reports of Alleged Sex Discrimination, Harassment or Other Misconduct

- A. Processing of Report:** Upon receipt of a report, the Title IX Coordinator will analyze the report to determine the appropriate method for processing and reviewing it.

For any report alleging sexual harassment, as defined under Title IX, and/or alleging sexual violence, domestic violence, dating violence or stalking pursuant to the *Preventing Sexual Violence in Higher Education Act*, the Title IX Coordinator will promptly contact the person alleged to be the victim (hereinafter "complainant") to:

1. Discuss the availability of supportive measures (see Section VII.B below);
  2. Consider the complainant's wishes with respect to supportive measures;
  3. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
  4. Explain to the complainant the process for filing a formal complaint.
- B. Supportive Measures:** Supportive measures (also referred to as "interim protective measures") are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a complainant or respondent, irrespective of whether a formal complaint has been filed.

Examples of supportive measures that the College may offer include, but are not limited to:

1. Counseling and mental health support;

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2. Extensions of deadlines or other course-related adjustments;
3. Leaves of absence;
4. Changes to academic, living, dining, transportation and/or working schedules or situations;
5. Increased security and monitoring of certain areas of campus;
6. Issuance and enforcement of mutual campus no contact orders; and
7. Enforcement of an order of protection or no contact order entered by a State civil or criminal court.

A report of alleged sex-based misconduct may also prompt the College to consider broader remedial action, such as increased monitoring, supervision or security at locations where the alleged incident occurred; increased education and prevention efforts, including to targeted population groups; the use of climate assessments and/or victimization surveys; and/or revisions to the College's policies and practices.

The College will maintain as confidential any supportive measures provided to a complainant or respondent, to the extent that maintaining such confidentiality would not impair the College's ability to provide the supportive measures.

The Title IX Coordinator(s) is/are responsible for coordinating the College's implementation of supportive measures.

## **C. Emergency Removals and/or Administrative Leave:**

Prior to initiating or completing the Grievance Process in response to a formal complaint, described further in Section VIII below, or in the absence of a formal complaint, the College may remove a respondent from the College's education program or activity on an emergency basis. Where the alleged conduct, if proven, would constitute sexual harassment as defined under Title IX, the College will effectuate an emergency removal only where the College has determined, based on an individualized safety and risk analysis, that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In such cases, the College will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

In addition, the College may place an employee on administrative leave during the pendency of the Grievance Process in response to a formal complaint.

## **D. Clery Act Reporting Obligations:**

Pursuant to the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* ("Clery Act"), 20 U.S.C. § 1092(f), the College will issue timely warnings to the campus community about crimes that have already occurred but may continue to pose a serious or ongoing threat to students and employees. The Clery Act also requires the College to maintain a public crime log and publish an Annual Security Report ("ASR") available to all

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current students and employees. The ASR documents three calendar years of select campus crime statistics (including statistics regarding incidents of dating violence, domestic violence, and stalking), security policies and procedures, and information on the basic rights guaranteed to victims of sexual assault.

## **VIII. Grievance Process for Complaints Alleging Title IX Sexual Harassment and/or Alleging Sexual Violence, Domestic Violence, Dating Violence or Stalking**

For purposes of this Grievance Process, a formal complaint is a document filed by a complainant or signed by the Title IX Coordinator, alleging (a) sexual harassment in violation of Title IX and/or (b) sexual violence, domestic violence, dating violence or stalking in violation of the *Preventing Sexual Violence in Higher Education Act*; and requesting that the College investigate the allegation. At the time of filing a formal complaint pursuant to this Grievance Process, the complainant must be participating in or attempting to participate in the College's education programs or activities, either as a student or an employee. Should a formal complaint be filed, the Title IX Coordinator will investigate the formal complaint or appoint a qualified person to undertake the investigation on his or her behalf.

The College as it deems appropriate may extend the time provided in this Grievance Process to comply with a requirement and may postpone the scheduled date for any proceeding, meeting, or hearing, provided that the extended deadline or postponed date would not exceed a time limit required by law. If one of the parties requested the extension or postponement, that it is available on an equal basis to both parties and will be communicated in writing.

**A. Notice of Allegations:** Within 10 business days after signing a formal complaint or receiving a formal complaint filed by a complainant, the Title IX Coordinator will provide written notice to the parties who are known of the following:

1. This Grievance Process, including the informal resolution process, where applicable.
2. The allegations potentially constituting sexual harassment under Title IX and/or sexual violence, domestic violence, dating violence or stalking under the *Preventing Sexual Violence in Higher Education Act*, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
3. 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.

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4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. That the parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence, whether obtained from a party or other source.
6. The College Code of Conduct provision(s) that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of an investigation, the College decides to investigate allegations that are not included in the initial written notice of allegations, the Title IX Coordinator will provide subsequent written notice of the additional allegations to all known parties.

**B. Informal Resolution:** At any time after receiving the initial notice of allegations (See Section VIII.A above), and prior to a determination regarding responsibility being reached, the complainant and respondent may request to participate in an informal resolution process. Informal resolution will only occur with both parties' voluntary, written consent. At any time prior to agreeing to a resolution, any party will have the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The College does not permit informal resolution in cases involving alleged sexual harassment, sexual violence, domestic violence, dating violence or stalking by a College employee toward a student.

**C. Consolidation of Formal Complaints:** The Title IX Coordinator may consolidate formal complaints as to allegations against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.

**D. Dismissal of Formal Complaints:** If, during the course of an investigation or following an investigation into a formal complaint, the Title IX Coordinator or designated Investigator determines that the conduct alleged in the formal complaint would not constitute sexual harassment as defined in 34 C.F.R. § 106.30 (Title IX) even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the Title IX Coordinator will dismiss the formal complaint with regard to that conduct for purposes of Title IX. In cases where the College determines that Title IX is not applicable but the College still intends to apply this Grievance Process to resolve the alleged misconduct, the College will inform

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the parties that Title IX is inapplicable but that such Process will nevertheless be applied. In addition, dismissal of a formal complaint for purposes of Title IX does not preclude action under other College policies and procedures.

The Title IX Coordinator may dismiss a formal complaint, or any allegations therein, at any time during an investigation if: (1) the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; (2) the respondent is no longer enrolled or employed by the College; or (3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The decision to dismiss a formal complaint for all purposes may require consultation with the Human Resources or Student Services Department.

Upon dismissal – either of a complaint altogether, or of a complaint for purposes of Title IX – the Title IX Coordinator or Investigator will promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties. Dismissal of a formal complaint under this Process does not preclude action under other College policies and procedures.

**E. Investigation of Formal Complaint:** The Title IX Coordinator will appoint one or more trained investigators to undertake an investigation into a formal complaint. Throughout the investigation, the parties will be afforded an equal opportunity to present witnesses including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Investigator will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. Any proceeding, meeting, or hearing held to resolve formal complaints pursuant to this Grievance Process will protect the privacy of the participating parties and witnesses.

Both parties will be afforded an opportunity to be accompanied to any meeting or proceeding by an advisor of their choice, who may be, but is not required to be, an attorney. The advisor's role is limited to providing support, guidance and/or advice, and to conducting cross-examination during the live hearing (see Section VIII.F below). A party's advisor may not speak on behalf of the party during any meeting, interview or hearing and must comply with all behavioral rules and expectations set forth in these Procedures. If a party's advisor violates these Procedures or engages in behavior that harasses, abuses or intimidates a party, witness or individual resolving a complaint, that advisor may be prohibited from further participation.

When a party's participation is invited or expected at an investigative interview or other meeting, the Investigator will provide that party with written notice of the date, time, location, participants, and purpose of said interview or meeting at least three (3) business days prior to the interview or meeting.

At the conclusion of the investigation and prior to the Investigator's

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completion of his/her investigative report, the Investigator will send to each party (and the party's advisor, if any) the evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, in electronic format. The parties will have 10 business days to submit a written response to the evidence, which the Investigator will consider prior to completion of his/her investigative report.

After receiving and reviewing the parties' written responses, if any, the Investigator will create an investigative report that fairly summarizes the relevant evidence, and will forward a copy of his/her report to the Title IX Coordinator. Upon receipt of the Investigator's Report, the Title IX Coordinator will schedule a hearing. At least 10 business days prior to the hearing, the Title IX Coordinator will:

- a. Provide both parties with written notice of the hearing date, time, location, participants (including the name of the appointed Hearing Officer) and purpose of the hearing; and
- b. Send to each party (and the party's advisor, if any) the investigative report [in electronic format or hard copy] for their review and written response.

**F. Hearings:** A hearing will be conducted by a Hearing Officer appointed by the College. Both parties will have the opportunity to request a substitution if the participation of the appointed Hearing Officer poses a conflict of interest. A party wishing to request a substitution must contact the Title IX Coordinator within three (3) business days after the party's receipt of the notice of hearing to make such a request.

At the request of either party, the College will arrange for the live hearing to occur with the parties located in separate rooms, with technology enabling the Hearing Officer and parties to simultaneously see and hearing the party or witness answering questions. A party wishing to request that the live hearing occur with the parties located in separate rooms must contact the Title IX Coordinator to request such an arrangement at least three (3) business days in advance of the hearing. The College may conduct any live hearing virtually, with the participants in one or more separate geographical locations, and with technology enabling participants simultaneously to see and hear each other.

At the live hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross- examination will be conducted directly, orally, and in real time by the party's advisor of choice and may never be conducted by a party personally.

If a party does not have an advisor who is available to conduct cross-examination on behalf of that party at the live hearing, then the College will

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provide the party with an advisor of the College's choice, free of charge, to conduct cross-examination on behalf of that party. To invoke this right, the party must notify the Title IX Coordinator at least three (3) business days in advance of the hearing that the party does not have an advisor to conduct cross-examination. A party who fails to notify the College that he/she does not have an advisor within the required three (3) business day timeframe will waive the right to request that an advisor be appointed.

Only relevant questions, as determined by the Hearing Officer, may be asked of a party or witness. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted, except where:

- a. The questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or
- b. 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.

If a party or witness does not submit to cross-examination at the live hearing, either due to absence from the hearing or due to the party's or witness's refusal to answer cross-examination or other questions, the Hearing Officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility; however, the Hearing Officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The College will make all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint available for the parties' inspection and review during the hearing. In addition, the College will create an audio or audiovisual recording, or transcript, of the live hearing, which the Title IX Coordinator will make available to the parties for inspection and review upon request.

**G. Determination Regarding Responsibility:** Within ten (10) business days after the conclusion of the hearing, the Hearing Officer will make a decision regarding responsibility. The Hearing Officer will apply a preponderance of the evidence standard when determining responsibility. Within seven (7) business days of reaching his/her decision, the Hearing Officer will issue a written determination to both parties simultaneously. The written determination will include:

- a. Identification of the allegations potentially constituting sexual harassment as defined in 34 C.F.R. § 106.30 (Title IX) and/or constituting sexual violence, domestic violence, dating violence or stalking pursuant



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to the Preventing Sexual Violence in Higher Education Act;

- 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 Code of Conduct or other conduct standards to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the complainant; and
- f. The procedures and permissible bases for the complainant and respondent to appeal.

**H. Appeals:** Both parties will have the right to appeal any determination regarding responsibility, and any dismissal of a formal complaint or allegations therein, to the Vice President of Student Services or designee. An appeal must be based on one or more of the following grounds:

- a. A procedural irregularity occurred;
- b. New evidence or information exists that could affect the outcome of the matter;
- c. The Title IX Coordinator, Investigator or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that affected the outcome of the matter; and/or
- d. The sanction is disproportionate with the violation.

A party who wishes to appeal a determination regarding responsibility or dismissal of a formal complaint or allegations therein must submit a written appeal request to the Title IX Coordinator within seven (7) business days of the party's receipt of the written determination or written dismissal notice. The written appeal request must identify the ground(s) on which the party seeks to appeal the determination or dismissal.

Within seven (7) business days of the Title IX Coordinator's receipt of an appeal request, the Title IX Coordinator will forward the appeal request to the Vice

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President of Student Services or designee and will notify the other party in writing that an appeal has been filed. Before reaching a determination regarding the appeal, the Vice President of Student Services will afford both parties an equal opportunity to submit a statement in support of, or challenging, the determination or responsibility or dismissal that is the subject of the appeal. Within seven (7) business days after the Vice President of Student Services or designee has concluded his/her review of the appeal, the Vice President of Student Services or designee will issue a written decision simultaneously to both parties, describing the outcome of the appeal and the rationale for the outcome. The Vice President of Student Services or designee's decision is final.

## IX. Prevention and Education for Students

The College will review on an ongoing basis, its sexual discrimination, harassment and misconduct prevention and education programming to ensure students and employees are provided substantive opportunities to learn about sexual discrimination, harassment and misconduct, including primary prevention, bystander intervention, risk reduction, consent, reporting methods, relevant College policies and procedures, retaliation, survivor-centered and trauma-informed response, relevant definitions, and other pertinent topics.

The College, in conjunction with its Rockford Area Equity & Title IX Professionals task force established pursuant to the Campus Security Enhancement Act of 2008 (110 ILCS 12/10), will annually review its prevention and education offerings to identify ways in which to enhance its effectiveness.

## X. Training

The Title IX Coordinator(s), campus law enforcement, campus security, college administrators and supervisors, Dean of Students Office personnel, and anyone else involved in the receipt of reports of, responding to, investigating or adjudicating alleged incidents of sexual discrimination, harassment or other misconduct, or involved in the referral or provision of services to survivors receive annual education and training on primary prevention, bystander intervention, risk reduction, consent, reporting obligations, investigation procedures, confidentiality requirements, relevant College policies and procedures, retaliation, survivor-centered and trauma-informed response, relevant definitions, and other pertinent topics.

In addition to the above training, individuals who investigate or resolve complaints, including through informal resolutions, receive at least 8-10 hours of annual training on issues related to *Preventing Sexual Violence in Higher Education Act* offenses including sexual violence, domestic violence, dating violence, and stalking; the scope of the College's education program or activity; the Title IX and College definitions of sexual harassment; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and how to conduct the College's Grievance Process outlined in Section VIII, above. Decision-makers in particular receive training on any technology to be used at live hearings and on issues of

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relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators in particular receive training on issues of relevance so as to enable them to create an investigative report that fairly summarizes relevant evidence.

All Confidential Advisors receive 40 hours of training on sexual violence before being designated a Confidential Advisor. Annually thereafter, Confidential Advisors attend a minimum of six (6) hours of ongoing educational training on issues related to sexual violence. Confidential Advisors also receive periodic training on the College administrative process, interim protective measures and accommodations, and the College's Grievance Process pursuant to Section VIII above.

The College, in conjunction with its Rockford Area Equity & Title IX Professionals task force established pursuant to the *Campus Security Enhancement Act of 2008* (110 ILCS 12/10), will annually review its training offerings to identify ways in which to enhance its effectiveness.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

## APPENDIX A

### Definitions for the College's Sex-Based Misconduct Procedures

- A. Bystander Intervention:** see Section 5 of the Preventing Sexual Violence in Higher Education Act, 110 ILCS 155/5.
- B. Complainant:** an individual who is alleged to be the victim of conduct that could constitute sex-based misconduct.
- C. Confidential Advisor:** a person who is employed or contracted by the College to provide emergency and ongoing support to student survivors of sexual violence. Confidential Advisors may include persons employed by a community-based sexual assault crisis center with whom the College partners. Individuals designated as "Responsible Employees" in Section VI of these Procedures are not Confidential Advisors.
- D. Consent:** knowing and voluntary agreement to engage in sexual activity. Coercion, force, or the threat of either invalidates consent. Consent may not be inferred from silence, passivity, or a lack of verbal or physical resistance. A person's manner of dress does not constitute consent. Past consent to sexual activities does not imply ongoing or future consent. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. Consent may be withdrawn at any time. A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following: 1) the person is incapacitated due to the use or influence of alcohol or drugs; 2) the person is asleep or unconscious; 3) the person is under age; or 4) the person is incapacitated due to a mental disability.
- E. Dating Violence:** 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 length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- F. Domestic Violence:** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Illinois, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Illinois.
- G. Education Program or Activity:** a location, event, or circumstance over which the College exercised substantial control over both the respondent and the

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context in which the sex-based misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College.

- H. Hate Crime:** an act or an attempted act that violates a criminal statute by any person that in any way constitutes an expression of hostility toward the victim because of his or her sex, race, ethnicity, religion, age, disability, national origin, sexual orientation, or gender-related identity, color, marital status, military status or unfavorable military discharge.
- I. Hostile Environment Caused by Sexual Harassment:** a sexually harassing hostile environment is created when conduct by an individual is so severe, pervasive or persistent that it denies or limits an individual's ability to participate in or receive the benefits, services or opportunities of the College's educational programs or activities or the individual's employment access, benefits or opportunities. In determining whether a hostile environment has been created, the conduct in question will be considered from both a subjective and an objective perspective of a reasonable person in the alleged victim's position, considering all the circumstances.
- J. Incapacitation:** when a person is incapable of giving consent due to the person's age, use of drugs or alcohol, or because an intellectual or other disability which prevents the person from having the capacity to give consent.
- K. Intimidation:** to intentionally make another timid or fearful, to compel or deter by or as if by threats. Intimidation is a form of retaliation prohibited by the College's Policy Prohibiting Sex-Based Misconduct and these Procedures.
- L. Preponderance of the Evidence:** when considering all the evidence in the case, the decision-maker is persuaded that the allegations are more probably true than not true.
- M. Respondent:** an individual who has been reported to be the perpetrator of conduct that could constitute sex-based misconduct.
- N. Responsible Employee:** a College employee who has the authority to redress sex-based misconduct, who has the duty to report incidents of such misconduct or other student misconduct, or whom a student could reasonably believe has this authority or duty. Section VI of these Procedures lists categories of employees who are Responsible Employees for the College.
- O. Retaliation:** Any form of retaliation, including intimidation, threats, harassment and other adverse action taken or threatened against any complainant or person reporting or filing a complaint alleging sexual discrimination, harassment or misconduct or any person cooperating in the investigation of such allegations (including testifying, assisting or participating in any manner in an investigation) is strictly prohibited and may violate the protections of the *State Employees and Officials Ethics Act*, the

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*Whistleblower Act*, and the *Illinois Human Rights Act*. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by the College's Sex-Based Misconduct Policy and these Procedures. Retaliation may result in disciplinary or other action independent of the sanctions or supportive measures imposed in response to the allegations of sexual discrimination, harassment or misconduct.

- P. Sexual Assault:** any type of sexual contact or behavior that occurs by force or coercion, without consent of the recipient of the unwanted sexual activity, or in a familial relationship of a degree that would prohibit marriage. It includes sexual acts against a person who is unable to consent either due to age or lack of capacity or impairment. Examples include forcible sexual intercourse, forcible sodomy, forcible fondling, child molestation, incest, attempted rape, statutory rape and rape. Sexual assault can occur between members of the same or opposite sex. Sexual assault includes any forced act against one's will where sex is the weapon.
- Q. Sex-Based Misconduct:** Misconduct on the basis of sex, sexual orientation or gender-related identity. Such misconduct includes sex discrimination, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, sexual violence and stalking.
- R. Sexual Exploitation:** when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos or other images of an individual's sexual activity or intimate body parts with an intent to embarrass such individual, non-consensual voyeurism, knowingly transmitting HIV or a sexually transmitted disease to another, or exposing one's genitals to another in non-consensual circumstances.
- S. Sexual Harassment:** Unwelcome sexual advances, requests for sexual acts or favors, and other verbal, non-verbal or physical conduct of a sexual nature when:
- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, academic advancement, evaluation, or grades;
  - Submission to or rejection of such conduct by an individual is used as a basis for employment, academic advancement, evaluation, or grading decisions affecting that individual;
  - Such conduct has the purpose or effect of substantially interfering with an individual's employment or educational performance or creating an intimidating, hostile, or offensive employment or educational environment; or

# Rock Valley College

- d. Such conduct denies or limits an individual's ability to participate in or receive the benefits, services or opportunities of the College's educational programs or activities or the individual's employment access, benefits or opportunities.
  - e. Examples of conduct of a sexual nature may include:
    - i. Verbal: Specific demands for sexual favors, sexual innuendoes, sexually suggestive comments, jokes of a sexual nature, sexual propositions, or sexual threats, whether spoken or in emails, articles, documents, or other writings.
    - ii. Non-Verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds or gestures, leering, whistling, or obscene gestures.
    - iii. Physical: Touching, pinching, brushing the body, or any unwelcome or coerced sexual activity, including sexual assault.
- T. Sexual Violence:** physical sexual acts attempted or perpetuated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age, use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.
- U. Survivor:** an individual who has experienced sexual violence, domestic violence, dating violence, or stalking while enrolled, employed, or attending an event at a higher education institution.
- V. Survivor-Centered:** See Section 5 of the *Preventing Sexual Violence in Higher Education Act*, 110 ILCS 155/5.
- W. Stalking:** 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.
- X. Threat:** any oral or written expression or gesture that could be interpreted by a reasonable person as conveying an intent to cause harm to persons or property.
- Y. Trauma-Informed Response:** See Section 5 of the *Preventing Sexual Violence in Higher Education Act*, 110 ILCS 155/5.

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# Rock Valley College

## RVC Board Policy 4.10.030

### Student Admissions

The College has an open admissions policy that allows anyone interested in taking classes, regardless of their past academic performance, the opportunity to do so based on minimum placement standards:

Admission by the College does not guarantee entrance into a particular course or program of study.

Priority enrollment for all degree and certificate programs shall be provided to a service member or veteran as defined in Section 3-29.10 of the *Illinois Public Community College Act* after the student's eligibility to receive such benefits has been verified.

Consistent with Policy 3:00.000, the College will not discriminate in the admission or recruitment of students.

Information on the admissions process will be communicated to students through various means including the College's website.

**Adopted:** April 8, 2014



# Rock Valley College

## RVC Board Policy 4:10.040

### Student Residency

The residency of students enrolling in the College will be classified in accordance with the provisions of the *Illinois Public Community College Act, 110 ILCS 805/1 et seq.*, and the Administrative Rules of the Illinois Community College Board (ICCB).

The College will maintain procedures for student residency status classification and verification in accordance with the ICCB.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.050

### International Students

The College welcomes students from outside the United States. The Coordinator of International Students will assist international students seeking to study at the College on an F-1 Visa.

A student whose permanent residence is outside of the United States and is attending the College on a visa shall be classified as an out-of-state student for tuition purposes, unless the student has Live-In guest status with a resident of District 511. Live-In guest status is offered to students with F-1 visas only. International students who are classified as in-District students with Live-In guest status for tuition purposes shall be assessed a \$500 per semester fee to help offset the services provided to said students.

Specific admission procedures and deadlines which apply to international students will be published by the College in the catalog and on the website among other locations.

**Reference:** Board Report 6234

**Implemented:** February 22, 2005

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.060

### Testing for Academic and Career Placement

The College is committed to the academic and career success of its students. To promote such success, new students enrolling in credit classes are required to complete placement testing prior to registration. Students may also be required to take career-related placement tests to determine eligibility for selective-enrollment College programs or courses.

New students may be able to obtain a waiver of one or more placement tests by submitting proof of competency in a discipline as determined by the College. Information on placement testing and waiver of testing will be communicated to students through various means including the College's website.

As a member of the National College Testing Association, the College provides professional, accessible testing services in a secure and appropriate environment in order to advance the educational and career status of current students and district residents.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.070

### Student Classification

#### Full-Time Students

Students enrolled in twelve (12) semester hours of course work or more during the fall, spring, or summer terms shall be considered full-time. The summer term consists of summer session I and summer session II. The total amount of semester hours taken in summer I and summer II will determine the enrollment classification for the summer term.

#### Part-Time Students

Students enrolled in one to eleven (1-11) semester hours of course work during the fall, spring or summer terms shall be considered part-time. Students enrolled in less than six (6) semester hours of course work during any term shall be considered less than half-time.

**Adopted:** April 8, 2014

**Revised:** March 24, 2015

# Rock Valley College

## RVC Board Policy 4:10.080

### Auditing A Course

Students may apply with the Records and Registration Office to audit a course. Auditing students pay full tuition and fees as enrolled.

A student auditing a course will not be considered enrolled in that course for purposes meeting standards of academic progress. Grades received in audited classes earn no credit and do not affect the student's grade point average or academic honors.

Specific procedures governing auditing a course will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.090

### Student Financial Aid Program

The College will administer financial aid programs consistent with Federal, State and local rules and regulations to students to encourage access to educational opportunities. The program may consist of grants, loans, scholarships, veteran benefits, and work opportunities.

The College, with the assistance of the Rock Valley College Foundation, will develop and administer a privately funded scholarship program that provides support for eligible students.

The financial aid programs available to students and eligibility requirements will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.100

### Scholarships

The College, with the assistance of the Rock Valley College Foundation, will develop and administer a privately funded scholarship program that provides support for eligible students.

Guidelines, eligibility and the application process for the Foundation's scholarships will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.110

### Military Service Personnel, Education Opportunities

Residency requirements for a degree or certificate may be waived for military personnel by the Office of Records and Registration. Credits earned from other institutions may be applied to an approved program as arranged through the Office.

If a student withdraws from the College after the midpoint of the term due to military duty with the armed services of the United States, the student may be eligible for full academic credit for each course the student is registered. In order to receive full academic credit, the instructor of the course must be able to evaluate whether the student achieved the objectives for the course, at the time of withdrawal, and award an appropriate grade. If this evaluation is not possible, or if the student withdraws from the College prior to the midpoint of the term, the student is eligible for a full refund of all tuition and fees paid and no academic credit will be awarded.

To benefit from this Policy, the student must submit a copy of the notice and/or orders calling for military duty to the Office.

**Adopted:** April 8, 2014



# Rock Valley College

## RVC Board Policy 4:10.120

### Senior Citizen Tuition for Credit Classes

Resident students between 62-64 years of age at the time of registration are eligible for a reduced tuition rate of \$25 per credit hour for credit classes. Resident students who are 65 years of age or older at the time of registration are eligible for free tuition for credit classes. Any student fees are still applicable to said students.

This policy does not apply to non-credit seminars, non-credit programs, non-credit classes, or continuing education courses.

**Reference:** Board Report 6556

**Implemented:** October 28, 2008

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.140

### Student Rights and Responsibilities

The College recognizes the rights of its students guaranteed by the constitutions of the United States and the State of Illinois. This includes a student's rights within the institution to freedom of expression, inquiry, assembly, peaceful pursuit of an education, and reasonable use of College services and facilities. Associated with these rights are the responsibilities of students for fulfilling their academic obligations and complying with existing College rules and regulations.

If student conduct is disruptive or interferes with College operations, educational programs or the safety and welfare of the College community, the College reserves the right to seek disciplinary action. The right of due process will be afforded in any disciplinary action taken against a student.

Procedures governing student rights and responsibilities will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.150

### Student Conduct

Students are expected to demonstrate the College's core values of mutual respect, excellence, diversity, collaboration, innovation, public trust, and learner-centered community. The College will maintain a Code of Conduct for students to conduct themselves in a manner consistent with these core values and the College's operation as an educational institution.

The College may seek disciplinary action against students for violations of College rules and regulations for conduct, including the standards of student conduct as set forth in the Code of Conduct.

Sanctions may be imposed for conduct which occurs on College premises, at off-campus instruction sites, at College-sponsored extracurricular activities or events when a student serves as a representative of the College, or in the course of using College technology or property. Sanctions may also be imposed for conduct that occurs on or off campus which materially and substantially interferes with the College's operation, educational programs or the safety and welfare of the College community.

The right of due process will be afforded in any disciplinary action taken against a student.

The Student Code of Conduct will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.160

### Student Grievance Process

The College will maintain a student grievance process for students to request the review and consideration of an allegation of unjust or improper practice or harassment on the part of the College.

Specific procedures governing the Student Grievance Process will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.170

### Acceptable Use for Information Technology Systems – Students

Student access to the College's Information Technology ("IT") resources (including, without limitation, network, internet, computer equipment, servers, computer applications, and phone systems) is a privilege. The use of this technology is intended to support the mission of the College and is to be used for College related activities for which they were intended.

Students may use the College's IT resources, subject to the limitations of applicable state and federal laws as well as Board Policies 2:30.020 and 2:30.030 and related procedures.

The College reserves the right to extend, limit, restrict or deny IT privileges and access to its IT resources to any student.

**References:** Board Report(s) 6612, 6611

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.190

### Education Records

The College will comply with the federal *Family Educational Rights and Privacy Act*, 20 U.S.C. §1232g et seq., and the Administrative Rules of the Illinois Community College Board.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.200

### Intercollegiate Athletics

The College will establish and maintain an intercollegiate athletics program that contributes to the educational growth of the students and enhances campus and student life. As an affiliate of the National Junior College Athletic Association (NJCAA), the College shall adhere to all applicable NJCAA rules and regulations. The College shall comply with all data collection and reporting requirements of the *Equity in Athletics Disclosure Act, 20 U.S.C. 1092(g)*.

Procedures for the College's intercollegiate athletics program will be promulgated consistent with this Policy.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.210

### Recognized Student Clubs and Organizations

The College is committed to the existence of, support for, and student participation in student clubs and organizations. Recognized student clubs and organizations are overseen by the College's Department of Student Life.

Information pertaining to and specific procedures governing recognized student clubs and organizations will be published by the College.

**Adopted:** April 8, 2014



# Rock Valley College

## RVC Board Policy 4:10.220

### Student Publications

The College supports quality student publications produced for the benefit of students. The format for such publications may include a student newspaper, student literary magazine, and/or other formats which effectively communicate the views and ideas of students.

All College-sponsored or authorized student publications must operate in a professional manner and are expected to follow the standards of professional journalism. The College may sponsor student publications by providing work space, partial or total funding, and/or designation of an advisor.

The designated advisor will be responsible for overseeing student publications.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.230

### Student Use of Facilities

College-recognized student clubs and organizations and other individual students and student groups will be allowed to use College facilities in accordance with procedures published by the College's Departments of Student Life and Administrative Services.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.240

### Student Use of Personal Vehicle for College-Sanctioned Travel

The College will permit student travel for in-district and out-of-district trips in personal vehicles for the purpose of conducting College business if College vehicles are unavailable. Students may receive College approval to drive their personal vehicles to any of the following in which they directly represent the College by their presence:

1. Professional meetings to which students are invited.
2. Programs in which students are assisting with the administration or implementation of the approved College program.
3. Intercollegiate sporting events which have official N4C recognition and/or receive direct/indirect (in kind) appropriations from the College operations budget.
4. Meetings of student clubs and/or classes that have classroom-related activities or carry the name of the College or receive direct appropriations from the College operations budget.

College-sanctioned use of personal vehicles by students will not be granted until the administrator, faculty or staff member to whom the students are responsible officially submits the following information to the Vice President of Student Development:

1. The exact nature of the College business in which the students will be involved;
2. The name of the driver and the other students who will be traveling in the personal vehicle;
3. Verification that the student driver is driving a fully insured vehicle;
4. The dates of the trip, the destination, and the time of departure from and return to the College;
5. The budget item number from which the student driver will be reimbursed at the Board approved rate; and
6. Evidence that the driver of the car has received clearance from the Chief of Police.

The Vice President of Student Development must receive this information prior to the proposed trip and will give written permission for the trip to the appropriate administrator, faculty, or staff member.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.250

### Student Individual and Group Travel

The College may offer group domestic and international travel opportunities for students. The College's group travel programs will operate in accordance with all Board policies, administrative procedures and state, federal, and international laws.

Procedures and guidelines for student group travel will be published by the College.

**References:** Board Report 6696 March 23, 2010; Board Report 6876 April 24, 2012

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:10.260

### Diversity, Equity, & Inclusion

Rock Valley College is committed to creating and sustaining a diverse, equitable, and inclusive campus where all learners can make progress towards their educational and career goals. Therefore, the College shall establish initiatives, measures, programs, procedures, and curriculum to advance equity and inclusion for students, staff, faculty, administration, vendors and contractors, and other community partners.

**Reference:** Board Report 7763

**Implemented:** October 27, 2020

# Rock Valley College

## RVC Board Policy 3:10.270 (Employees)

## RVC Board Policy 4:10.270 (Students)

### Service and Other Animals Policy

Rock Valley College recognizes the importance of allowing people with disabilities who require the use of service animals to receive the benefit of the work or tasks provided by such animals while on campus. As such, it is the College's policy to ensure that all individuals with disabilities who require the assistance of a service animal have an equal opportunity to access College property, courses, programs, and activities. The College Administration shall establish Procedures implementing this Policy.

Except as set forth in the Procedures implementing this Policy, service animals will be permitted to accompany individuals with disabilities in all public areas of the College. For purposes of this Policy, "service animal" is defined as a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed by the service animal must be directly related to the individual's disability. Miniature horses may also be permitted on campus in certain circumstances where they have been individually trained to do work or perform tasks for the benefit of an individual with a disability.

Animals that do not satisfy the above criteria are prohibited from Rock Valley College owned and operated buildings and grounds, except with prior authorization by Chief Operating Officer or designee.

In implementing this Policy, Rock Valley College complies with the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Amendments Act of 2008 (ADAAA), Section 504 of the Rehabilitation Act of 1973, the Service Animal Access Act/White Cane Law, and all other federal and State laws pertaining to service animals and/or accommodations for individuals with disabilities.

**Reference:** Board Report 7788

**Implemented:** February 23, 2021

# Rock Valley College

## RVC Board Policy 4:20.010

### Academic Integrity

The College is committed to the principles of academic integrity in all aspects of College life. Furthermore, the College expects its students to do their own, original work, except when collaboration on projects is directed by faculty as part of the course or specific assignment. Acts of academic dishonesty are viewed by the College as a serious offense requiring an appropriate disciplinary response.

Acts of academic dishonesty include, but are not limited to: plagiarism, cheating, misrepresentation, and fabrication. Students who commit any acts of academic dishonesty are subject to the penalties and sanctions agreed upon by College faculty and administration.

Procedures for addressing acts of academic dishonesty will be published in the Student Handbook.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.020

### Intellectual Property and Copyright Act Compliance

The College encourages students to engage in the development of intellectual property and to facilitate ownership protection with regard to such development. The College further expects students to adhere to the federal Copyright Act of 1976, international copyright laws, and College copyright procedures and guidelines.

College administration will implement and maintain copyright procedures and guidelines necessary to ensure compliance with copyright laws and to facilitate ownership protection with respect to the development of intellectual property.

**Adopted:** April 8, 2014



# Rock Valley College

## RVC Board Policy 4:20.030

### Class Attendance and Participation

Regular and consistent class attendance is an essential part of successful learning for students. Students are expected to promptly attend class and participate in all class meetings. Students are responsible for information class instructors of unavoidable absences. Each course instructor will decide when and how absences affect grades. Make-up work shall be arranged at the discretion of the course instructor.

Course instructors are required to identify students who are and who are not actively pursuing completion of the course in the tenth day of the term and at mid-term in compliance with the Administrative Rules of the Illinois Community College Board.

**Adopted:** April 8, 2014

## RVC Board Policy 4:20.040

### Course Credit Hour Determination

Changes in delivery of instruction (i.e., face-to-face, hybrid, and on-line) and alternative length of courses (i.e., less than 16-week courses), has led to the need to move beyond the Carnegie unit to define credit hour in such a way that it represents a consistent unit of measure regardless of the instructional method or length of course. In October of 2013, federal regulations identified the need for institutions to establish a credit hour determination that consistently and systematically reflects equivalency of work and learning expectations for all students enrolled in a given course, regardless of the delivery method or number of weeks in the course. Toward that end, the credit hour needs to be defined through student work as articulated through course learning outcomes and verified by aligned evidence of student achievement.

To comply with these guidelines and in accordance with Section 1501.309 of the Administrative Rules of the Illinois Community College Board, Academic Affairs, under the direction of the Provost/Chief Academic Officer, will engage in a process for reviewing courses to establish institutional expectations for the credit hour that is consistent across all methods of delivery and regardless of course length. All courses will produce a maximum rate of one semester credit hour or equivalent per week. Review of credit hours assigned to courses through this process will occur in conjunction with review of the master course syllabus during course assessment, as well as during program review.

**Reference:** Board Report 7066

**Implemented:** December 17, 2013

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.050

### Evaluation of Student Performance

The College will maintain an equitable process for course instructors to evaluate and record student performance which is compliant with applicable accreditation standards. Grading and evaluation standards will be communicated to students by course instructors through syllabi. This policy will be applied consistently with the College's collective bargaining agreement obligations.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.060

### Academic Honors

In recognition of academic excellence, the College will ensure a means by which to honor students for their superior achievement.

The manner in which superior academic achievement will be recognized and any categories of academic honors will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.070

### Standards for Academic Progress

The College is committed to student success. Students enrolled in an academic program must maintain minimum academic achievement standards. Standards for academic achievement are published by the College.

A student whose academic performance is below the acceptable standard will be placed on academic probation. A student who fails to progress toward satisfactory academic achievement may be dropped.

Satisfactory academic progress may be defined by grade point average and/or credit courses completed in relation to courses attempted.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.080

### Academic Appeals

The College believes it is important for students to be able to address inequitable final grades and academic sanctions. Therefore, students will be provided with a process to appeal capricious final grades and sanctions for academic misconduct.

Specific procedures governing Academic Appeals will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.090

### Academic Forgiveness

The College recognizes the challenges of pursuing a College education. The College will provide a one-time academic forgiveness process for eligible students who demonstrate a serious intent to continue academic studies. Academic Forgiveness applies to the calculation of a student's grade point average and does not result in the deletion of grades/hours from a student's transcript or Standards of Academic Progress calculation. If a student is granted Academic Forgiveness, he or she may file an appeal to remove the hours/grade from the Standards of Academic Progress calculation for financial aid.

Specific procedures governing Academic Forgiveness eligibility will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.100

### Course Repetitions

Students may repeat courses previously taken at the College unless repetition is restricted. Any limitations on course repetitions will be published by the College.

In those instances where the College does not receive reimbursement from the State for students who repeat courses, the College reserves the right to assess a supplemental fee. Specific procedures governing course repetition and GPA calculation will be published by the College.

**Adopted:** April 8, 2014



# Rock Valley College

## RVC Board Policy 4:20.110

### Graduation Requirements

The College requirements for graduation shall conform to units of instruction approved by the Illinois Community College Board. The College will publish requirements and guidelines consistent with this Policy.

**Reference:** Board Report 6563

**Implemented:** December 16, 2008

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.120

### Career Agreement

The College participates in the Comprehensive Agreement Regarding the Expansion of Educational Resources ("CAREER Agreement"), a cooperative agreement between twenty-eight Illinois institutions of higher education which allow in-district students from a sending institution to attend a receiving institution for in-district tuition rates in order to complete a certificate or degree that the sending institution does not offer. The receiving institution collects tuition and fees and has the right to claim apportionment from the state for such students.

The College may additionally participate in other such cooperative agreements outside of the CAREER Agreement.

**Reference:** Board Report 6911

**Implemented:** June 26, 2012

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.130

### Religious Observance

The College recognizes and respects the diversity of religious beliefs and practices of its students in accordance with the *University Religious Observances Act, 110 ILCS 110/0.01 et seq.*

The College will reasonably accommodate the religious observance of individual students in regard to admissions, class attendance, and the scheduling of examinations and work requirements. Reasonable accommodations will be made by the instructor for students which may include providing a makeup test, altering assignment dates, permitting a student to attend another section of the same course for a class period or other reasonable accommodations. Instructors are not responsible for teaching material again. Instructors will inform students of this practice at the beginning of each semester so that arrangements can be made accordingly.

**Requirement of Advance Notification:** Advanced notice of intended absence for major religious observance is required in order to ensure appropriate accommodations may be made. Students must notify instructors at least five calendar days prior to the absence for religious observance.

**Grievance Procedures:** A student may contact the Dean of Students in the event that reasonable accommodations have not been made in accordance with this policy. The Dean of Students will work with the faculty member and appropriate academic administrator(s) to work toward a reasonable accommodation for religious observance.

**Reference:** Board Report 6990

**Implemented:** April 2, 2013

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.140

### Administrative Withdrawal

The College may withdraw a student from a course when an instructor determines that the student is not actively pursuing completion of course objectives as established by their instructor. Students also may be withdrawn by the College for disciplinary reasons or extenuating circumstances.

Specific procedures governing administrative withdrawal will be published by the College.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 4:20.150

### Withdrawal from Class

The College will permit students to voluntarily withdraw from a class subject to appropriate limitations and guidelines published by the College. Students shall be responsible for withdrawing from courses they are no longer attending. Specific procedures governing voluntary withdrawal from class will be published by the College.

The College will provide additional guidelines for students seeking to withdraw from a class due to a medical condition which requires a student to withdraw from, or be withdrawn from, a class or classes. In these situations, the College may require certification from a licensed physician or psychiatrist for such withdrawal.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 5:10.010

### Financial Plan of Operation

The College shall exercise its statutory authority to provide for the revenue necessary to maintain the College, consistent with Section 3-23 of the Illinois Public Community College Act, 110 ILCS 805/3-23. The College may make a determination within the operating budget for the distribution of unrestricted revenues other than local property taxes among the operating funds – i.e., the Education Fund and the Operations and Maintenance Fund.

For the purpose of carrying out the entire educational program of this district, the College has established funds in accordance with Administrative Rules of the Illinois Community College Board, as detailed in the ICCB Fiscal Management Manual.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 5:10.020

### Fiscal Year

The College fiscal year shall begin on July 1 of each year and end on June 30 of the following year.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 5:10.030

### Financial Reports

The College shall issue appropriate quarterly and annual financial reports. The reports shall be provided in advance of the Board's regular monthly meetings, whenever possible.

**Adopted:** April 8, 2014



# Rock Valley College

## RVC Board Policy 5:10.040

### Annual Budget

The College shall develop an annual budget in compliance with all applicable laws. The budget shall contain appropriate financial parameters which are to be reviewed annually by the Board, in conjunction with adoption of the budget. The budget shall be considered an estimate of revenue to be received and a controlled spending plan for the ensuing year.

The tentative budget shall be filed with the Secretary of this Board, and notice that the tentative budget is available for public inspection shall be published and a public hearing on the tentative budget shall be conducted on a timely basis in accordance with the law.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 5:10.050

### Accounting

The College Financial Services staff under the direction of the Vice President of Administrative Services is responsible to record, analyze and report financial transactions of the College.

The Financial Services staff will develop and maintain procedures and controls to ensure that accounting procedures and financial records of the College will be established and maintained in accordance with Generally Accepted Accounting Principles (GAAP) established by the American Institute of Certified Public Accountants, with the ICCB Fiscal Management Manual insofar as consistent with GAAP, and with accounting guidelines of the National Association of College and University Business Officers.

**Reference:** Board Report 6610

**Implemented:** May 26, 2009

**Revised:** April 8, 2014

# Rock Valley College

## RVC Board Policy 5:10.060

### Intra-Fund Budget Transfers

The College from time to time may approve transfers between the various budget items in a fund, not to exceed in the aggregate ten percent of the total of such fund as set forth in the budget, in accordance with Section 3-20.1 of the Public Community College Act, 110 ILCS 805/3-20.1.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 5:10.070

### Inter-Fund Budget Transfers

The College from time to time may approve transfers between various funds to the extent allowed by law.

**Adopted:** April 8, 2014

# Rock Valley College

## RVC Board Policy 5:10.080

### Banking and Investment Policy Cont.

#### Banking and Investment Procedure

Original Effective Date: 11/15/1999

Revised Effective Date: 02/27/2007

2<sup>nd</sup> Revision Effective Date: 10/14/2009

3<sup>rd</sup> Revision Effective Date: 12/15/2015

4<sup>th</sup> Revision Effective Date: 3/31/2018

**5<sup>th</sup> Revision Effective Date: 2/24/2022**

#### 1. Governing Authority

The investment program shall be operated in conformance with federal, state, and other legal requirements, including the Illinois Public Funds Investment Act 30 ILCS 235.

#### 2. Scope

Except for cash and investments in certain restricted and special funds (Fund 03 Bond Proceed and Municipal Portfolio accounts may be governed by bond ordinance documents if different from this investment policy) Rock Valley College will consolidate cash and investment balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their average respective cash and investment balances and in accordance with generally accepted accounting principles.

This procedure applies to all funds of the College. These funds are accounted for in the College's annual financial report and include all restricted, operating, capital, auxiliary, student activity and any other funds that may be created from time to time. All transactions involving the funds and related activity of any funds shall be administered in accordance with the provisions of this procedure and the canons of the "prudent person rule."

#### 3. General Objectives

- a. *Safety of Principal* - Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio. To attain this objective only appropriate (identified within this policy, stated in Section 3) investment instruments will be purchased and insurance or collateral may be required to ensure the return of principal. This objective also identifies exposure to risks associated with investing and how to mitigate the risk.

# Rock Valley College

- i. Credit Risk - Rock Valley College will minimize credit risk, which is the risk of loss due to the failure of the security issuer or backer to pay upon maturity, by:
  - Limiting investments to the types of securities listed in Section 3 - Investment Instruments of this Investment Policy.
  - Limiting investment in debt securities to those ranked in the highest four (two for corporate obligations) ratings classification by a nationally recognized ratings agency
  - Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the College will do business in accordance to Section 8 – Qualified Financial Institutions and Intermediaries.
  - Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.
  
- ii. Custodial Credit Risk – Deposits with Financial Institutions – The College will minimize custodial credit risk, which is the risk that, in the event of the failure of a depository financial institution, the College will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party, by:
  - Investments may be made only in financial institutions which are insured by the Federal Deposit Insurance Corporation (FDIC).
  - Collateral agreements are required as stated in Section 6 – Collateralization.
  - Collateral for deposits held by the College’s agent must be held in the College’s name, with the exception of single institutional collateral pool, and collateral in a pooled letter of credit.
  
- iii. Interest Rate Risk - The College will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by:
  - Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell maturities on the open market prior to maturity.

# Rock Valley College

- Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools and limiting the average maturity of the portfolio in accordance with this policy.
  - Laddering investments with different maturity dates to ensure the College is not trapped for an extended period of time with an interest rate lower than market.
  - Limiting the maturity in any debt securities to no more than five years from date of purchase unless approved by the Board of Trustees.
- iv. Concentration Risk – The College will minimize concentration risk, which arises when more than 10 percent is invested in securities of a single issuer rated AAA or when more than 5 percent is invested in securities of a single issuer rated below AAA. This does not apply to U.S. treasury obligations and obligations explicitly guaranteed by the U.S. government, its agencies and its instrumentalities that are explicitly guaranteed by the U.S. Government or investment pools and collateralized bank deposits. Concentration risk will be minimized by:
- Diversification of investments, as listed under credit risk and in Section 5 - Diversification.
  - Reviewing the investment portfolio monthly to determine if there are concentrations greater than 5 and 10 percent, dependent upon the rating, with a single issuer.
- v. Market (Systematic) Risk – The College will minimize its exposure to market risk (also known as systematic risk), which is the decline of investments over a given time period simply because of economic changes or other events that impact large portions of the market, by:
- Asset allocation, dividing the investments among the various types of allowable investments listed under Section 4 – Investment Instruments.
  - Diversification of investments, as listed under credit risk and in Section 5 - Diversification.
- vi. Foreign Currency Risk – The College does not maintain deposits denominated in a currency other than the U.S. dollar. Therefore, the College does not consider risk or exposure associated with foreign currency fluctuation.
- b. *Liquidity* - The College's investment portfolio shall be structured in such manner as to provide sufficient liquidity to pay obligations as they come due.

# Rock Valley College

- c. *Return on Investments/Yield* - The investment portfolio should strive to provide a rate of return which approximates a market-average rate of return for three-month U.S. Treasury Bills, the state investment pool, or the average rate on Fed funds, whichever is higher. These indices are considered for lower risk investment transactions and therefore comprise a minimum standard for the portfolio's rate of return. The portfolio should be structured to attain a rate of return compatible with budgetary and economic cycles and should be structured to consider legal restrictions, cash flow needs, and appropriate risk constraints. Securities shall be generally held until maturity with the following exceptions:
- i. A security with declining credit may be sold early to minimize loss of principal.
  - ii. Liquidity needs of the portfolio require that the security be sold.
  - iii. A security transaction would improve the quality, yield, expected return or target duration of the portfolio.
- d. *Maintaining the Public's Trust* - The Treasurer or Designee shall seek to act responsibly as custodian of the public trust and shall avoid any transaction that might impair public confidence in the College, the Board, or the College Treasurer.

## **4. Investment Instruments**

The College may invest in any type of security allowed by the Public Funds Investment Act (Illinois Revised Statutes, Ch 85, pars. 901 et. seq.) of the State of Illinois as may be amended from time to time. The College has chosen to limit its allowable investments to those instruments listed below:

- a. Bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued by the United States of America, its agencies and allowable instrumentalities;
- b. Interest bearing savings accounts, interest bearing certificates of deposit or interest-bearing time deposits, or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act;
- c. Certificates of deposit with federally insured institutions collateralized or insured by the FDIC;
- d. Credit Union accounts with the principal office of any such credit union located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.
- e. The Illinois Public Treasurer's Investment Pool (Illinois Funds);



# Rock Valley College

- f. Investments may be made only in those savings banks or savings and loan associations, the shares or investment certificates of which are insured by the Federal Deposit Insurance Corporation;
- g. Money Market Mutual Funds;
- h. Investment products that are considered as derivatives are specifically excluded from approved investments;
- i. Collateralized repurchase agreements which conform to the requirements stated in Section 2(g) or 2(h) of the statute;
- j. The Illinois School District Liquid Asset Fund;
- k. The Illinois Trust Local Government Investment Pools
- l. Corporate Obligations meeting the following requirements:
  - i. The corporation must be organized in the United States.
  - ii. The corporation's assets must exceed \$500,000,000.
  - iii. The obligations at the time of purchase must be rated within the two highest classifications by at least two of the four standard rating services (Standard and Poor's, , Moody's, and Fitch Investors Service).
  - iv. The obligations cannot have a maturity longer than 3 years from the date of settlement.
  - v. The total investment in any one corporation cannot exceed 10% of the corporation's outstanding obligations.
  - vi. The total investment in any one corporation cannot be more than \$20 million.
  - vii. Not more than one-third of the total investment fund can be invested in corporate obligations at any time.
- m. Municipal Bonds or other interest-bearing obligations issued by the State of Illinois, or any other state, or of any political subdivision or agency of Illinois, or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be rated at the time of purchase within the 4 highest general classifications established by a nationally recognized statical rating organization.

# Rock Valley College

- n. Mutual funds that invest primarily in corporate investment grade short term bonds. Purchases of mutual funds in short term bonds shall be limited to funds with assets of at least \$100 million and that have an average credit quality of at least a single A rating, established by a nationally recognized statistical rating organization. No more than 25% of the College's funds may be invested in these mutual funds.

Any percentage limits, rating requirements, or other investment parameters identified throughout this investment policy will be calculated and/ or evaluated based on the original cost of each investment at the time of purchase, based on the settlement date, of the security in determining compliance with the investment policy.

## **5. Diversification**

The College will diversify its investment portfolio to eliminate the risk of loss resulting in an over concentration in a specific maturity, issuer, financial institution, broker dealer, or class of securities. Diversification can be by type of investment, number of institutions invested in, and maturity.

Diversification strategies shall be periodically reviewed and adjusted by the Treasurer. In establishing specific diversification strategies, the following general policies and constraints shall apply:

- a. Portfolio maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector.
- b. Maturities selected shall provide for stability of income and reasonable liquidity.
- c. Risks of market price volatility shall be controlled through maturity diversification

## **6. Collateralization**

- a. It is the policy of the College to require that time and demand deposits in excess of FDIC insurable limits be secured by collateral, a letter of credit issued by the Federal Home Loan Bank or private insurance to protect public deposits in a single financial institution if it were to default.
- b. Eligible collateral instruments are collateral instruments acceptable under the PFIA. The collateral must be placed in safekeeping at or before the time the College makes the deposit so that it is evident that the deposit of funds is predicated on the securing of collateral
- c. Safekeeping of Collateral

# Rock Valley College

- i. Third party safekeeping is required for all securities pledged as collateral. To accomplish this, the securities can be held at the following locations:
  - A Federal Reserve Bank or its branch office,
  - At another custodial facility in a trust or safekeeping department through book- entry at the Federal Reserve acting as an agent of the College,
  - By the trust department of the pledging bank.
- d. Safekeeping will be documented by a College Board and Bank Board approved written collateral agreement that complies with FDIC regulations and the Financial Institution Resource Recovery Enforcement Act (FIRREA). This documentation will be on file in the Financial Services Department.
- e. Substitution or exchange of securities held in safekeeping for the College can be approved exclusively by either the Treasurer or Designee, provided the market value of the replacement securities is equal to or greater than the market value of the securities being replaced.

## **7. Custodial Credit Risk over and Safekeeping of Investment Securities**

- a. The College will minimize custodial credit risk over investments, which is the risk that, in the event of the failure of a counterparty where the investment was purchased or the custodian holding the investment, the College will not be able to recover its investments that are in the possession of an outside party. Third party safekeeping is required for all investment securities exposed to custodial credit risk on a deliver versus payment (DVP) method. To accomplish this, the securities can be held at the following locations:
  - i. A Federal Reserve Bank or its branch office in the College's name
  - ii. At another custodial facility - generally in a trust or safekeeping department through book-entry at the Federal Reserve unless physical securities are involved acting as an agent of the College.
- b. Safekeeping will be documented by an approved written agreement. This may be in the form of a safekeeping agreement, trust agreement, escrow agreement or custody agreement.

## **8. Qualified Financial Institutions and Intermediaries**

- a. Depositories - Demand Deposits

# Rock Valley College

- i. Financial institutions selected by the Treasurer or Designee for banking services shall be chartered to conduct business in Illinois and listed with the Illinois Department of Banks, maintain at least a branch office within the College District. To maintain the College's banking services, the institution must provide checking accounts, wire transfers, automated clearing house accounts, on-line account services, safekeeping services and other financial services which benefit the College as determined by the Treasurer or Designee.
- ii. The College will maintain funds only in financial institutions that are members of the FDIC system.
- iii. A selected financial institution must be capable of posting all insurance and collateral as required within this policy including FDIC insurance and any amounts greater than that provided by FDIC insurance at any time the College has funds on deposit with the institutions.

b. Banks and Savings and Loans - Certificates of Deposit

Any financial institution selected to be eligible for the College's competitive certificate of deposit purchase program must meet the following requirements.

- i. Shall provide wire transfer, automated clearinghouse, and certificate of deposit safekeeping services.
- ii. Shall be a member of FDIC system and shall be willing and capable of posting required collateral or private insurance for funds in excess of FDIC insurable limits.
- iii. Shall have met the financial criteria as established in the investment procedures of the District.

c. Intermediaries - Any financial intermediary selected to be eligible for the College's competitive investment program must meet the following requirements.

- i. Shall provide wire transfer, automated clearinghouse, and deposit safekeeping services.
- ii. Shall be a member of a recognized U.S. Securities and Exchange Commission Self-Regulatory Organization such as the New York Stock Exchange, National Association of Securities Dealers, Municipal Securities Rule Making Board, etc.
- iii. Shall provide an annual audit upon request.

# Rock Valley College

- iv. Shall have an office of Supervisory Jurisdiction within the State of Illinois and be licensed to conduct business in this State.
- v. Shall abide by the College's investment policy and accept financial responsibility for any investment not appropriate according to the policy.
- vi. Shall furnish written reports/statements at least monthly that describe all investments held by the custodian/intermediary.

## **9. Management of Program**

- a. The following individuals are authorized to purchase and sell investments, authorize wire transfers, authorize the release of pledged collateral, and execute any documents required under this procedure:

- College Vice President of Administrative Services/Treasurer
- College Director of Financial Services

These documents include, but not limited to:

- i. Wire transfer
  - ii. Depository agreement
  - iii. Safekeeping agreement
  - iv. Custody agreement
  - v. Automated clearinghouse agreement
- b. Management responsibility for the investment program is hereby delegated to the Treasurer or Designee, who shall establish a system of internal controls and written operational procedures designed to prevent losses of funds that might arise from fraud, employee error, misrepresentation by third parties, or imprudent actions by employees of the entity. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions; check signing, check reconciliation, deposits, bond payments, report preparation and wire transfers. No person may engage in any investment transaction except as provided for under the terms of this policy. The Treasurer or Designee shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.

# Rock Valley College

- c. The wording of agreements necessary to fulfill the investment responsibilities is the responsibility of the Treasurer or Designee who shall periodically review them for their consistency with College policy and State law and who shall be assisted in this function by the

College Legal Counsel and external auditors. These agreements include but are not limited to:

- i. Wire transfer
  - ii. Depository agreement
  - iii. Safekeeping agreement
  - iv. Custody agreement
  - v. Automated clearinghouse agreement
- d. The Treasurer or Designee may use financial intermediaries, brokers, and/or financial institutions to solicit bids for securities and certificates of deposit.
  - e. All wire transfers made shall require authorization by the Treasurer or Designee. In the absence of one of the above, backup approval may be obtained from the College President.

## **10. Performance**

The Treasurer or Designee will seek to earn a rate of return appropriate for the type of investments being managed given the portfolio objectives defined in Section 2 of this document for all funds. In general, the Treasurer or Designee will strive to earn an average rate of return equal to or greater than the U.S. Treasury Bill rate for a given period of time for the College's average weighted maturity.

## **11. Ethics and Conflicts of Interest**

The College Board of Trustees, College Officers, and employees shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

## **12. Indemnification**

Investment officers and employees of the College acting in accordance with this investment policy and written operational procedures as have been or may be

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established and exercising due diligence shall be relieved of personal liability for an individual security's credit risk or market changes.

## **13. Reporting**

The Treasurer or Designee shall submit to the Board of Trustees, at least quarterly, a written investment report which shall include information regarding securities in the portfolio by class or type, book value, income earned, and original cost and fair market values as of the report date.

Generally, accepted accounting principles shall be used for valuation purposes. The report shall indicate any

areas of policy concern and planned revision of investment strategies.

## **14. Amendment**

This procedure shall be reviewed from time to time by the Treasurer or Designee with regard to the procedure's effectiveness in meeting the College's needs for safety, liquidity, rate of return, diversification, and general performance. Any substantive changes will be reported to the Board of Trustees.

## RVC Board Policy 5:10.090

### Capital Assets and Depreciation

The College will follow the guidelines set forth by the Governmental Accounting Standards Board (GASB) Statements 34 and 35 in accounting and reporting of capital assets and depreciation.

The College's Financial Services under the direction of the Vice President of Administrative Services has developed and is responsible to maintain procedures for accounting and reporting of capital assets and depreciation in accordance with GASB Statements 34 and 35 which address the following:

- Capital asset classification
- Capital asset valuation
- Capitalization thresholds, estimated useful lives, depreciation and disposal methods;
- Capital asset impairments; and
- Internal controls over non-capitalized items.

**Reference:** Board Report 6429

**Implemented:** May 22, 2007

**Revised:** April 8, 2014



# Rock Valley College

## RVC Board Policy 5:10.100

### Insurance and Risk Management

The College has developed a Risk Management Program, Exhibit A, which is a comprehensive safety and risk program to address potential injury and loss to its employees, students, and visitors to the campus (es) as well as College property.

**Reference:** Board Report(s) 6608, 7418

**Implemented:** May 26, 2009

**Revised:** April 8, 2014; May 23, 2017

# Rock Valley College

## Exhibit A: Risk Management Program

Rock Valley College District No. 511

### 1. Introduction

#### 1.1 Policy

The Board of Trustees of Rock Valley College District No. 511 (“College”) recognizes its role of stewardship over the assets of the College, both human and financial. It interprets its responsibility in this area as requiring the highest possible concern for the safety of its students and employees, and the public. The College shall therefore have in operation a comprehensive Risk Management Program designed to protect the College against any liability or loss which may be imposed upon it or one of its employees for a tortious act, and to identify risk management, educational, inspectional and supervisory expenses directly attributable or relating to loss prevention and loss reduction.

The College recognizes its ability to budget for and thereby retain limited and predictable exposures to loss. It shall not be the College practice to attempt to insure such foreseeable and bearable exposures, if alternatives can be achieved with due regard to sound risk management practices. Only when it is deemed that the College cannot eliminate or economically retain an exposure to loss shall it be transferred by purchase of insurance. Moreover, even if insurance is purchased, the College shall continue to perform sound risk management practices pursuant to this policy in order to minimize liability or loss and to reduce insurance premiums.

#### 1.2 Purpose

It is of the utmost importance for the College to: (1) ensure the health and safety of all visitors, employees and students; (2) ensure College buildings and grounds are maintained in a safe condition; and (3) provide careful supervision of College property.

Risk management is a management tool to assess and mitigate events that might adversely impact the College. This Risk Management Program presents the process for implementing proactive risk management as part of the overall management of the College. This Program describes the framework for identifying, analyzing, prioritizing, and tracking loss exposures, and planning adequate resources to manage loss exposures. It assigns specific responsibilities for the management of risk and prescribes the processes to be followed.

#### 1.3 Legal Authority

The Illinois Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/9-101 et seq.) authorizes a community college to levy a tax which, when collected, will pay the cost of risk management (Section 9-107). In addition, this Section allows funds raised pursuant to its provisions to be used to pay the cost of insurance, including all operating and administrative costs and expenses directly

# Rock Valley College

associated therewith, claim services and risk management directly associated therewith, claim services and risk management directly attributable to loss prevention and loss reduction, educational, inspectional and supervisory services directly relating to loss prevention and loss reduction, to purchase claim services, to pay for judgments or settlements, or to otherwise pay the cost of risk management plans. The Illinois Appellate Court for the Second District has affirmed a community college authority for such a levy and to pay such expenses in re *Objections to Tax Levies of Freeport School Dist. No. 145 et al.*, 372 Ill. App.3d 562, 865 N.E.2d 361 (2nd Dist. 2007).

## 1.4 Program Summary

This Risk Management Program identifies and establishes an effective risk management process that uses the College's physical and human resources to effectuate the policy and achieve the purposes set forth herein. The steps in the risk management process accepted by the Second District Appellate Court in re *Objections to Tax Levies of Freeport School Dist. No. 145 et al.* are incorporated herein as the basis of this Risk Management Program, namely: (1) identify and analyze loss exposures; (2) select techniques for treating loss exposures; (3) implement the selected techniques; and (4) monitor and modify the selected techniques. The College finds that the most effective manner in which to implement this Risk Management Program is to create a Risk Management Committee which will have the duty to apply all four steps of the risk management process.

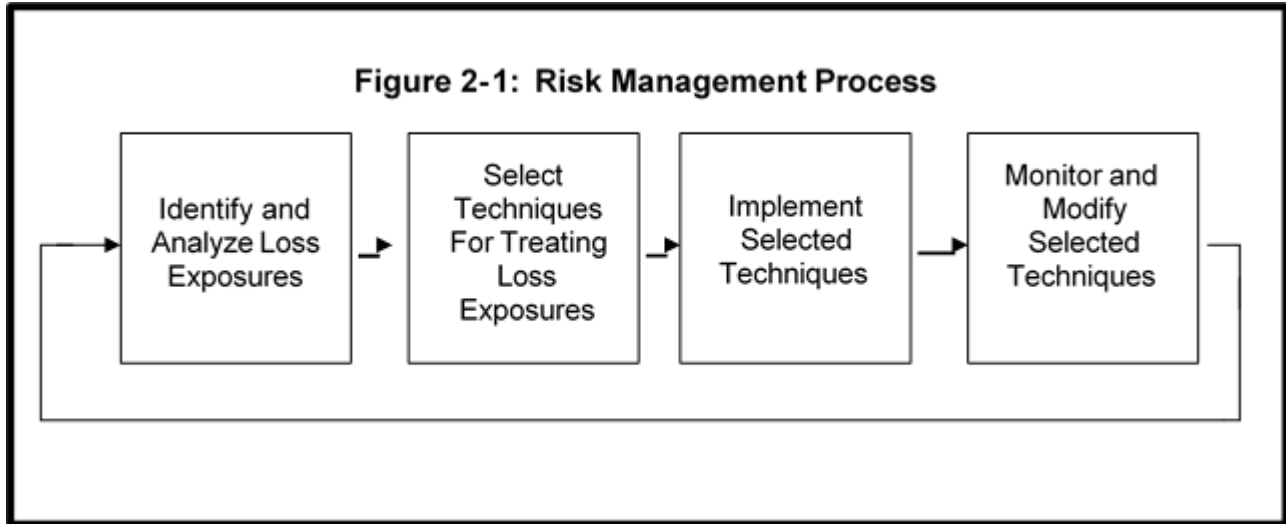
## 1.5 Supplementation, Clarification and Amendment

The policy, purpose, authority and program provided for in this Risk Management Program are not new to the College. Many College employees already perform the risk management process pursuant to the Colleges' policies, practices and procedures. This Risk Management Program is therefore intended to supplement, and to the extent necessary clarify and amend those policies, practices and procedures, in order to implement risk management activities in the manner stated in this Risk Management Program.

## 2. Risk Management Process

### 2.1 Overview

Figure 2-1 illustrates in general terms the overall Risk Management Process that will be followed. As seen, the Risk Management Process is an iterative process, with each step in the process building on the results of the previous step. Each of the risk management steps shown in the figure below are described more fully in the following paragraphs.



A loss exposure is a set of circumstances that presents a possibility of loss, whether or not a loss actually takes place. (1) More specific in terms of this Risk Management Program, the loss exposures to be addressed are circumstances that would give rise to liability or loss which may be imposed upon the College or one of its employees for a tortious act. A tort is a wrong against another for which the law provides money damages as a remedy, such as a personal injury. A tort may include physical and/or emotional harm to a person, a violation of a person's legal rights, and/or physical harm to a person's property.

(1) Source: Williams, C. Arthur Jr., et al. *Principles of Risk Management and Insurance*, 2nd ed., American Institute for Property and Liability Underwriters, 1981, vol. 1, p. 2.

## 2.2 Identify and Analyze Loss Exposures

The first step in the Risk Management Process is to identify and analyze loss exposures. These steps include: (1) identifying persons and property that are exposed to loss and the perils that can cause the loss; and (2) measuring the potential frequency and severity of the loss exposures. Identification should be both a systematic and a continuing process to review all property, activities, and personnel to determine what loss exposures are faced by the College. Measurement should review the number of accidents that are likely to occur, how severe the dollar losses are likely to be, and the variation in the potential losses in order to prioritize the exposures according to their importance.

## 2.3 Select Techniques for Treating Loss Exposures

After the loss exposures have been identified and analyzed, the second step in the Risk Management Process is to develop techniques to manage those exposures that are significant by analyzing various techniques and selecting those best fitted for each exposure. There are essentially four risk-managing techniques:

# Rock Valley College

1. **Loss Exposure Avoidance**, which eliminates the sources of loss exposures and replaces them with lower risk solutions;
2. **Loss Transfer**, which is the reallocation of the exposure to others, such as the purchase of insurance;
3. **Loss Exposure Control**, which manages the loss in a manner that reduces the likelihood of its occurrence and/or minimizes the effect on the College; and
4. **Loss Exposure Assumption** (also known as “self-insurance”), which is the acknowledgment of the existence of a particular loss exposure and a conscious decision to accept the associated level of loss exposure with or without engaging any special efforts to control it.

Additionally, using a combination of the four techniques is also possible. In determining the “best” overall technique(s) for treating loss exposures, all potentially applicable techniques should be identified and evaluated, using the following criteria:

- Feasibility of the technique;
- Expected effectiveness of the technique;
- Cost implications of the technique; and
- Effect on the College’s performance.

## 2.4 Implement Selected Techniques

The third step in the Risk Management Process is to implement the selected techniques using the College’s physical and human resources. This step entails determining how to implement the selected techniques, identifying what person(s) will perform and monitor the techniques, and communicating that information to the appropriate personnel, and may also include any educational, inspectional, and supervisory tasks related thereto. The components of implementation may include but are not limited to educating the person(s) identified, and then supervising and inspecting the implementation of the technique to ensure that the technique is properly implemented and that the technique is achieving the desired results.

## 2.5 Monitor and Modify the Selected Techniques

The fourth step in the Risk Management Process is to monitor the implementation of the techniques to determine whether they should be modified. Key components of this step in the Risk Management Process are the supervision and inspection of the implementation of the technique, which will reveal if the technique is successfully addressing the loss exposures identified in step one. The Board finds that the most effective manner to monitor the selected techniques includes not only supervision and inspection by the College administration, but also requires self-reporting by the person(s) selected to implement the techniques because those person(s) are in a unique position to most readily evaluate the effectiveness of the

# Rock Valley College

selected techniques. If a technique is not working and a correction is warranted, the first three steps in the risk management process should be repeated.

## 3. Risk Management Organization

### 3.1 Overview

The College finds that the most effective manner in which to implement this Risk Management Program is to create a Risk Management Committee which will have the duty to apply all four steps of the Risk Management Process.

### 3.2 Risk Management Organization

The President, Vice President of Finance, and other designated administrators should oversee, coordinate, and assign responsibilities for implementing this Risk Management Program, and should report to the Board of Trustees through the Board Finance and Operations Committee. The Risk Management Committee should perform the Risk Management Process, and report to the Vice President of Finance. Figure 3.2 illustrates the risk management organization.

**Figure 3.2: Risk Management Organization**



#### 3.2.1 Vice President of Finance, and other Designated Administrators

The Vice President of Finance, and other designated administrators have the general responsibility for the implementation and maintenance of this Risk Management Program. They should continually evaluate the effectiveness of the Program and be

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apprised of needed revisions, additions or deletions to the components and assigned responsibilities.

The Vice President of Finance, and other designated administrators should assign College employees to serve on the Risk Management Committee, and should also be members of the Committee.

The Vice President of Finance, and other designated administrators should review and consider the results of the Risk Management Process performed by the Risk Management Committee, and perform the Risk Management Process for the areas over which they have sole responsibility.

In performing their responsibilities, they should:

- Finalize changes, if any, to College policies, practices and procedure to implement and/or monitor the selected risk management techniques and communicate any changes to all College employees;
- Modify job descriptions for each employee who will be implementing and/or monitoring the selected risk management techniques;
- Ensure that each employee is aware of his/her revised job description that relate to his/her part in implementing and/or monitoring the selected risk management techniques;
- Provide training to an employee if necessary to support his/her responsibilities for implementing and/or monitoring the selected risk management techniques;
- Monitor the overall success/failure of the selected risk management techniques on a regular basis, and revise the techniques and College policies, practices and procedures and employee job descriptions as necessary; and
- Report to the Board Finance and Operations Committee

## **3.2.2 Risk Management Committee**

The members of the Risk Management Committee should perform the Risk Management Process. In performing their responsibilities, the Committee should:

- Communicate the results of their performances of the Risk Management Process to the other members of the Committee;
- Recommend changes, if any, to College policies, practices and procedure to implement and/or monitor the selected risk management techniques;
- Recommend job descriptions for each employee who will be implementing and/or monitoring the selected risk management techniques;
- Ensure that each employee is aware of his/her revised job description that relate to his/her part in implementing and/or monitoring the selected risk management techniques;
- Provide training to an employee if necessary to support his/her responsibilities for implementing and/or monitoring the selected risk management techniques;

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- Monitor the overall success/failure of the selected risk management techniques on a regular basis, and revise the techniques and College policies, practices and procedures and employee job descriptions as necessary; and
- Report to through the Vice President of Finance to the President and the Board Finance and Operations Committee and then to the Board of Trustees

The job description of every employee position affected is hereby revised to include the extra duties and responsibilities required to fully implement and evaluate the risk management components of this Risk Management Program.

## **4. Risk Management Implementation**

### **4.1 Overview**

The Vice President of Finance, and other designated administrators initiate this Risk Management Program by selecting the members of the Risk Management Committee. The Committee will perform the Risk Management Process. The Committee should analyze the results of the performance of the Risk Management Process, and recommended changes, if any, to College policies, practices and procedure and employee job descriptions to implement and/or monitor the selected risk management techniques. The Vice President of Finance, and other designated administrators should finalize and communicate the changes, if any, to College policies, practices and procedure and employee job descriptions. The Committee continually monitors the Risk Management Program.

### **4.2 Implementation of the Risk Management Program**

#### **4.2.1 Selection of the Risk Management Committee**

The general responsibility for the implementation and maintenance of this Risk Management Program rests with the Vice President of Finance, and other designated administrators. They should continually evaluate the effectiveness of the Program and be apprised of needed revisions, additions or deletions to the components and assigned responsibilities.

The Vice President of Finance, and other designated administrators should select the members of the Risk Management Committee, and also serve as members of the Committee. The number of members on the Committee should only be as many as are needed to provide a broad overview of the College's risks, but should be sufficient to include a group of employees that are knowledgeable about the full breadth of the College's operations, including those most directly related to: (1) the health and safety of all visitors, employees and students; (2) College buildings and grounds; and (3) College property. The members of the Committee should be provided copies of this Risk Management Program.

#### **4.2.2 Risk Management Committee Performs the Risk Management Process**



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The Risk Management Committee should analyze each area of risk to evaluate its applicability to the College and its potential impact, and should perform the Risk Management Process. The Committee may form subcommittees as necessary to research and report on specific topics.

## **4.2.3 Risk Management Committee Analyzes the Results of the Risk Management Process and Recommends Changes, if any, to College Policies, Practices and Procedure and Employee Job Descriptions to Implement and/or Monitor the Selected Risk Management Techniques**

The Committee should discuss and analyze the results of the Risk Management Process to develop a consensus on the potential frequency and severity of losses associated with the College's risks, and to prioritize the risks for intervention.

The Risk Management Committee should report its findings, including the risks identified, techniques considered, and the recommended techniques for implementation and monitoring to the Vice President of Finance, and other designated administrators.

## **4.2.4 Finalizing Changes, if any, to College Policies, Practices, and Procedures, and Employee Job Descriptions**

The Vice President of Finance, and other designated administrators should prioritize the risks identified, select techniques, and implement and monitor the techniques selected. They should work closely with the Risk Management Committee, particularly within the areas of operation that will implement the techniques selected. They may appoint persons to act as liaisons to applicable areas of operation. The selected techniques and monitoring methods should be implemented by maintaining, modifying, adding, deleting, or otherwise changing the policies, practices and procedures of the College and/or the training, responsibilities and job descriptions of College employees. Such changes may include requiring College employees to perform certain tasks, as well as inspecting and supervising others.

## **4.2.5 Communication and Implementation of the Selected Techniques and Monitoring Methods**

The Vice President of Finance, and other designated administrators should communicate the changes, if any, to College policies, practices, and procedures, and employee job descriptions to the College employees in a manner deemed most effective and efficient. It will then be the responsibility of all College employees to implement the selected techniques and/or monitoring methods.

Implementation of the Program is an ongoing process, and the Vice President of Finance, and other designated administrators generally have primary responsibility for monitoring implementation and ensuring that the ongoing work of the Risk Management Committee (and operational areas) occurs. The Committee is

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responsible for monitoring the College's losses and identifying and analyzing any changes in risks.

## 4.3 Allocation of Salaries

For purposes of properly levying for the expenses of this Risk Management Program pursuant to the Illinois Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/9-101 *et seq.*) and *In re Objections to Tax Levies of Freeport School Dist. No. 145 et al.*, 372 Ill. App.3d 562, 865 N.E.2d 361 (2nd Dist. 2007), it is necessary to determine what portion of each College employee's salary is attributed to his/her responsibilities under this Risk Management Program and College policies, practices and procedures to implement and/or monitor the selected risk management techniques. The Vice President of Finance, and other designated administrators, with the assistance of the Risk Management Committee, should estimate the portion of each College employee's time spent on this Risk Management Program and College policies, practices and procedures to implement and/or monitor the selected risk management techniques. The President shall report to the Board the allocations determined for purposes of allocating a particular portion of an employee's compensation to the Tort Immunity levy. Performing ordinary duties with due care shall not be allocated and chargeable to the Tort Immunity levy. The Vice President of Finance' report may be similar to the form reflected in Exhibit B hereto.

The Board shall review the Vice President of Finance recommended allocations of salaries to the tort levy. The Board may adopt the Tort Immunity Levy based on the Vice President of Finance' report and in accordance with the Illinois Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/9-101 *et seq.*) and *In re Objections to Tax Levies of Freeport School Dist. No. 145 et al.*, 372 Ill. App.3d 562, 865 N.E.2d 361 (2nd Dist. 2007). Notwithstanding the Foregoing, it is the policy of the College that all non-salary related expenditures shall be paid first out of taxes collected pursuant to the Tort Immunity levy, and that the salaries allocated for risk management purposes shall only be paid from taxes remaining after such non-salary expenditures.

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## EXHIBIT B: Risk Management Categories and Job Assignments

### Vice President of Finance's Recommended Salary Allocations from the Tort Immunity Levy

The attached salary allocations are recommended to be charged to, and payable with, Tort Immunity Levy Funds during the fiscal year. Specific job duties for each included employee are described in the Risk Management Program and College policies, practices and procedures and employee job descriptions.

I (1%)	This category includes but is not limited to, monitoring conditions, events, and circumstances present through daily operations in the accomplishment of job position tasks and functions. Certain employees in the following positions: IT, faculty, administrators, program chairs/coordinators, administrative assistants.
II (1%)	Ensure the health, welfare, safety and evacuation of all visitors, employees and students during adverse and/or emergency conditions at the College. (Leadership, RVC Police, FPOM employees, NIMS and C-Cert trained)
III (5% Instruct.)	Personnel in this category are trained in the use and dispensing of chemicals which may be considered hazardous. Personnel are required to handle, store, dispense and properly dispose of hazardous chemicals in a lab environment. (Lab assistants and Associated Deans)
IV (5%)	Personnel in this category are the primary point of contact during weekend and non-working day events which require administrative oversight to include taking action on safety and security issues. This individual is usually the senior administrator during the event. Personnel are required to handle all emergency conditions during the hours of operation of the event. Theater staff, and specific staff in and Community Outreach.
V (1% per committee)	Personnel in this category serve as members on committees that mutually support health and safety rights extended to all visitors, employees and students. (C-Cert & NIMS Certified).
VI (5% – Maintenance, Boiler House, and Print Shop)	Personnel in this category are in daily contact with hazardous materials and/or equipment. Personnel are required to handle and dispense hazardous chemicals during boiler plant operations, and acids designed to clean chiller towers. Personnel may be required to accomplish any one of the following tasks: (a) Maintain boilers in accordance with appropriate guidelines; the steam and pressure buildup is dangerous and requires specific training in proper handling of equipment. (b) Maintain the electrical backbone to all facilities within the College, (c) Handle, store, and properly use cleaning fluids in maintaining print press and assorted equipment. Annual certification may be required. (Print shop employees, boiler house employees, mechanic, and grounds employees)
VII (5-20%)	Personnel in this category assist during evening operations and during non-work days, and will alert proper authorities during emergency conditions. Personnel must be knowledgeable in policies and procedures used in event of an emergency and/or crisis situation. Must be capable of communication through several communications devices during emergency conditions. Serves as the primary point of contact. (Leadership,

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	Landscaping and FPOM employees involved primarily with setup of facilities
VII (% varies)	<p>Personnel in this category have risk management activities as an integral part of their duties, as follows:</p> <ul style="list-style-type: none"> <li>• Vice President of Finance – Oversees comprehensive risk management program, including insurance, legal liaison, planning, accounting and reporting, and supervises facilities, and RVC Police (10%)</li> <li>• Administrative Assistant to Vice President of Finance – submits all insurance claims – (5%)</li> <li>• Director of Enrollment and Judicial Affairs – coordinates student hearing proceedings (2%)</li> <li>• Director of FPOM – Direct line manager of maintenance, (50%). Asst. Director of FPOM – Supports Director, supervises all FPOM staff (except for office personnel) (their work impacts building safety) (50%).</li> <li>• Chief of Police, Sergeants, &amp; Security System Network Supervisor – direct line managers of safety – 50%</li> <li>• RVC Police – Protect the safety of College people on campus (50%).</li> <li>• Telecommunicators – manage radio and dispatch – (50%)</li> <li>• Managing Director of Human Resources – employee Affirmative Action (5%) officer along with investigates all harassment allegations</li> <li>• Director of Compensation, Benefits, and Employee Relations – oversee HR duties in HR director’s absence (2%)</li> <li>• Recruiting Coordinator – oversees hiring practices (1%)</li> <li>• IT Managing Director – oversees all IT department and emergency recovery plan – 5%</li> <li>• IT Leads – oversee IT department and emergency recovery plan in Director’s absence (2%)</li> <li>• Counselor – counsel troubled students/staff – (5%)</li> </ul>
IX (2% – All other College personnel which are not listed in a category above)	The job description of every employee position is to include the extra duties and responsibilities required to fully implement and evaluate the risk management components of this Risk Management Program.

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## RVC Board Policy 5:10.110

### Fund Transfer Agreement with Rock Valley College Foundation

The College and the Rock Valley College Foundation shall review and update a Fund Transfer Agreement to accomplish in a fiscally responsible manner the transfer of funds and other property.

**Reference:** Board Report 5953

**Implemented:** December 11, 2001

**Revised:** April 8, 2014

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## RVC Board Policy 5:10.120

### Purchasing

The College will follow Section 3-27.1 of the Illinois Public Community College Act, 110 ILCS 805/3-27.1, regarding the public bidding and award of contracts for supplies, materials, equipment or work in excess of the specified dollar amount. The College will ensure that expenditures in excess of \$10,000 are approved by the Board of Trustees prior to awarding such contracts.

#### **Requirement for Contract Legal Review**

In addition, the College will have the following contracts reviewed by the College's attorney prior to being presented to the Board for approval:

- contracts (including construction contracts) involving an expenditure in excess of \$50,000;
- bid documents (prior to being released) for construction contracts in excess of \$50,000;
- any request for qualifications for professional services and related contracts in excess of \$50,000;
- intergovernmental agreements; and
- any other contract, which in the judgment of the College's Leadership Team, warrant legal review.
- For purposes of this policy, grant related documents will be reviewed when the College's Leadership Team determines that legal review is warranted.

#### **Responsible Bidder Compliance**

Responsible bidder for purposes of construction contracts over \$150,000.00 shall require submission of proof of compliance with the following criteria:

1. All applicable law prerequisite to doing business in Illinois.
2. Evidence of compliance with:
  - a. Federal Employer Tax Identification Number or Social Security Number (for individuals).
  - b. Provision of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employment provisions).
3. Certificate of insurance indicating the following coverages: general liability, workers' compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability.

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4. Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, submission of certified payroll records, medical and hospitalization insurance, and retirement for those trades covered in the act.
5. Participation in apprenticeship and training programs applicable to the work being performed on the projects which are approved by and registered with the United States Department of Labor's Office of Apprenticeship and Training.

This Responsible Bidder Compliance policy shall be reviewed biennially by the Board of Trustees from the date of its enactment to evaluate the policy's impact on Board Policy 5:10.140 (Diverse Vendor Enterprise Use). **Attorney Reviewed.**

**Reference:** Board Report(s) 5838, 7564

**Implemented:** September 12, 2000

**Revised:** October 28, 2014; October 23, 2018

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## RVC Board Policy 5:10.130

### Travel Reimbursement

#### **Board Policy for Reimbursements of Travel, Meal and Lodging Expenses**

The Illinois General Assembly enacted Public Act 99-0604, known as the "Local Government Travel Expense Control Act," which Act became effective on January 1, 2017. As required by the Act, it is Rock Valley College's policy to regulate the reimbursement of all College Board member, administrator, and employee travel expenses as set forth below:

1. Definitions.
  - a. "Entertainment" includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.
  - b. "Travel" means any expenditure directly incident to official College business travel by Board members, administrators, officers or employees of the involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.
2. Reimbursable Rates. The College shall reimburse permitted travel expenses as set forth in the College's administrative procedures.
3. Reimbursement Request Form. The College shall only approve reimbursement of expenses if the Board member, administrator, officer or employee submits said expenses on the form as set forth in the College's administrative procedures. All documents submitted to the College for reimbursement are public records subject to disclosure under the Freedom of Information Act, unless otherwise protected under that Act.
4. Entertainment Expenses. The College shall not reimburse any Board member, administrator, officer, or employee for any entertainment expense unless such expense is ancillary to the purpose of the program or event.
5. Board Approval of Certain Reimbursable Expenses. The following expenses for travel, meals, and lodging may only be approved by a roll call vote at an open meeting of the Board of Trustees of the College:
  - a. Any reimbursable expenses of a College administrator, officer or employee that exceeds the maximum allowed under the regulations adopted under Section 2 of this Policy.



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- b. Any reimbursable expense of a member of the Board of Trustees of the College.
  - c. Any other reimbursable expenses because of emergency or other extraordinary circumstances.
6. Compliance with Act. The College shall comply with all other requirements of the Local Government Travel Expense Act and any College policy, procedure or resolution that conflicts with the provisions of the Local Government Travel Expense Act is hereby repealed to the extent of such conflict.

**Reference:** Board Report(s) 6876, 7382, 7494

**Implemented:** April 24, 2012

**Revised:** April 8, 2014; February 28, 2017; March 27, 2018

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## RVC Board Policy 5:10.140

### Diverse Vendor Enterprise Use

Rock Valley College recognizes the importance of increasing the participation of businesses owned by minorities, females, and persons with disabilities in public contracts in an effort to overcome the discrimination and victimization such firms have historically encountered. It is the College's policy to promote the economic development of businesses owned by minorities, females and persons with disabilities by setting aspirational goals to award contracts to businesses owned by minorities, females, and persons with disabilities for certain services as provided by the Business Enterprise for Minorities, Females and Persons with Disabilities Act, 30 ILCS 575 (the Act) and the Business Enterprise Council for Minorities, Females, and Persons with Disabilities.

It is the intent of the State of Illinois that public agencies, including community colleges, aspire to award upwards of 20% of contracts to minority, female, or disabled-owned business enterprises. In support of this policy, the College shall establish and maintain procedures to encourage the use of businesses owned by minorities, women, and persons with disabilities in accordance with the Act.

**Reference:** Board Report(s) 7326, 7333, 7795

**Adopted:** (First Reading 08/23/2016), 09/27/2016, 03/23/2021

## RVC Board Policy 5:10.150

### Bond Record Keeping Policy

It is necessary and in the best interest of the College to maintain sufficient records to demonstrate compliance with its covenants and expectations to ensure the appropriate federal tax status for the Certificates and other debt obligations of the College, the interest on which is excludable from “gross income” for federal income tax purposes or which enable the College or the holder to receive federal tax benefits, including, but not limited to, qualified tax credit bonds and other specified tax credit bonds (including the Certificates, the “*Tax Advantaged Obligations*”). Further, it is necessary and in the best interest of the College that (i) the Board adopt policies with respect to record-keeping and post issuance compliance with the College’s covenants related to its Tax Advantaged Obligations and (ii) the Compliance Officer (as hereinafter defined) at least annually review the College’s Contracts (as hereinafter defined) to determine whether the Tax Advantaged Obligations comply with the federal tax requirements applicable to each issue of the Tax Advantaged Obligations. The Board and the College hereby adopt the following Record-Keeping Policy and, in doing so, amend any similar Record-Keeping Policy or Policies heretofore adopted:

- (a) *Compliance Officer Is Responsible for Records.* The Treasurer (the “*Compliance Officer*”) is hereby designated as the keeper of all records of the College with respect to each issue of the Tax Advantaged Obligations, and such officer shall report to the Board at least annually that he/she has all of the required records in his/her possession, or is taking appropriate action to obtain or recover such records.
- (b) *Closing Transcripts.* For each issue of Tax Advantaged Obligations, the Compliance Officer shall receive, and shall keep and maintain, a true, correct and complete counterpart of each and every document and agreement delivered in connection with the issuance of the Tax Advantaged Obligations, including without limitation (i) the proceedings of the College authorizing the Tax Advantaged Obligations, (ii) any offering document with respect to the offer and sale of the Tax Advantaged Obligations, (iii) any legal opinions with respect to the Tax Advantaged Obligations delivered by any lawyers, and (iv) all written representations of any person delivered in connection with the issuance and initial sale of the Tax Advantaged Obligations.
- (c) *Arbitrage Rebate Liability.* The Compliance Officer shall review the agreements of the College with respect to each issue of Tax Advantaged Obligations and shall prepare a report for the Board stating whether or not the College has any rebate liability to the United States Treasury, and setting forth any applicable exemptions that each issue of Tax Advantaged Obligations may have from rebate liability. Such report shall be updated annually and delivered to the Board.

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(d) *Recommended Records.* The Compliance Officer shall review the records related to each issue of Tax Advantaged Obligations and shall determine what requirements the College must meet in order to maintain the tax-exemption of interest paid on its Tax Advantaged Obligations, its entitlement to direct payments by the United States Treasury of the applicable percentages of each interest payment due and owing on its Tax Advantaged Obligations, and applicable tax credits or other tax benefits arising from its Tax Advantaged Obligations. The Compliance Officer shall then prepare a list of the contracts, requisitions, invoices, receipts and other information that may be needed in order to establish that the interest paid on the Tax Advantaged Obligations is entitled to be excluded from “gross income” for federal income tax purposes, that the College is entitled to receive from the United States Treasury direct payments of the applicable percentages of interest payments coming due and owing on its Tax Advantaged Obligations, and the entitlement of holders of any Tax Advantaged Obligations to any tax credits or other tax benefits, respectively. Notwithstanding any other policy of the College, such retained records shall be kept for as long as the Tax Advantaged Obligations relating to such records (and any obligations issued to refund the Tax Advantaged Obligations) are outstanding, plus three years, and shall at least include:

- (i) complete copies of the transcripts delivered when any issue of Tax Advantaged Obligations is initially issued and sold;
- (ii) copies of account statements showing the disbursements of all Tax Advantaged Obligation proceeds for their intended purposes, and records showing the assets and other property financed by such disbursements;
- (iii) copies of account statements showing all investment activity of any and all accounts in which the proceeds of any issue of Tax Advantaged Obligations has been held or in which funds to be used for the payment of principal of or interest on any Tax Advantaged Obligations has been held, or which has provided security to the holders or credit enhancers of any Tax Advantaged Obligations;
- (iv) copies of all bid requests and bid responses used in the acquisition of any special investments used for the proceeds of any issue of Tax Advantaged Obligations, including any swaps, swaptions, or other financial derivatives entered into in order to establish that such instruments were purchased at *fair market value*;
- (v) copies of any subscriptions to the United States Treasury for the purchase of State and Local Government Series (SLGS) obligations;
- (vi) any calculations of liability for *arbitrage rebate* that is or may become due with respect to any issue of Tax Advantaged

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Obligations, and any calculations prepared to show that no arbitrage rebate is due, together, if applicable, with account statements or cancelled checks showing the payment of any rebate amounts to the United States Treasury together with any applicable IRS Form 8038-T; and

- (vii) copies of all contracts and agreements of the College, including any leases (the “Contracts”), with respect to the use of any property owned by the College and acquired, constructed or otherwise financed or refinanced with the proceeds of the Tax Advantaged Obligations effective at any time when such Tax Advantaged Obligations are, will or have been outstanding. Copies of contracts covering no more than 50 days of use and contracts related to College employees need not be retained.
- (e) *IRS Examinations or Inquiries.* In the event the IRS commences an examination of any issue of Tax Advantaged Obligations or requests a response to a compliance check, questionnaire or other inquiry, the Compliance Officer shall inform the Board of such event, and is authorized to respond to inquiries of the IRS, and to hire outside, independent professional counsel to assist in the response to the examination or inquiry.
- (f) *Annual Review.* The Compliance Officer shall conduct an annual review of the Contracts and other records to determine for each issue of Tax Advantaged Obligations then outstanding whether each such issue complies with the federal tax requirements applicable to such issue, including restrictions on private business use, private payments and private loans. The Compliance Officer is expressly authorized, without further official action of the Board, to hire outside, independent professional counsel to assist in such review. To the extent that any violations or potential violations of federal tax requirements are discovered incidental to such review, the Compliance Officer may make recommendations or take such actions as the Compliance Officer shall reasonably deem necessary to assure the timely correction of such violations or potential violations through remedial actions described in the United States Treasury Regulations, or the Tax Exempt Bonds Voluntary Closing Agreement Program described in Treasury Notice 2008-31 or similar program instituted by the IRS.
- (g) *Training.* The Compliance Officer shall undertake to maintain reasonable levels of knowledge concerning the rules related to tax-exempt bonds (and build America bonds and tax credit bonds to the extent the College has outstanding build America bonds or tax-credit bonds) so that such officer may fulfill the duties described in this Section. The Compliance Officer may consult with counsel, attend conferences and presentations of trade groups, read materials posted on various web sites, including the web site of the Tax-Exempt Bond function of the IRS, and use other means to maintain such knowledge. Recognizing that the Compliance Officer may not be fully knowledgeable in this area, the Compliance Officer may consult with outside

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counsel, consultants and experts to assist him or her in exercising his or her duties hereunder. The Compliance Officer will endeavor to make sure that the College's staff is aware of the need for continuing compliance. The Compliance Officer will provide copies of this Resolution and the Tax Exemption Certificate and Agreement or other applicable tax documents for each series of Tax Advantaged Obligations then currently outstanding (the "Tax Agreements") to staff members who may be responsible for taking actions described in such documents. The Compliance Officer should assist in the education of any new Compliance Officer and the transition of the duties under these procedures. The Compliance Officer will review this

Resolution and each of the Tax Agreements periodically to determine if there are portions that need further explanation and, if so, will attempt to obtain such explanation from counsel or from other experts, consultants or staff.

(h) *Amendment and Waiver.* The procedures described in this Section are only for the benefit of the College. No other person (including an owner of a Tax Advantaged Obligation) may rely on the procedures included in this Section. The College may amend this Section and any provision of this Section may be waived, without the consent of the holders of any Tax Advantaged Obligations and as authorized by passage of a resolution by the Board. Additional procedures may be required for Tax Advantaged Obligations the proceeds of which are used for purposes other than capital governmentally owned projects or refundings of such, including tax increment financing bonds, bonds financing output facilities, bonds financing working capital, or private activity bonds. The College also recognizes that these procedures may need to be revised in the event the College enters into any derivative products with respect to its Tax Advantaged Obligations.

**Reference:** Board Report 7514

**Implemented:** April 24, 2018

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## RVC Board Policy 5:10.160

### Operating Fund Balance

#### **Purpose**

This policy describes the guidelines for unreserved fund balances in the College's operating (general) fund.

#### **Goal**

Fund balance is the balance of a fund after all liabilities have been deducted from the assets of the fund. The goal is to establish and maintain an operating fund (education fund and operations and maintenance fund) balance of thirty-five to fifty percent of the following year's budgeted expenses.

#### **Utilization**

Expenditures or transfers to other funds from the unreserved operating fund balance must be approved by the Board of Trustees.

#### **Replenishment of Reserve Deficits**

In the event the balance falls below thirty-five percent, the vice president of finance/chief financial officer or designee, will implement and submit to the Board of Trustees, in conjunction with the proposed budget, a plan for corrective action to restore the fund balance to its goal of thirty-five percent.

#### **Annual Review**

Compliance of this policy will be reviewed by the vice president of finance/chief financial officer or designee during the budget adoption process.

The Board of Trustees will receive a report of year-end reserves in the general fund as part of the year-end financial report.

**Reference:** Board Report 7764

**Implemented:** October 27, 2020

## RVC Board Policy 5:10.170

### Bond Disclosure Compliance

It is necessary and in the best interest of the College to ensure compliance with its responsibilities under federal securities laws, including its continuing disclosure undertakings (the “*Undertakings*”) under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the “*Rule*”), and the statements of the Securities and Exchange Commission (the “*SEC*”) in enforcement actions; and it is necessary and in the best interest of the College that the College adopt appropriate policies and procedures (the “*Disclosure Policies and Procedures*”) and training to enable the College to create accurate disclosures with respect to its (i) preliminary official statements, final official statements and any supplements or amendments thereto, disseminated by the College pursuant to the issuance by the College of any bonds, notes, certificates or other obligations, (ii) Financial Information, as required by and defined in the Undertakings to be filed with the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access (“*EMMA*”) system, and (iii) notices of material or reportable events, each as defined in the Undertakings, and any other required or voluntary disclosures to EMMA.

**Reference:** Board Report 7964

**Adopted:** June 28, 2022