

## *1.0 General Policies*

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Lincoln Land Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised: Effective Date:	<b>Introduction</b> <b>1.1</b> President 4/22/09  9/22/99
BOARD POLICY	Old Policy Number:	1.1

Policy Statement: Included in this manual are the legally adopted policies of the Board of Trustees of Lincoln Land Community College. Policies, referred to as “rules” in state statutes, are general principles guiding the operation of the college. The authority for boards of trustees to adopt policies/rules is in 110 ILCS 805/3-25, Illinois Statutes.

Policies are implemented by way of administrative procedures, established by the President and the President’s staff. Administrative procedures quite simply provide the specifics as to how policies may be implemented or administered. The College specifically reserves the right to modify and/or amend any or all of the procedures at any time, at its discretion. In the event the College determines that circumstances warrant modification or amendment of any part of these procedures, timely notice shall be provided, in writing, to all relevant and affected parties.

In this manual, each policy is immediately followed by an administrative procedure, where appropriate. The administrative procedure bears the same title and number as the policy it implements. Administrative procedures assure consistent and accurate implementation of policy.

Not included in this manual are handbooks, forms, schedules, job descriptions, plans, and a wide variety of details that are utilized by various entities within the college to implement policies and procedures.

Lincoln Land Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised: Effective Date:	<b>Mission and Purpose Statement</b> <b>1.2</b> President 4/22/09  11/28/01
BOARD POLICY	Old Policy Number:	1.3

Policy Statement: The mission of Lincoln Land Community College is to improve the lives of district citizens by providing quality educational programs and service that are accessible and affordable to individuals and responsive to individual and community needs. Included herein are:

- Programs leading to certificates and occupational and transfer degrees.
- Workforce training and economic development.
- College preparatory, continuing, and adult education.
- Community-based programs and services.

This mission statement emanates from the belief that there are certain principles Lincoln Land Community College embraces which are:

- The inherent dignity and worth of all individuals.
- A set of commonly shared core values which include honesty, responsibility, compassion, respect and fairness.
- The importance of life-long learning.

Lincoln Land Community College is committed to the following purposes:

- Providing, enhancing and sustaining a student-centered learning environment founded upon the commitment to innovative instruction, small class size and personalized attention from faculty;
- Measuring student achievement systematically with the goal of enhancing student learning and success;
- Maintaining a quality broad-based General Education program;
- Providing the developmental and preparatory courses to learn the skills necessary for college-level work;
- Assisting with the economic development of the community through public association, business partnerships, career development and through occupational, vocational and customized training;
- Preserving the practice of open admission;
- Offering opportunities for life-long learning and other educational experiences to all citizens of the district;
- Collaborating with businesses, community organizations, social service agencies, governments and schools to address district needs;

- Encouraging students to lead healthy, responsible and productive lives that include community service, responsible citizenship, personal growth, appreciation of the arts, physical exercise, leisure activities, environmental awareness and meaningful social interaction.

Lincoln Land	Subject:	<b>Code of Ethics</b>
Community College	Policy Number:	<b>1.3</b>
	Officer Responsible:	President
	Last Reviewed:	4/22/09
	Last Revised:	4/22/09
	Effective Date:	5/17/04
BOARD POLICY	Old Policy Number:	1.4

- Policy Statement: The Illinois General Assembly has enacted the State Officials and Employees Ethics Act (the “Act”) as codified at 5 ILCS 430/1-1, et seq., which requires community college districts to adopt a policy that regulates activities covered by the Act. Board members and employees must perform their duties in a proper and ethical manner and avoid even the appearance of impropriety. Thus, in the best interests of the College, the Board and College employees shall subscribe to the following Code of Ethics:

A. Definitions

The following terms shall be given the definitions as set forth in Section 1-5 of the Act, except that where “State” or “State Agency” is used in such definitions, such terms shall be construed to refer to the College.

1. Campaign for elective office
2. Candidate
3. Collective bargaining
4. Compensated time
5. Compensatory time off
6. Contribution
7. Gift
8. Leave of absence
9. Political activity
10. Political organization
11. Prohibited political activity
12. Prohibited source

For the purposes of this policy, “officer” shall mean any member of the Board of Trustees and “employee” shall mean any person employed by the Board, whether on a full-time or part-time basis, or pursuant to a contract, whose duties are subject to the direction and control of the Board and/or its administrative employees with regard to the material details of the work performed. The term “employee” does not include a volunteer or an independent contractor. “Employer” shall mean the Board of Trustees (sometimes referred to herein as the “Board” or the “College”).

B. Prohibited Political Activities

1. No officer or employee shall intentionally perform any prohibited political activity during any compensated time. No officer or

- employee shall intentionally use any property or resources of the 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 as part of that officer's or employee's duties, as a condition of employment, or during any compensated time off (including holidays, vacations, and personal time off).
  3. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration of 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 of the employee's participation in any prohibited political activity.
  4. Nothing in this section shall prohibit activities that are permissible for an officer or employee to engage in as part of such employee's official duties or activities.

C. *Gift Ban*

Subject to the exceptions set forth herein, no officer or employee and no spouse or immediate family member living with any officer or employee (collectively referred to herein as "Recipient") shall solicit or accept any gift from any prohibited source or which is otherwise prohibited by law. No prohibited source shall offer or make a gift that violates this provision. The following exceptions shall apply to this section:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Recipient pays fair market value.
3. Any contribution that is lawfully made under the Election Code or activities associated with a fund-raising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses in connection with any meeting for business purposes.
6. Any gift from the following relatives of the Recipient: father, mother, son, daughter, brother, sister (including corresponding in-laws, step-relations, and half-relations), uncle, aunt, great-aunt, great-uncle, first cousin, nephew, niece, spouse, grandparent, grandchild.
7. Any gift from 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 Recipient 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 the history of the relationship between the parties, including any previous exchange of gifts, 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 whether, to the actual knowledge of the Recipient, the individual who gave the gift also gave the same or similar gift to other Recipients).

8. Food or refreshments not exceeding \$75 per person in value during a single day, provided that the food or refreshments are consumed on the premises where they were purchased or prepared or catered.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities. 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. Intragovernmental and intergovernmental gifts. For the purposes of this section, “intragovernmental gift” means any gift given to an officer or employee from another officer or employee and “intergovernmental 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.
13. Any item provided by the College in support of the employee’s or officer’s discharge of official duties.

There shall be no violation of this provision if the Recipient promptly takes reasonable steps to return a gift from a prohibited source or promptly donates the gift (or makes a monetary contribution equal in value to the gift) to a charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended.

D. *Ethics Advisor*

The President may appoint an Ethics Advisor for the College, and in such event shall advise the Board of such appointment. In the absence of such appointment, the attorney serving as general counsel to the College shall serve as Ethics Advisor. The Ethics Advisor shall provide interpretation and guidance to officers and employees of the College concerning compliance with this policy and the Act, and shall perform such other investigative and reporting requirements as the President and/or Board shall authorize from time to time.

E. *Ethics Commission*

The Board may from time to time appoint and constitute no less than three of its members to serve as an Ethics Commission to investigate any complaints arising under this policy and/or the Act. Such Commission shall discharge its duties in accordance with the Act and shall make recommendations to the full Board as it shall deem appropriate.

*Legal Citation:*

\* 5 ILCS 430/1-1, et seq.



Lincoln Land Community College	Subject: <b>Definitions</b> Policy Number: <b>1.4</b> Officer Responsible: President Last Reviewed: 4/22/09 Last Revised Effective Date: 2/24/98 Old Policy Number: 1.6
BOARD POLICY	

Policy Statement: The following terms, herein defined, are used throughout this manual:

<i>District</i>	The legal entity defined in Section 1.1.
<i>College</i>	Lincoln Land Community College, the name by which the College in the District is commonly known.
<i>Board</i>	The Board of Trustees of Lincoln Land Community College, consisting of seven members elected by the voters of the District and one student member elected by the student body of the College.
<i>Academic Year</i>	The consecutive fall and spring academic semesters.
<i>The Act et.</i>	The Illinois Public Community College Act.(110 ILCS 805/1-1 seq.)
<i>State Board</i>	The Illinois Community College Board
<i>President</i>	The Chief Executive Officer of the District and the College

Lincoln Land	Subject:	<b>Statement of Compliance</b>
Community College	Policy Number:	<b>1.5</b>
	Officer Responsible:	President
	Last Reviewed:	4/22/09
	Last Revised	4/22/09
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	1.7

Policy Statement: Lincoln Land Community College commits to being in full compliance with all applicable local, state and federal laws and regulations; including, but not limited to, the following:

- A. Americans with Disabilities Act
- B. Campus Crime and Security Act
- C. Civil Rights Act
- D. Fair Labor Standards Act
- E. Family Education Rights and Privacy Act
- F. Family Medical Leave Act
- G. Freedom of Information Act
- H. Health Insurance Portability and Accountability Act (HIPPA)
- I. Occupational Safety and Health Act, OSHA
- J. Open Meetings Act
- K. Prevailing Wage Act

Lincoln Land	Subject:	<b>Non-Discrimination</b>
Community College	Policy Number:	<b>1.6</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	8/26/2020
	Last Revised:	8/26/2020
	Effective Date:	8/26/2020
BOARD POLICY	Old Policy Number:	1.8

Policy Statement: Eliminated and merged with Board Policy 1.7 on 8/26/2020.

Lincoln Land	Subject:	<b>Sexual Harassment, Other Harassment and Discrimination</b>
Community College	Policy Number:	<b>1.7</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	8/26/2020
	Last Revised:	8/26/2020
	Effective Date:	8/26/2020
BOARD POLICY	Old Policy Number:	1.9

Policy Statement: Lincoln Land Community College (the “College”) is committed to maintaining a learning and working environment that is free from sexual harassment and all other forms of harassment and discrimination against a person because of their actual or perceived race, color, national origin, ancestry, religion, sex, gender, age, physical or mental disability, marital status, pregnancy, order of protection status, military status, unfavorable discharge from military service, political affiliation, sexual orientation or any other such status protected by the provisions of the Illinois Human Rights Act or other applicable laws. In accordance with Illinois law, the College shall reasonably accommodate the religious observance of individual students in regard to admissions, class attendance, and the scheduling of examinations and work requirements. The College shall not discriminate against any current or prospective student or employee or any other individual based on the aforementioned statuses and prohibits any form of harassment or discrimination in the learning and working environment, at any College-sponsored events, and in all admissions and employment activities. For the purposes of this policy, the “learning and working environment” is not limited to a physical location to which an employee is assigned to perform his or her duties or a student is accessing instruction and/or resources. Management and supervisory personnel at all levels are responsible for taking reasonable and necessary actions to prevent sexual harassment or any other form of harassment or discrimination.

Harassment and discrimination are prohibited under Titles VI and VII of the Civil Rights Act of 1964, as amended in 1991, Title IX of the Educational Amendment of 1972, the Illinois Workplace Transparency Act, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and the Illinois Human Rights Act. Any individual who believes they have experienced harassment, discrimination, or unreasonable denial of an educational or employment benefit based on an actual or perceived protected status may seek redress through this policy as outlined in the procedures. Inquiries and/or grievances may also be directed to the Assistant Secretary of the Department of Education, the Illinois Department of Human Rights or the Equal Employment Opportunity Commission. Discrimination by a student or employee shall be cause for disciplinary action including, but not limited to, expulsion of the student or termination of the employee. The preponderance of evidence shall be used in determining whether a violation of this policy has occurred. Retaliation for making a good-faith complaint of harassment or discrimination or for participating in an investigation is also prohibited by law.

The College has designated officers to ensure compliance with these provisions. The College will provide up-to-date contact information for these individuals in the procedures of this policy, on the College website, within handbooks and catalogs, and physically posted outside of the Human Resources Office and Student Life Office. All applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the College will be notified of this policy as well as the title, address, email address, and telephone number of the employees designated as compliance officers.

Lincoln Land	Subject:	<b>Sexual Harassment, Other Harassment and Discrimination</b>
Community College	Policy Number:	<b>1.7</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	8/14/2020
	Last Revised:	8/14/2020
ADMINISTRATIVE	Effective Date:	8/14/2020
PROCEDURE	Old Policy Number:	1.9

I. Procedures:

The College has adopted the following procedures to promptly and fairly address concerns and complaints regarding harassment or discrimination of any character. Employees shall be trained annually on harassment prevention and corresponding procedures. Any complaint of conduct that would constitute a violation of Policy 1.7 shall be subject to the procedures set forth below.

II. Reporting Suspected Violations of Policy

Students who wish to report an alleged violation of Policy 1.7 shall submit the report to the College’s Office of Compliance and Prevention. Employees who wish to report an alleged violation of Policy 1.7 shall submit the report to the College’s Office of Human Resources. Reports can also be filed through the College’s online reporting form that can be found at LLCC’s Equal Opportunity Webpage, at <https://www.llcc.edu/equal-opportunity>. Anonymous reporting is available through the College’s online reporting form, although it should be noted that anonymous reporting may prohibit the College from conducting a thorough investigation.

All employees have a responsibility to maintain a work and educational environment free of unlawful harassment and discrimination. Any employee who becomes aware of any possible harassment or discrimination is obligated to report the matter to an appropriate Resolution Coordinator for follow-up and assist in the

College's efforts to take prompt and effective remedial action, as directed by the Resolution Coordinator. Supervisors who become aware of any possible harassment or discrimination are required to report any incidents immediately to either Resolution Coordinator identified in this procedure for investigation and follow-up.

### III. Resolution Coordinators

The College has designated two Resolution Coordinators, Shelby Bedford in the Office of Compliance and Prevention at [studentrights@lcc.edu](mailto:studentrights@lcc.edu) and Kirsten Taylor in the Office of Human Resources at [eoco@lcc.edu](mailto:eoco@lcc.edu). The Resolution Coordinators shall conduct the initial intake of information related to potential violations of this policy and shall facilitate the processing of all reports and/or complaints under these procedures. Students who report conduct wherein a student may have experienced any form of identity-based harassment, discrimination, or violence, shall be referred to Shelby Bedford, the College's Title VI and Title IX Coordinator ("the Student Resolution Coordinator"). Employees who report conduct wherein an employee may have experienced any form of identity-based harassment, discrimination, or violence, shall be referred to Kirsten Taylor, the College's Equal Opportunity Compliance Officer ("the Employee Resolution Coordinator"). If a report involves both students and employees and/or members of the public, then the report may be placed with either the Student Resolution Coordinator or the Employee Resolution Coordinator, and these Resolution Coordinators shall work collaboratively to process the report.

### IV. Supportive Measures and Emergency Removals

Upon receiving a report related to a potential violation of this policy, the Resolution Coordinator must provide all parties with information about supportive measures available to them. Supportive measures include non-disciplinary, non-punitive individualized services offered as appropriate, reasonably available, and without fee or charge to either party. Supportive measures can be provided before or after the filing of a formal complaint, or where no formal complaint has been filed. Such measures are designed to restore and preserve access to the recipient's education program or activity, without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipients' educational environment, or deter sexual harassment. Supportive measures shall be provided confidentially, to the extent that they can be, without interfering with the College's ability to provide them. Upon receipt of all allegations which may constitute a violation of this policy, the Resolution Coordinator will initiate an individualized safety and risk analysis in accordance with the College's threat assessment procedures to determine whether there is an immediate threat to the health or safety of any member(s) of the

campus community arising from the allegation. In cases where a safety and risk analysis indicates an immediate threat to the health or safety of the campus community, the Resolution Coordinator shall initiate an emergency removal of this individual from the College's educational programs and activities to the extent necessary. The Respondent will be provided with written notice of the emergency removal containing information regarding the parameters of the emergency removal as well as their right to challenge the decision.

V. Initial Assessment

Upon receipt of a report of a potential Policy 1.7 violation from a complainant or any other source, the Resolution Coordinator shall meet and/or confer with the potential complainant to gain a basic understanding of the nature and circumstances of the report. The potential complainant shall be provided with information about College supportive measures (see Section IV hereof, Supportive Measures and Emergency Removals) and remedial options. If, based on the initial assessment and evaluation of jurisdiction, the alleged conduct would constitute a violation of Policy 1.7, then the Resolution Coordinator shall advance the complaint pursuant to the following procedures. If the alleged conduct does not indicate a potential violation of Policy 1.7 or identifies conduct that is not related to any education program or activity of the College that is within the administrative control of the College, then the Resolution Coordinator may forward the information to appropriate Student Services or Human Resources officials for consideration under the Student Code of Conduct or other College policies and procedures.

VI. Complaint Filing

Upon determination that the alleged Policy 1.7 violation meets applicable legal standards, the potential complainant may elect to file a formal complaint which shall initiate the applicable grievance procedure set forth herein. Upon filing of the complaint, the respondent shall be entitled to a presumption of innocence and supportive measures pending resolution of the complaint. The Resolution Coordinator shall promptly provide written notice to the parties that shall include a summary of the grievance procedure and any informal resolution process that the complainant may wish to pursue by way of a voluntary written agreement between the complainant and the respondent. Such notice shall detail the allegations that could constitute a violation of Policy 1.7 and warrant application of the formal complaint process herein. The parties shall be further notified that proof of any Policy 1.7 violation shall be subject to a preponderance of evidence standard (i.e., a *more likely true than not true* standard) and that all evidence obtained in the course of investigating the complaint shall be shared with the parties. Timeframes shall be established for conducting the investigation and concluding the process, and the parties shall be notified of the range of possible

sanctions or remedies that the College may implement if proof of the alleged violation is established.

VII. Advisors

If the complaint alleges conduct that could constitute a violation of Title IX, then complainants and respondents shall be entitled to assistance by an advisor at both formal and informal meetings and telephone conferences, interviews, and, if applicable, a subsequent hearing. The College shall maintain a pool of trained advisors who shall be available to the parties on a cost-free basis, or either party to a Title IX complaint may select an advisor of their choosing and at their expense. There shall be no requirement that any party's advisor be chosen from the College's pool or that any advisor shall be from the College community. Advisors may not speak on behalf of a complainant or respondent or testify during the course of a hearing, although they may request suspension of any meeting, interview or hearing to provide consultation. In addition, advisors shall be allowed to cross-examine the other party and any witnesses during the hearing phase of these proceedings. Accommodation for scheduling of interviews or hearings shall not be made for any advisor if such accommodation shall unduly delay the investigation and/or hearing process.

VIII. Informal Resolution

Informal resolution of any complaint may be implemented at the direction of the Resolution Coordinator when the complainant, having been fully informed of available options, has agreed in writing with the respondent to pursue the voluntary informal resolution process (provided that informal resolution cannot be pursued in respect to complaints alleging sexual harassment, sexual misconduct or sex-based discrimination involving both a student and an employee). Either complainant or respondent may thereafter elect to terminate the informal resolution process, and in such event the parties shall revert to the formal resolution process as applicable to the allegations in the complaint. Any information obtained during the informal process may be used in the subsequent formal resolution process. At the discretion of the Resolution Coordinator and with written consent of both parties, informal resolution may include mediation before an objective and appropriately trained third party designated by the Resolution Coordinator. Either party involved in an informal resolution may withdraw their consent at any time. If either party withdraws consent to participate in the informal resolution process, the complaint will be directed to the formal resolution process.



IX. Formal Resolution Process

The formal resolution process shall occur when a complainant seeks a formal resolution, or the Resolution Coordinator determines that a formal resolution process is necessary for maintaining the safety of the broader campus community. In circumstances where the Resolution Coordinator has determined that there is a serious threat to such community or a pattern of behavior is present, the Resolution Coordinator may assume the role of complainant even if the complainant cannot or does not wish to proceed with the formal process. The formal process shall include the following:

- A. A written complaint shall be submitted to the Resolution Coordinator and the respondent shall be provided with a copy of the complaint.
- B. The respondent shall have five business days to submit a statement to the Resolution Coordinator in response to the allegations set forth in such complaint.
- C. Two objective and appropriately trained investigators shall be appointed by the Resolution Coordinator. In some cases, Resolution Coordinators may also serve as investigators.
- D. The investigators shall promptly commence collection of relevant records and information and shall commence interviews with the parties and witnesses. Either party may prepare questions to be asked of the other party or any witness during the investigative phase. Upon completion of record review and analysis and all interviews, the investigators shall prepare an initial investigation report that shall be shared with the parties (and their advisors, if applicable) and the Resolution Coordinator.
- E. Within five business days following receipt of the initial investigative report, the complainant and respondent may provide a written response to the investigators.
- F. The investigators shall consider any responses and the investigation report shall then be finalized and shared with the parties (and their advisors, if applicable) and the Resolution Coordinator.

X. Title IX Hearings

If the complaint alleges Title IX violations, then the Resolution Coordinator shall appoint a three-member hearing panel, and the hearing panel shall select a Chair who shall preside over the hearing and rule on issues of relevance and any procedural issues that may be raised by the parties or their advisors. The Resolution Coordinator shall provide hearing panelists with the investigative report and any written statements from the parties at least 10 days prior to the hearing. Hearings shall be conducted virtually and shall be recorded. The complainant and respondent shall be required to appear and testify at the same time with the investigators and such witnesses as shall be requested or authorized to appear by the Chair. Each party's advisor shall be allowed to cross-examine the

other party and any witnesses. Cross-examination shall be limited to relevant questions as determined by the Chair. Upon conclusion of the hearing, the panel shall convene to deliberate and render a decision by majority vote. The Chair shall then prepare a written decision which shall include:

- A. The allegations;
- B. A description of the procedural steps undertaken during the investigative process;
- C. The decision regarding whether the respondent has violated College policy;
- D. Findings of fact that support the panel's decision in respect to each allegation;
- E. Sanctions and/or remedies to be implemented for any findings that the respondent has violated College policy; and
- F. The procedures and basis for appeal by either party of the hearing panel's decision. The decision of the hearing panel shall be made within 10 business days of the conclusion of the hearing and shall be simultaneously shared with the parties, their advisors, and the Resolution Coordinator.

XI. Disposition of Other Than Title IX Cases

If, or to the extent that, a complaint does not involve Title IX violations, then the investigators shall make a determination whether a violation of policy has occurred and shall submit findings in writing to the complainant, the respondent, the Resolution Coordinator, and appropriate College administrative officials, including but not limited to, the immediate supervisor (if the respondent is an employee), the Vice President of Student Services (if the respondent is a student), the Vice President of Academic Services (if the respondent is a faculty member or student), the Associate Vice President of Human Resources (if the complainant or respondent is an employee), and the President. The report of investigative finding shall be rendered within 30 business days of the investigators' receipt of the formal written complaint and shall include the procedures and basis for appeal by either party.

XII. Disciplinary Action

For violations under this policy as it relates to Title IX, the appropriate Resolution Coordinator shall implement any sanctions for the respondent and any remedies for the complainant as directed by the hearing panel.

For all other violations of this policy and in accordance with College Disciplinary Policies and Procedures, the Supervisor (if the respondent is an employee) or the Vice President of Student Services or designee (if the respondent is a student)

shall consult with appropriate College administrative officials regarding formal disciplinary actions to be taken against the respondent. In making a decision regarding discipline, the appropriate College administrative officials shall consider records of previous misconduct and the seriousness of the violation. A complaint made more than 12 months after an alleged incident may not be the basis for taking formal disciplinary action. However, where there are allegations made within the 12-month period that a pattern or practice exists or prior complaints have been confirmed, the appropriate College administrative official shall consider the totality of information in determining appropriate discipline. The appropriate College administrative officials may review any part of the investigative records.

Appropriate discipline for employees may range from verbal warning or written reprimand up to and including termination/dismissal for cause. Appropriate discipline for students may range from written warning up to and including suspension or expulsion. The respondent and the Resolution Coordinator shall be notified in writing of the disciplinary decision. The Resolution Coordinator shall, in turn, notify the complainant regarding the resolution of the complaint and the corrective actions to be taken and/or discipline to be imposed.

### XIII. Appeals

Both the complainant and respondent shall have the right to appeal a final determination of responsibility and/or the resulting disciplinary sanction or other remedy on the grounds of a material procedural error that affected the outcome of the complaint and/or new evidence not reasonably available during the investigative process (or the hearing, if applicable). Written request for appeal must be submitted to the Resolution Coordinator within five business days following delivery of the hearing panel's decision (in Title IX cases) or following notice of the investigators' findings and any subsequent discipline or remedy (in other than Title IX cases) and shall include the grounds for appeal. Upon determination by the Resolution Coordinator that there are legitimate grounds for appeal, then the matter shall be advanced by the Resolution Coordinator to an objective and appropriately trained hearing officer who shall not be an employee of the College. Each party shall be given an opportunity to respond in writing, within five business days, to any appeal submitted to the Resolution Coordinator by the other party, and such response will be included with the appeal and shall be provided to the hearing officer.

If appeal is granted and it is determined that a material procedural error occurred in respect to a Title IX complaint, then the complaint will be re-heard by a new hearing panel. If it is determined that there is new and relevant evidence that was not available at the time of the initial hearing, then the matter will be returned to the same hearing panel members who shall render a decision in light of the new evidence.

If appeal is granted and it is determined that a material procedural error occurred or there is new and relevant evidence that was not available during the investigation of any complaint that did not involve Title IX allegations, then the matter shall be returned to the investigators who shall prepare an updated investigation report for submission to the Resolution Coordinator, and, if applicable, to the appropriate College administrator for imposition of disciplinary sanction or initiation of other remedial options.

XIV. Confidentiality

Reasonable efforts shall be made to protect the privacy of those involved in complaints to the extent possible. Disclosure of information regarding a complaint and investigation shall be limited to those people who have a legitimate reason to know in the discretion of the Resolution Coordinator.

XV. Retaliation

The College prohibits retaliation against any individual because they have participated in, or declined to participate in, the College's complaint resolution procedures, or because they have opposed conduct that they reasonably and in good faith believe to be harassing or discriminatory. Any retaliatory behavior should be reported to the appropriate Resolution Coordinator. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board Policy.

XVI. Amnesty Provision

A student who in good faith participates in the complaint/investigative process hereunder shall not be removed from an education program or activity or receive a disciplinary sanction for misconduct that is revealed in the course of such complaint/investigative process (e.g., underage drinking) except in circumstances where the College reasonably determines that the student's misconduct was sufficiently egregious to risk the health and/or safety of others.

XVII. False Accusation

Any person making a knowingly false accusation shall be subject to disciplinary action as otherwise provided by Board policy.

XVIII. Written Record of Complaints, Investigations and Resolutions/Decisions

Written or electronic records of complaints shall be marked “CONFIDENTIAL” and shall be retained in a separate and secure file in the office of the appropriate Resolution Coordinator. Records shall be retained as required by law. Written records relating to a finding in support of a policy violation shall be placed in the respondent’s official personnel file (if an employee) or official College file (if a student) and shall be retained according to retention policies.

XIX. Conflict of Interest

The complainant or respondent may allege a conflict of interest with an investigator, advisor, hearing panel member, or hearing officer (in the event of an appeal) by reporting their concerns to the Resolution Coordinator. If the Resolution Coordinator determines that any party involved in these procedures has a conflict of interest with either party to a complaint or who shall otherwise be unable to render objective service under these procedures, the Resolution Coordinator shall excuse that individual and appoint a successor. If the Resolution Coordinator is deemed to have a conflict of interest, then the Resolution Coordinator shall be replaced with a successor designated by the College President.

Lincoln Land Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised: Effective Date:	<b>Chronic Communicable Diseases</b> <b>1.8</b> VP, Administrative Services 4/22/09  2/24/98
BOARD POLICY	Old Policy Number:	1.10

Policy Statement: Any student or employee with a chronic communicable disease shall continue to attend class or work at such employee's regular assignment so long as (1) the risk of transmission of the disease is sufficiently remote to be out-weighed by the detrimental effects resulting from the student's exclusion from class or employee's exclusion from the workplace; (2) the College can reasonably accommodate any special needs of the student or employee; and (3) the student or employee can continue to satisfactorily perform the class work or duties of the work assignment.

In the event there is a reasonable risk of the student transmitting such disease, or the College cannot reasonably accommodate any special needs in the student's current classroom setting, then the education of such student shall be conducted in the least restrictive manner which shall serve to accommodate the student's needs. If the employee cannot continue employment with the College, then such employee shall be discharged subject to applicable Board Policy and Procedure and all statutory and contractual rights and benefits.

Lincoln Land Community College places a high priority on the need to prevent the spread of chronic communicable diseases on its campuses. The College is committed to educating its staff, students and the community about communicable diseases. Specifically, because there is currently no cures or vaccines for some of today's communicable viruses, education regarding methods by which this virus may be transmitted and how to prevent transmission is essential. By adopting this policy, it is the intention of the College to promote the health and regular school attendance of our students so that they may attain their maximum potential for learning.

In general, students, faculty and staff with a chronic communicable disease are expected to continue to study or work in an unrestricted setting. This policy is based on current epidemiological data and may be modified as required by new scientific and medical information.

When Lincoln Land Community College offer classes in conjunction or in agreement with an outside agency, Lincoln Land students and employees must abide by policies and procedures of the outside agency relating to chronic communicable diseases.

*STUDENTS WITH CHRONIC COMMUNICABLE DISEASES*

A student who has a chronic communicable disease or who is a carrier may attend College whenever, through reasonable accommodation, the risk of transmission of the disease and/or the risk of further injury to the student is sufficiently remote in such setting so as to be outweighed by the detrimental effects resulting from the student's exclusion from College. Placement decisions will be made using this standard in conjunction with current, available Illinois Department of Public Health guidelines concerning the particular disease in question. The determination of whether a student with a chronic communicable disease may attend College shall be made on an individual basis, according to procedures implemented by the College in consultation with appropriate College personnel and a consulting physician, the student's primary physician, public health personnel, the College's legal counsel, and the student.

A student who has a chronic communicable disease or who is a carrier of a chronic communicable disease may be denied admission to, or may be dismissed from, a particular program or course of study whenever such chronic communicable disease has a direct effect on the student's ability to perform so as to render the student not qualified for the program or course of study.

The College shall respect the right to privacy of any student who has a chronic communicable disease or is a carrier. The student's medical condition shall be disclosed only to the extent necessary to minimize the health risks to the student and others. Persons deemed to have "a direct need to know" will be provided with the appropriate information; however, these persons shall not further disclose the information. The multidisciplinary team responsible for making initial evaluations and placement decisions will be responsible for determining who has "a direct need to know."

#### *EMPLOYEES WITH CHRONIC COMMUNICABLE DISEASES*

Employees with identified chronic communicable diseases or who are carriers will be permitted to retain their positions whenever, through reasonable accommodation of the employee's physical condition and without undue hardship to the employer, there is no reasonable risk of transmission of the disease to others. Such employees will remain subject to the Board's employment policies, including, but not limited to, the current collective bargaining agreements in effect, personal disability leave, physical examinations, temporary and permanent disability, and termination. Employment decisions will be made by utilizing the general legal standard in conjunction with current, available Illinois Department of Public Health guidelines concerning the particular disease in question. The determination of whether an employee with a chronic communicable disease may retain his or her position will be made on an individual basis, according to procedures implemented by the College in consultation with appropriate College personnel and a consulting physician, the employee's primary physician, the Assistant Vice President of Human Resources, the Assistant Vice President, Facilities Management, public health personnel, the College's legal counsel, and the employee.

The College will respect the privacy of any employee who has chronic communicable disease or is a carrier. The employee's medical condition will be disclosed only the extent necessary to minimize the health risks to the employee and others. Persons deemed to have "a direct need to know" will be provided with the appropriate information; however, these persons will not further disclose this information. The multidisciplinary team responsible for making initial evaluations and placement decisions will be responsible for determining who has "a direct need to know".

Lincoln Land Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised:	<b>Chronic Communicable Diseases</b> <b>1.8</b> VP, Administrative Services
ADMINISTRATIVE PROCEDURE	Effective Date: Old Policy Number:	2/24/98 1.10

Procedure: In accordance with College policy, the following procedures will be used:

The Lincoln Land Community College Assistant Vice President, Facilities Management will be responsible for complying with current standards of medical practice and public health guidelines from recognized authorities (e.g. Centers for Disease Control and Prevention, World Health Organization, etc.) for keeping current with pending legislation relevant to these diseases and for keeping others informed.

*STUDENTS WITH CHRONIC COMMUNICABLE DISEASES*

Placement Procedures:

A. Temporary Exclusion

Upon being informed that a student is suspected of having a communicable disease, a staff member shall inform the Assistant Vice President, Facilities Management or designee who will consult with a multidisciplinary team consisting of appropriate College personnel and a consulting physician, the student's primary physician, public health personnel, the College's legal counsel, and the student. Pending determination of placement, a student who has a chronic communicable disease or a carrier of a chronic communicable disease, or a student who is reasonably suspected of having a chronic communicable disease or being a carrier, may be temporarily excluded from the College.



B. Initial Evaluation

Each student's case shall be evaluated within one week of the report by the multidisciplinary team convened by the Assistant Vice President, Facilities Management or designee. The student's failure to cooperate with the evaluation procedure shall not prevent the multidisciplinary team from performing its job and providing recommendations regarding the case.

C. Placement Decision

Upon completion of a case study evaluation, one or more conferences shall be convened for the purpose of determining the student's placement. Recommendations concerning the student's placement shall be made at these multidisciplinary conferences by consensus of the participating personnel and shall be determined in accordance with the standards set forth in College policy and based upon the following factors:

1. the risk of transmission of the disease to others;
1. the health risk to the particular student; and
2. reasonable accommodations that can be made without undue hardship to reduce the health risk to the student and others.

D. Appeal

A decision on a student's placement may be appealed in accordance with the College's grievance procedures.

E. Subsequent Evaluations

The student shall be reevaluated on a regular basis by the multidisciplinary team to determine whether the student's placement continues to be appropriate. The frequency for the reevaluation shall be determined by the team, but in no event shall the student be reevaluated less frequently than twice per academic year. In the event of a change in the student's medical condition or change in the College environment, the multidisciplinary team shall determine if a change in placement is appropriate. If an emergency occurs, the Assistant Vice President, Facilities Management or designee shall have the right to take appropriate action. Any such action will be reviewed by the multidisciplinary team as soon as possible.

*EMPLOYEES WITH CHRONIC COMMUNICABLE DISEASE*

Placement Procedures:

A. Temporary Exclusion

Upon being informed that an employee is suspected of having a communicable disease, a staff member will inform the Assistant Vice President, Facilities Management or designee who will consult with a multidisciplinary team consisting of appropriate College personnel and a consulting physician, the employee's primary physician, public health personnel, the College's legal

counsel, and the employee. Pending determination of placement, an employee who has a chronic communicable disease or is a carrier of a chronic communicable disease, or an employee who is reasonably suspected of having a chronic communicable disease or being a carrier, may be temporarily excluded from working at the College.

B. Initial Evaluation

Each employee's case will be evaluated within a week of the report by the multidisciplinary team convened by the Assistant Vice President, Facilities Management or designee. The employee's failure to cooperate with the evaluation procedure will not prevent the multidisciplinary team from performing its job and providing recommendations regarding the case.

C. Placement Decision

Upon completion of a case study evaluation, one or more conferences will be convened for the purpose of determining the employee's placement. Recommendations concerning the employee's placement will be made at these multidisciplinary conferences by consensus of the participating personnel and will be determined in accordance with the standards set forth in the College policy and based upon the following factors:

1. the risk of transmission of the disease to others;
2. the health risk to the particular employee; and
3. reasonable accommodations which can be made without undue hardship to reduce the health risk to the employee and others.

D. Appeal

A decision on the employee's placement may be appealed in accordance with the College's grievance procedures.

E. Subsequent Evaluations

The employee will be reevaluated on a regular basis by the multidisciplinary team to determine whether the employee's placement continues to be appropriate. The frequency for the reevaluations will be determined by the team, but in no event will the employee be reevaluated less frequently than twice per academic year. In the event of a change in the employee's medical condition or a change in the College environment, the multidisciplinary team will determine if a change in placement is appropriate. If an emergency occurs, the Assistant Vice President, Facilities Management or designee will have the right to take appropriate action. Any such action will be reviewed by the multidisciplinary team as soon as possible.

Lincoln Land Community College	Subject:	<b>Conflicts Between Policy and Collective Bargaining Agreements</b>
	Policy Number:	<b>1.9</b>
	Officer Responsible:	Board of Trustees
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	1.11

Policy Statement: If any provision of College policy conflicts with any provision of the collective bargaining agreements in effect between the Board and the Lincoln Land Faculty Association, the Facilities Services Council, or any other collective bargaining unit that may be established, then the provision of the collective bargaining agreement shall prevail.

Lincoln Land	Subject:	<b>Harassment and Discrimination</b>
Community College	Policy Number:	<b>1.10</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/26/03
BOARD POLICY	Old Policy Number:	1.12

Policy Statement: Eliminated and merged with Board Policy 1.7 on 8/24/16.

Lincoln Land	Subject:	<b>Harassment and Discrimination</b>
Community College	Policy Number:	<b>1.10</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	12/4/15
	Last Revised:	12/4/15
ADMINISTRATIVE	Effective Date:	12/4/15
PROCEDURE	Old Policy Number:	1.12

Procedure: Eliminated and merged with Board Procedure 1.7 on 8/24/16.

Lincoln Land	Subject:	<b>Alcohol, Tobacco and Other Drugs</b>
Community College	Policy Number:	<b>1.11</b>
	Officer Responsible:	VP Administrative Services or President
	Last Reviewed:	12/16/2019
	Last Revised:	12/16/2019
	Effective Date:	01/01/2020
BOARD POLICY	Old Policy Number:	1.13, 4.2.4

Policy Statement: Smoking and other use of tobacco products (as defined in the Smoke-Free Campus Act, 110 ILCS 64), vaping, and the use of e-cigarettes are prohibited on any College-owned or operated property. Smoking and the use of tobacco products and e-cigarettes are only permissible in a personal vehicle. All smoking material must be extinguished and disposed of inside the vehicle.

In accordance with applicable state and federal laws, rules, and regulations, including the Drug-Free Schools and Communities Act Amendments of 1989 and EDGAR Part 86, the use, possession, and/or distribution of alcohol, marijuana, and/or any controlled substance while on College-owned or controlled property or at College-sponsored activities is prohibited. For the purposes of this policy, the term “controlled substance” shall refer to all illegal drugs and to legal drugs, excluding marijuana, used without a valid prescription issued to the user by a licensed healthcare professional.

Notwithstanding the provisions set forth above and in Board Policy 8.38, the possession and/or use of alcohol on College property or at College-sponsored events may be authorized by the President of the College.

Lincoln Land Community College	Subject:	<b>Fraternization</b>
	Policy Number:	<b>1.12</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	12/15/05
BOARD POLICY	Old Policy Number:	1.15

Policy Statement: Lincoln Land Community College is committed to providing a working and learning environment that provides equal educational and employment opportunities to all students, employees and other individuals at all its College facilities. Personal relationships in which one individual has a power or status advantage over another have the potential to interfere with the College's ability to provide such equal employment and educational opportunities. The College, therefore, prohibits personal relationships as defined in this Policy and Procedure.

Lincoln Land Community College	Subject:	<b>Fraternization</b>
	Policy Number:	<b>1.12</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	
	Last Revised:	
ADMINISTRATIVE PROCEDURE	Effective Date:	11/15/06
	Old Policy Number:	1.15

Procedure: In accordance with College policy, the following procedures will be used.

Lincoln Land Community College has adopted the following procedures to promptly and fairly address events of fraternization. Reports may be submitted informally or formally. If a complaint is made regarding fraternization which implicates or involves both this policy and any other College complaint or grievance policy or procedure, College administration may in its discretion suspend the procedures relating to other complaints or grievance policies pending completion of procedures hereunder. In addition, the Board of Trustees may suspend the following procedures when appropriate. In accordance with College policy, the following procedures will be used:

### **I. Scope**

This fraternization policy applies to all members of the College community, including students, employees, and other representatives of the College, and governs conduct by and between all such persons, whether on College property or while participating in a College-sponsored activity off campus. Under certain circumstances, this fraternization

policy also applies to third parties, such as subcontractors, sales representatives, repair persons, or vendors of the College.

## **II. Definition: Personal Relationship**

A personal relationship is defined as follows:

A consensual romantic or sexual relationship where one of the involved individuals has a power or status advantage over the other. A power or status advantage exists when:

- A. One of the individuals performs functions including, but not limited to supervising, evaluating, hiring, coaching, formally counseling or advising, grading, teaching, or formally recommending and/or making decisions that confer benefits such as compensation, promotions, transfers, academic grades/progress, financial aid awards or other remuneration or any other condition that may impact upon the other's academic or employment opportunities; or
  
- A. One of the individuals involved has the power to and takes affirmative steps to directly influence those recommendations or decisions that alter the educational or employment experience or opportunities of the other.

The College's prohibition against fraternization applies whether the personal relationship is between people of the same or different genders.

## **III. Rights and Responsibilities**

No individual who has a power or status advantage over a student, employee, or other College representative, may be in a personal relationship with such person. It is the responsibility of the individual with such power or status advantage to refrain from becoming involved in a personal relationship and to take any and all steps necessary to avoid personal relationships at the College.

## **IV. Reporting**

- A. In the event that a personal relationship arises or exists, the individual with the power or status advantage shall promptly notify his or her immediate supervisor. Failure to report such relationship will result in discipline up to and including termination.
  
- B. A employee or student who may become aware that a personal relationship exists between other employees or employees and students at the College, is encouraged to promptly report the personal relationship to his/her immediate supervisor or to his/her advisor or to the Assistant Vice President, Human Resources, or the Vice President, Student Services. An immediate supervisor or advisor who becomes aware of or receives a report of a personal relationship shall promptly report such personal relationship to the Assistant Vice President, Human Resources, or the Vice President, Student Services. If the Assistant Vice President, Human Resources, or the Vice President, Student Services is involved in the personal relationship, then in that event,

the report shall be made to the President or a member of the Board of Trustees.

- C. In the event, a personal relationship is reported under either Section IV, A or B, one or more of the following will occur:
1. Applicants whose employment would give rise to a personal relationship with an employee of the College will not be hired for any position that creates such personal relationship; or
  2. In cases where both individuals are employees of the College, one of the following will occur:
    - a. Employees will not be assigned or transferred to a department where such assignment or transfer creates a personal relationship; or
    - b. The individual with the power or status advantage will be transferred or reassigned, if such a transfer or reassignment is in the interest of the College; or
    - c. If transfer or reassignment of the individual with the power or status advantage is not in the interest of the College, then, if practicable, all supervisory, evaluative or other duties, the exercise of which can alter the terms and conditions of the other's employment or educational opportunities, shall be transferred to another supervisory employee of equal or greater power or status; or
    - d. If the transfer or reassignment of the individual with the power or status advantage is not in the interest of the College and the transfer of the referenced duties is not practicable, the individual with the power or status advantage shall be asked to resign effective on a date determined by the College and if such resignation is not given, the individual shall be terminated.

#### **V. Retaliation**

The College prohibits retaliation against individuals because they have reported conduct that they reasonably and in good faith believe to give rise to a violation of this fraternization policy and procedure or because they have made a complaint regarding such fraternization. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board policy.

#### **VI. False accusation**

Any person making a knowingly false accusation regarding a violation of this fraternization policy and procedure will be subject to disciplinary action as otherwise provided by Board policy.

#### **VII. Exemptions**

The disciplinary provisions of Section IV.A shall not apply in the following circumstances:

- A. Where the individual in the personal relationship who does not have a power or status advantage over the other is a student who wishes to take a class that is taught by a person with whom they have a personal relationship and that class is not taught by any other instructor;



- B. Where the personal relationship exists as of the effective date of this policy and the parties wish to continue such relationship, provided the individual with the power or status advantage over the other discloses the relationship to his/her direct supervisor as soon after the effective date of the policy as practicable and both individuals supply affidavits to the College stating that the relationship is consensual and is/was not either explicitly or implicitly a term or condition of employment or educational opportunities and is/was not used as the basis for employment or educational decisions. If such affidavits are not supplied to the College, then the provisions of Section IV.A shall apply.

However, in the case of personal relationships covered by Section VII.A, the policy may be waived at the student's request upon good cause shown. Such request must be submitted in writing to the Vice President, Academic Services and shall detail the grounds for the request. The Vice President, Academic Services shall determine whether good cause exists to waive this policy for the class requested, unless the request is submitted by a student who has a familial relationship with the Vice President, Academic Services, and then, in that event, the request shall be submitted to the Vice President, Student Services.

Further, in the case of a personal relationship covered by Section VII.B, such relationship shall be eliminated through compliance with Section IV.C.2 (a-c) as soon as possible after the effective date of this policy and in all cases no later than 60 days after such effective date.

Finally, the exemption contained in Section VII.B shall not apply to the position of trustee, president or vice-president, or positions of equal power or authority by whatever designation such position may be known.

Lincoln Land Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised: Effective Date:	<b>Nepotism</b> <b>1.13</b> VP, Administrative Services 4/22/09  12/14/05
BOARD POLICY	Old Policy Number:	1.16

Policy Statement: Lincoln Land Community College is committed to providing a working and learning environment that provides equal educational and employment opportunities to all students, employees and other individuals at all its College facilities. In circumstances where employees or employees and students have familial ties and also are in positions in which one individual has a power or status advantage over the other, the College's ability to provide such equal employment and educational opportunities may be hindered. The College, therefore, prohibits familial relationships as defined in this Policy and Procedure.

Lincoln Land Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised:	<b>Nepotism</b> <b>1.13</b> VP, Administrative Services   
ADMINISTRATIVE PROCEDURE	Effective Date: Old Policy Number:	11/15/06 1.16

Procedure: In accordance with College policy, the following procedures will be used.

Lincoln Land Community College has adopted the following procedures to promptly and fairly address events of nepotism. Reports may be submitted informally or formally. If a complaint is made regarding nepotism which implicates or involves both this policy and any other College complaint or grievance policy or procedure, College administration may in its discretion suspend the procedures relating to other complaints or grievance policies pending completion of procedures hereunder. In addition, the Board of Trustees may suspend the following procedures when appropriate. In accordance with College policy, the following procedures will be used:

### **I. Scope**

This nepotism policy applies to all members of the College community, including students, employees, and other representatives of the College, and governs conduct by and between all such persons, whether on College property or while participating in a

College-sponsored activity off campus. Under certain circumstances, this nepotism policy also applies to third parties, such as subcontractors, sales representatives, repair persons, or vendors of the College.

## **II. Definition: Familial Relationship**

A familial relationship is defined as follows:

A relationship in which one family member (grandparent, parent, spouse, child, sibling, grandchild; the corresponding step relations of each; or, a mother, father, brother or sister in-law) has a power or status advantage over another family member.

A power or status advantage exists when:

- A. One of the individuals performs functions including, but not limited to supervising, evaluating, hiring, formally counseling or advising, or formally recommending and/or making decisions that confer benefits such as compensation, promotions, transfers, academic grades/progress, financial aid awards or other remuneration or any other condition that may impact upon the other's academic or employment opportunities; or
- B. One of the individuals involved has the power to and takes affirmative steps to directly influence those recommendations or decisions that alter the educational or employment experience or opportunities of the other.

## **III. Rights and Responsibilities**

No individual who has a familial relationship with an employee, student, or other College representative may occupy a position in which he/she has a power or status advantage over such employee, student, volunteer, or other College representative. It is the responsibility of the individual with such power or status advantage to take any and all steps necessary to prevent or, where appropriate to eliminate circumstances in which he/she would occupy such a position with regard to a family member.

## **IV. Reporting**

- A. In the event that a familial relationship arises or exists, the individual with the power or status advantage shall promptly notify his or her immediate supervisor. Failure to report such relationship will result in discipline up to and including termination.
- B. A employee or student who may become aware that a familial relationship exists between other employees or employees and students at the College is encouraged to promptly report the familial relationship to his/her immediate supervisor or to his/her advisor or to the Assistant Vice President, Human Resources, or the Vice President, Student Services. An immediate supervisor or advisor who becomes aware of or receives a report of a familial relationship shall promptly report such familial relationship to the Assistant Vice President, Human Resources, or the Vice President, Student Services. If the Assistant Vice President, Human Resources, or the Vice President, Student Services is involved in the familial relationship, then in that event, the report shall be made to the President or a member of the Board of Trustees.

- C. In the event a personal relationship is reported under either Section IV. A or B, one or more of the following will occur:
1. Applicants whose employment would give rise to a familial relationship with an employee of the College will not be hired for any position that creates such familial relationship; or
  2. In cases where both individuals are employees of the College, one of the following will occur:
    - a. Employees will not be assigned or transferred to a department where such assignment or transfer creates a familial relationship; or
    - b. The individual with the power or status advantage will be transferred or reassigned, if such a transfer or reassignment is in the interest of the College; or
    - c. If transfer or reassignment of the individual with the power or status advantage is not in the interest of the College, then, if practicable, all supervisory, evaluative or other duties, the exercise of which can alter the terms and conditions of the other's employment or educational opportunities, shall be transferred to another supervisory employee of equal or greater power or status; or
    - d. If the transfer or reassignment of the individual with the power or status advantage is not in the interest of the College and the transfer of the referenced duties is not practicable, the individual with the power or status advantage shall be asked to resign effective on a date determined by the College and if such resignation is not given, the individual shall be terminated.

#### **V. Retaliation**

The College prohibits retaliation against individuals because they have reported conduct that they reasonably and in good faith believe to give rise to a violation of this Nepotism Policy and Procedure or because they have made a complaint regarding such nepotism. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board policy.

#### **VI. False accusation**

Any person making a knowingly false accusation regarding a violation of this Nepotism Policy and Procedure will be subject to disciplinary action as otherwise provided by Board policy.

#### **VII. Exemptions**

The disciplinary provisions in Section IV.A shall not apply in the following circumstances:

- A. Where the familial relationship exists because a family member wishes to take a class or play a sport that is taught or coached by another family member; or,
- A. Where the familial relationship exists as of the effective date of this policy.

However, in the case of familial relationships covered by Section VII.A, such circumstances may raise the appearance of impropriety or favoritism and are, therefore inappropriate and strongly discouraged, except where the class/sport is taught/coached only by the family member and would otherwise be unavailable to the student.

Further, in the case of familial relationships covered by Section VII. B, such relationship shall be eliminated through compliance with Section IV.C.2.(a-c) as soon as possible after the effective date of this policy and in all cases no later than 60 days after such effective date.

Lincoln Land Community College	Subject:	<b>Posting of Items on College Property</b>
	Policy Number:	<b>1.14</b>
	Officer Responsible:	Executive Director, Public Relations and Marketing
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	2.2.1.6

Policy Statement: All items posted on bulletin boards or elsewhere on campus shall have prior approval. Identified posting areas may be approved for specific programs or functions.

Lincoln Land	Subject:	<b>Solicitation on Campus</b>
Community College	Policy Number:	<b>1.15</b>
	Officers Responsible:	Vice President, Student Services; Executive Director, Public Relations and Marketing
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	2.2.1.8

Policy Statement: Any solicitation of sales or purchases on any College owned or controlled facility by outside vendors requires prior approval and shall be conducted in accordance with procedures established by the College.

Candidates for public office may campaign on campus provided that campaign activities do not interfere with College programs and activities.

Lincoln Land	Subject:	<b>Solicitation on Campus</b>
Community College	Policy Number:	<b>1.15</b>
	Officers Responsible:	Vice President, Student Services; Executive Director, Public Relations and Marketing
	Last Reviewed:	4/29/14
	Last Revised:	4/29/14
ADMINISTRATIVE	Effective Date:	4/13/04
PROCEDURE	Old Policy Number:	2.2.1.8

Procedure: In accordance with College policy, the following procedures will be used.

*“Not For Profit” Organizations*

1. Organizations or agencies that are “Not For Profit” may request to have a display table by submitting a Table Request Form to the Student Life Office at least two weeks in advance of the desired date. Proof of “Not For Profit” status must accompany the form.
2. A specific organization or agency is limited to one date per semester with the exception of events in which an invitation has been extended to the agency for a college sponsored event.
3. Requests will be honored on a first come, first serve basis. Previously scheduled activities will be taken into consideration when scheduling space with preference given to any college sponsored events.

4. Non-profit organizations may not sell any products or services or fundraise while on campus.
5. Due to contractual agreements and safety, outside food/beverage must be authorized by the College's food service vendor and documented with the Student Life Office. Candy and/or other promotional items are acceptable for distribution.
6. Organizations or agencies are expected to conduct themselves in a professional manner while on campus. Representatives from organizations/agencies may not physically approach students or staff nor may they detain students or staff from their class or work responsibilities while on campus. Representatives are expected to stay at their table location. If such an incident occurs the organization or agency may be asked to leave campus and/or the opportunity for future campus displays may be revoked.
7. Any damages that may occur as a result of an organization/agency's display table will be the responsibility of that organization/agency.
8. Approved organization/agency displays will be provided with one table, two chairs, and electrical access if requested in advance.

#### *Commercial Vendors*

1. Commercial vendors are prohibited from soliciting on campus with the exception of those sales associated with approved College sponsored events. Such events may include but are not limited to Vendor Days or performer sales associated with student club/organization sponsored performers/concerts/speakers.
2. Commercial vendors participating in Vendor Days are prohibited from entering into contractual agreements with students and/or setting up personal accounts for students on site. Vendors are also prohibited from marketing activity that involves the offer of giveaways, gifts, coupons, or other tangible personal property to students that is conditioned upon the student's completing an application for banking and/or credit services or entering into a contractual agreement.
3. Due to contractual agreements and safety, outside food/beverage must be authorized by the College's food service vendor and documented with the Student Life Office. Candy, coupons and/or other promotional items are acceptable for distribution from vendor tables during designated vendor days as long as they are not contingent upon students entering into any agreements and are available to any individual visiting the table.
4. Organizations or agencies are expected to conduct themselves in a professional manner while on campus. Representatives from organizations/agencies may not physically approach students or staff nor may they detain students or staff from their class or work responsibilities while on campus. Representatives are expected to stay at their table location. If such an incident occurs the organization or agency may be asked to leave campus and/or the opportunity for future participation may be revoked.
5. Any damages that may occur as a result of an organization/agency's display table will be the responsibility of that organization/agency.



### *Student Clubs and Organizations*

1. Student clubs and organizations that wish to solicit the campus community as part of fundraising efforts must have all activities registered with and approved by the Student Life Office.

### *Political candidates, parties and organizations*

1. Any political candidate, party or organization that wishes to campaign on campus or at an LLCC location must have such visits authorized in advance by the Executive Director, Public Relations and Marketing.
2. The Executive Director, Public Relations and Marketing will inform candidates, political parties or organizations that:
  - a. An appearance on campus or at an LLCC location does not constitute an endorsement by the College of the candidate, political party or organization or the advocacy by the College of a position on a public issue.
  - b. No direct solicitation of funds or distribution of campaign fundraising literature is permitted on College premises.
  - c. No campaign material which states or implies that the College supports or opposes a candidate, political party or organization or a public proposition may be distributed on College premises or elsewhere.
3. Once approved, the candidate, political party or organization may reserve a display table on campus through the Student Life Office, or for another LLCC location, through that location. Such a table will be reserved as outlined in these procedures under “Not for Profit” Organizations/Agencies.
4. Candidates or representatives of political parties or organizations wishing to conduct a petition drive may reserve a display table as outlined in these procedures under “Not for Profit” Organizations/Agencies.
5. According to the American Association of University Professors’ 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments, “Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.” Consistent with the AAUP’s statement, such appearances by political candidates should have a direct correlation to the course content.

Lincoln Land	Subject:	<b>Emergency/Disaster Procedures</b>
Community College	Policy Number:	<b>1.16</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	4.2.6

Policy Statement: The College shall develop operational procedures to be followed in the event of emergencies and disasters. These procedures shall be properly communicated to all employees and students of the College. Drills shall be held periodically to demonstrate the integrity of the procedures established.

Lincoln Land	Subject:	<b>Emergency/Disaster Procedures</b>
Community College	Policy Number:	<b>1.16</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	
	Last Revised:	
ADMINISTRATIVE	Effective Date:	11/01/02
PROCEDURE	Old Policy Number:	4.2.6

Procedure: A current copy of the plan may be obtained from the Police and Security Department.

Lincoln Land	Subject:	<b>Academic Freedom</b>
Community College	Policy Number:	<b>1.17</b>
	Officer Responsible:	VP, Academic Services
	Last Reviewed:	
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	3.1.11

Policy Statement: The Board and the faculty recognize their mutual responsibility to protect and encourage the search for knowledge and its dissemination in all branches of learning. Faculty members have both the right and obligation to adequately investigate and to present to their students, based upon their professional judgment, available information related to their subject and the education of their students. Faculty members should at all times endeavor to be accurate, show respect for the opinions of others', and identify their own personal persuasions on controversial issues.

The Board further recognizes the right of the individual faculty member to speak or write as a citizen, to engage in community affairs and political activities, and to express opinions free from institutional censorship or discipline, provided that any such faculty member take appropriate steps so as not to indicate that the faculty member is acting or speaking on behalf of the institution.

Lincoln Land Community College	Subject:	<b>Duplication of Copyrighted Materials</b>
	Policy Number:	<b>1.18</b>
	Officer Responsible:	Legal, multitude of areas
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	3.1.13

Policy Statement: In concurrence with its goals and philosophy, the Board seeks to provide the widest range of educational, administrative, and program materials possible to assist in the delivery of a broad, quality education to the community and to promote the efficient operation of the District. Recognizing that much of the available educational, administrative, and program materials, including electronic software, are covered by the United States Copyright Code, employees shall duplicate materials in accordance with established procedures.

Lincoln Land	Subject:	<b>Intellectual Property Rights</b>
Community College	Policy Number:	<b>1.19</b>
	Officer Responsible:	Legal, multitude of areas
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	3.1.14

Policy Statement: The Board of Trustees supports and encourages its employees to develop scholarly and creative works and educational materials and products – intellectual property which may be subject to copyright or patent and which may generate income. Such development may involve the use of College time and resources. In order to balance, protect, and define the respective rights of LLCC and its employees regarding intellectual property that may be subject to copyright or patent, the following policy is established.

The following types of published and unpublished materials may be subject to copyright:

- All written works, including books, journal articles, texts, glossaries, bibliographies, study guides, resource materials, laboratory and other manuals, syllabi, tests, and proposals;
- lectures, musical or drama compositions, and unpublished scripts;
- films, filmstrips, charts, transparencies, and other visual aids and teaching devices;
- video and audio tapes and cassettes;
- live video or audio broadcasts;
- programmed instructional material;
- computer programs;
- pantomimes and choreographic works;
- pictorial, graphic, and sculptural works;
- sound recordings; and
- other materials subject to the U.S. copyright laws and controls.

An invention or discovery of any new and useful process, machine, manufacture, or composition of matter, or any new or useful improvement thereof, may be patented. To determine the disposition of rights to copyrightable materials and patents developed by College employees, materials or patents will be assessed within the framework of the following four categories as defined in Administrative Procedure:

- Individual effort
- College assisted individual effort
- College initiated and supported efforts
- Sponsor supported efforts

Income from copyrighted materials and patents shall be disbursed in accordance with Administrative Procedure.

Lincoln Land Community College	Subject:	<b>Regional Education and Service Centers</b>
	Policy Number:	<b>1.20</b>
	Officer Responsible:	VP, Academic Services
	Last Reviewed:	
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	3.1.16

Policy Statement: The College shall maintain regional education and service centers, at appropriate locations throughout the District:

- \* to consolidate and expand the College's educational and support services so that they are readily accessible to residents of the major geographic regions of the District, and
- \* to facilitate opportunities for the College to enter into collaborative partnerships with communities, businesses, government agencies, and school districts within each of the major geographic region of the District.

Lincoln Land	Subject:	<b>Learning Resource Center</b>
Community College	Policy Number:	<b>1.21</b>
	Officer Responsible:	VP, Academic Services
	Last Reviewed:	
	Last Revised:	
	Effective Date:	2/24/98
BOARD POLICY	Old Policy Number:	3.2.1

Policy Statement: The College shall develop, implement, and evaluate a program which provides adequate learning resource materials, equipment, faculty and staff to meet the needs of the College community.

The Learning Resource Center shall make its materials available to any resident of the District.

Lincoln Land	Subject:	<b>Learning Resource Center</b>
Community College	Policy Number:	<b>1.21</b>
	Officer Responsible:	VP, Academic Services
	Last Reviewed:	
	Last Revised:	
ADMINISTRATIVE	Effective Date:	2/24/98
PROCEDURE	Old Policy Number:	3.2.1

Procedure: In accordance with College policy, the following procedures will be used:

The general principles expressed in the *Resolution on Censorship* of the National Council of Teachers of English, as amended, and in the American Library Association, *Library Bill of Rights*, shall govern learning resource material selection and circulation.



Lincoln Land Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised: Effective Date:	<b>Sustainability</b> <b>1.22</b> Vice President, Administrative Services 01/26/11 01/26/11
BOARD POLICY	Old Policy Number:	n/a

Policy Statement: Resource sustainability is critically important to Lincoln Land Community College. Efficient energy use, energy-conservation and other sustainable practices as outlined below serve as a means to save money, foster environmental awareness and reduce the environmental consequences of college operations.

Lincoln Land Community College is committed to stewardship of the environment and to reducing the college's impact on the environment. Therefore, it shall be the policy of Lincoln Land Community College to:

- Commit to a culture of sustainability in operations and education.
- Conserve energy through the most cost-effective, energy-efficient approach, utilizing total life-cycle costing principles, and with consideration to be given for flexibility of use, both current and future.
- LLCC will design all new facilities exceeding 10,000 gross square feet (exclusive of storage and plant maintenance buildings), as well as complete building rehabilitations, to meet or exceed the United States Green Building Council's LEED (Leadership in Energy and Environmental Design) Silver design standards whether or not certification is sought providing construction funds are sufficient, building can be accomplished in a timely manner, and there are no other factors which would have measurable impact upon successful construction.
- Purchase products that minimize environmental impact when feasible.
- Properly dispose of products that have a negative environmental impact.
- Purchase recycled copier paper with a minimum 30% post-consumer fiber content.
- Purchase Energy Star qualified appliances and equipment wherever possible.
- Use cleaning products that meet Green Seal standards, or products with low levels of VOCS (volatile organic compounds) whenever possible.
- Recycle post-consumer waste to the extent possible and where practical, taking into account available markets and available methods for disposal of the

recyclables and constantly strive to reduce the amount of solid waste sent to landfills.

- Utilize low water use flush valves and flow restrictors on faucets and showers in new construction and when replacing existing units.
- Incorporate native trees and plant species, as well as rain gardens, into landscaping of college facilities.
- Minimize storm water pollution and control storm water runoff through the use of retention ponds and drainage swales.
- Incorporate Integrated Pest Management techniques to minimize the use of chemical pesticides and herbicides. *(IPM takes advantage of all appropriate pest management options including, but not limited to, the judicious use of pesticides. Effective, less risky pest controls are chosen first, including highly targeted chemicals, such as pheromones to disrupt pest mating, or mechanical control, such as trapping or weeding. If further monitoring, identifications and action thresholds indicate that less risky controls are not working, then additional pest control methods would be employed, such as targeted spraying of pesticides. Broadcast spraying of non-specific pesticides is a last resort.)*

Lincoln Land Community College	Subject: <b>Registered Sex Offender</b> Policy Number: <b>1.23</b> Officer Responsible: VP, Administrative Services Last Reviewed: Last Revised: Effective Date: 9/28/11
BOARD POLICY	Old Policy Number: New Policy

Policy Statement: Lincoln Land Community College is committed to providing a safe and secure learning and working environment for the campus community in accordance with the Campus Sex Crimes Prevention Act of 2002. Therefore, it is the policy of Lincoln Land Community College to track convicted sex offenders enrolled in or employed at Lincoln Land Community College and, when necessary, to place certain restrictions on these individuals in terms of their use and/or utilization of College facilities and resources.

Lincoln Land Community College	Subject: <b>Registered Sex Offender</b> Policy Number: <b>1.23</b> Officer Responsible: VP, Administrative Services Last Reviewed: Last Revised: Effective Date: 9/28/11
ADMINISTRATIVE PROCEDURE	Old Policy Number: New Procedure

Procedure: In accordance with College policy, the following procedures will be used.

The Campus Sex Crimes Prevention Act, which became effective on October 28, 2002, is a federal law that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. This Act requires colleges to issue a statement advising the campus community where information concerning registered sex offenders may be obtained and makes the college responsible for providing the name, address, birth date, place of employment, school attended, and offense to any individual on campus requesting information concerning sex offenders attending or employed by the college.

The Illinois State Police maintains a list of all sex offenders required to register in the State of Illinois. This database is updated daily and can be found at [www.isp.state.il.us/sor/](http://www.isp.state.il.us/sor/). The Lincoln Land Community College Police Department also maintains a registered sex offender list that contains the names and information for all known sex offenders enrolled at, or employed by, the College. This registered sex offender list is available for the campus community to view at the LLCCPD website, found at <http://police.llcc.edu/>.

Additionally, federal and state laws require sex offenders to take certain steps upon enrollment in an institution of higher education, regardless of whether their enrollment is

full or part time. Pursuant to the Campus Sex Crimes Prevention Act, individuals are required register as a sex offender in the jurisdiction where their residence is located and in the jurisdiction where the college they attend is located. In order to comply with federal and state registration requirements related to college enrollment, a sex offender must register within three business days of attendance at a college by reporting in person to the city police department or county sheriff's office in the jurisdiction where the college is located. Students who fail to register their status as sex offender are in violation of the registration act and face arrest and expulsion from the college.

Once a registered sex offender is identified as an enrollee of the college, the following procedure will be followed:

1. Upon enrollment of a registered sex offender, the Vice President of Student Services (hereafter referred to as the Vice President) or her designee will meet with the College's Chief of Police (hereafter referred to as the Chief) to review the student's class schedule and determine which restrictions should be put in place.
2. After determining the appropriate restrictions for a particular student, the Chief or his designee will contact the registered sex offender student for a meeting to discuss the restrictions which will be in place while the student is on the College's campus.
3. During the meeting between the Chief and the registered sex offender student, the Chief will provide the student a written letter containing the restrictions the student must abide by while on the College's campus and will discuss each restriction verbally with the student. During this meeting, the student will also be advised that his/her failure to comply with the restrictions outlined in the letter may result in denial of enrollment and access to campus.
4. If a sex offender student is enrolled in a College class along with a student who is under the age of 18, the Vice President will notify the instructor of the class of the student's status as a sex offender. The Vice President will also determine if there are other College staff members who need to be notified of a student's status as a registered sex offender in order to protect persons under the age of 18 on the College's campus. In some circumstances, the registered sex offender may be required to enroll in a course section that does not contain minors.
5. The Chief will notify the Director of the Child Development Center (CDC) and the Director/Coordinator of any other College program solely serving students under the age of 18 of all registered sex offenders enrolled in or employed by Lincoln Land Community College.
6. The College's Police Department will maintain a database of all registered sex offender students and employees. The database will contain identifier information as outlined in the Campus Sex Crimes Prevention Act. This information will be available for review by any person requesting information on registered sex offenders enrolled and employed by the College.

Lincoln Land Community College	Subject:	<b>Prohibition of Concealed Carry on Campus</b>
	Policy Number:	<b>1.24</b>
	Officer Responsible:	Vice President, Administrative Services
	Last Reviewed:	
	Last Revised:	
	Effective Date:	12/18/13
BOARD POLICY	Old Policy Number:	New Policy

Policy Statement: Pursuant to Illinois Public Act 098-0063-The Firearms Concealed Carry Act, the carrying of concealed firearms shall not be allowed on any Lincoln Land Community College property or grounds, in any college buildings or facilities, at any college sponsored event, or within any college vehicle, whether owned or leased, regardless of whether a person is in possession of a concealed carry permit, except as specifically authorized by this policy.

Individuals holding a valid concealed carry permit issued by the State of Illinois, and who are on College property for a legitimate purpose, may store their firearm in a secured container within their vehicle [parked in a College parking lot] while they are on campus.

Law enforcement officers, on-duty [armed] private security personnel, other government personnel authorized to carry a weapon, and retired law enforcement personnel with valid Retired Officer Carry Cards (Under the Federal Retired Officer Carry Act) are exempt from this policy.

The Lincoln Land Community College Police Department (LLCCPD) should be notified of any individual suspected or found to have a firearm on their person. LLCCPD officers will determine whether the individual has lawfully recognized authority to carry a concealed firearm on College property. Lincoln Land Community College will pursue appropriate disciplinary and/or criminal action against anyone found in violation of this policy.

Nothing in this policy restricts the carrying or use of firearms for the purpose of the instruction or curriculum of an officially recognized program, including, but not limited to, military science or law enforcement training programs.

Lincoln Land Community College	Subject:	<b>Sexual Violence, Dating Violence, Domestic Violence, and Stalking</b>
	Policy Number:	<b>1.25</b>
	Officer Responsible:	VP, Administrative Services/VP, Student Services
	Last Reviewed:	
	Last Revised:	
	Approval Date:	8/24/16
	Effective Date:	8/24/16
	BOARD POLICY	Old Policy Number:

Policy Statement: Lincoln Land Community College (the “College”) shall maintain a learning environment that is free from sexual violence, dating violence, domestic violence, and stalking (hereinafter collectively referred to as “sexual violence”). Sexual violence jeopardizes the physical and emotional welfare of the College’s students, diminishes individual dignity, and interferes with educational, social, and employment opportunities. Sexual violence is, therefore, expressly prohibited. The accompanying procedure for this policy sets forth the manner in which the College shall proceed once it is made aware of student sexual violence in accordance with the College’s institutional values and its legal obligations under Title IX, the Illinois Preventing Sexual Violence in Higher Education Act, and other relevant laws. Standards of appropriate sexual conduct shall apply equally to all students regardless of their sex, gender, sexual orientation, or gender identity.

Policy Purpose: In furtherance of the College’s commitment to foster an educational environment in which all members of the College community are safe and secure, the College expects that all interpersonal relationships and interactions shall be grounded upon mutual respect, open communication, and clear consent. Upon learning of conduct that may not meet these standards, College students and staff are expected to take an active role in enforcing this policy.

Jurisdictional Statement: The College has jurisdiction to investigate any alleged violations of this policy that occur in the context of College programs or activities or that otherwise affect the College’s working or learning environments, regardless of whether that conduct occurs on or off campus. In circumstances where alleged sexual violence occurs outside of the context of College programs or activities or off campus, and where one or more of the parties are not members of the College community, the College’s ability to investigate and/or impose appropriate disciplinary sanctions may be limited. In such circumstances the College reserves the right to take such steps as it shall deem appropriate to investigate allegations of misconduct and provide appropriate resources to any student who is an alleged victim of sexual violence. Such resources shall include referral to appropriate medical facilities, community-based crisis centers, and law enforcement authorities.

## Policy Definitions:

### I. Consent

The College encourages students to communicate openly, honestly, and clearly in respect to their actions, wishes, and intentions regarding sexual behavior and to do so before engaging in intimate conduct. It is a requirement of the individual initiating sexual contact to ensure that consent is present before acting and is present during sexual activity. For the purposes of this policy consent is a freely given agreement to sexual activity and may be withdrawn at any time. The following do not constitute consent:

- A. A person's lack of verbal or physical resistance or submission resulting from the use or threat of force.
- B. A person's manner of dress.
- C. A person's consent to past sexual activity does not constitute consent to future sexual activity.
- D. A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

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:

- A. A person is incapacitated due to the use of alcohol or drugs.
- B. The person is asleep or unconscious.
- C. The person is a minor or is incapacitated due to a mental disability.

If a person demonstrates signs of incapacitation, then that person shall be deemed to lack the capacity to give consent regardless of what is said or done by that person. Indicators of lack of capacity to give consent due to consumption of drugs or alcohol may include:

- A. Lack of control over physical movements (e.g., inability to walk or stand without stumbling or assistance).
- B. Lack of awareness of circumstances or surroundings.
- C. Inability to effectively communicate (e.g., slurred speech, demonstration of difficulty in choosing words).

- D. In a circumstance where a person may appear to be giving consent but does not have the capacity to do so, apparent consent is not effective. In such circumstances it should be assumed that the person does not have the capacity to knowingly give consent to sexual activity. A state of intoxication or impairment by drugs or alcohol does not excuse any individual from responsibility to obtain consent.

## II. Prohibited Conduct

The College prohibits the actions set forth below. An attempt to commit any such act or to assist or willfully encourage any such act is deemed to be a violation of this policy.

- A. Any sexual act initiated by one person without consent of the other.

B. Sexual Exploitation

Sexual exploitation is taking sexual advantage of another person for the benefit of one's self or a third party when consent is not present. This includes, but is not limited to, the following actions (including actions undertaken via electronic means or methods):

1. Recording any person engaged in sexual or intimate activity without that person's consent.
2. Distributing sexual information, images, or recordings about another person without that person's consent.
3. Recruiting, harboring, or transporting another person for the purpose of sexual exploitation.
4. Inducing incapacitation in another person with the intent to engage in sexual misconduct.

C. Dating/Domestic Violence

Dating/domestic violence is intimidation, harassment, physical abuse, sexual abuse, or interference with personal liberty of any person by someone who is in a relationship with that person. In addition to offensive physical or sexual contact, dating/domestic violence may include psychological or emotional abuse.

For the purposes of this policy, dating violence may occur between persons who have or have had a dating relationship or persons who have or have had a social relationship of a romantic or intimate nature.



Domestic violence may occur between persons who are current or former spouses or domestic partners, intimate partners or dating partners who share or formerly shared a common dwelling, or persons who have a child in common.

D. Stalking

Stalking is a course of conduct that generally involves following a person on two or more occasions in circumstances that would cause such person to reasonably fear for his or her safety and may include.

1. Entering or remaining on or near a person's property, vehicle, or place of employment.
2. Being or remaining in close proximity to a person.
3. Monitoring or conducting surveillance of a person.
4. Giving unwelcome gifts or objects to a person.
5. Engaging in other repetitive contact that is reasonably deemed to be unwelcome.

All forms of sexual violence/misconduct identified in this policy are also prohibited under the College's sexual harassment policy (Number 1.7). For purposes of this policy, the determination of whether any offensive conduct is of a sexual or violent nature shall be reasonably determined by the College's Equal Employment Opportunity Compliance Officer/Title IX Coordinator, taking into account the context in which the offensive conduct occurred and the relationship between any person accused of violating this policy and the victim of the alleged misconduct.

Lincoln Land Community College	Subject:	<b>Sexual Violence, Dating Violence, Domestic Violence, and Stalking</b>
	Policy Number:	<b>1.25</b>
	Officer Responsible:	VP, Administrative Services/VP, Student Services
	Last Reviewed:	
	Last Revised:	
ADMINISTRATIVE PROCEDURE	Approval Date:	8/24/16
	Effective Date:	8/24/16

Procedure: The College has adopted the following procedure to promptly and fairly address concerns and complaints about sexual violence of any character. Complaints of sexual violence must be formally submitted in accordance with the following procedure:

I. Scope

This policy applies in circumstances where a student asserts an act of sexual violence, regardless of where the alleged incident of sexual violence occurred.

II. Rights and Responsibilities

It is the responsibility of each individual student, employee, volunteer, or other College representative to refrain from any conduct that may reasonably be construed as an act of sexual violence under the policy. Any student or employee who violates this policy shall be subject to disciplinary action up to and including expulsion or discharge from employment, as the case may be, and referral to appropriate law enforcement authorities, if applicable to the complaint. Disciplinary action shall depend on the severity of the misconduct and/or the repetitive nature of any misconduct.

III. Education and Training

The College shall take measures to periodically educate the College community regarding conduct that could constitute a violation of this policy. All students and employees are expected to be knowledgeable concerning the College's policy, including to whom and how to report acts of misconduct.

IV. General Provisions

In addition to the procedures set forth herein, complaints may be filed with the Illinois Department of Human Rights, the U.S. Equal Employment Opportunity Commission or the U.S. Department of Education, Office for Civil Rights, or a law enforcement agency. Any complaint filed under this policy shall be processed by the College even if the complainant files an anonymous complaint or also files a complaint with an outside agency. The College shall not tolerate

retaliation against any person who makes a complaint or participates in the complaint process.

The College shall:

- A. Respond to every complaint under the policy;
- B. Implement such administrative or disciplinary measures as it shall deem appropriate to ensure the safety and security of students and staff during the course of an investigation;
- C. Take appropriate action when a complaint is founded;
- D. Impose appropriate sanctions in respect to offenders over whom the College has jurisdiction; and
- E. Protect the privacy of all involved in the complaint and investigative process to the extent possible.

V. Reporting Suspected Violation of Policy

All members of the College community are required to promptly report conduct that could be in violation of this policy.

Students who believe that they have been the victim of sexual violence are to report immediately to one of the following reporting officials:

- A. Equal Opportunity Compliance Officer/Co-Title IX Coordinator;
- B. Vice President, Student Services/Co-Title IX Coordinator.
- C. A confidential advisor who shall meet with the student and maintain information from the student on a confidential basis, except in circumstances where:
  - 1. The student authorizes dissemination of confidential information to appropriate third parties; or
  - 2. The confidential advisor reasonably believes that non-disclosure of information jeopardizes the safety or security of the student or others.

The names and telephone numbers of the above-referenced officials shall be posted on the College's website and at all College campuses.

If a victim does not wish for his/her name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the victim may make such a request to one of the Title IX Coordinators, who will evaluate the request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor such request. In cases where the victim requests confidentiality and the circumstances allow the College to honor that request, the College will offer interim supports and remedies to the victim, but will not otherwise pursue formal action. A complainant has the right, and can expect, to have reports taken seriously by the College when formally reported, and to have those incidents investigated and properly resolved through these procedures.

VI. Filing a Complaint

Complaints may be provided by the student to any of the reporting officials identified in Section V. The complaint must be filed as soon as possible after the alleged incident occurred and shall include the following information:

- A. A detailed account of the conduct giving rise to the complaint;
- B. The dates and location of any alleged violation of this policy;
- C. The names of any witnesses to the alleged violation of this policy;
- D. Action requested to resolve the complaint and deter future violations of the policy.

Complaints may be submitted in-person, electronically or anonymously, and any witnesses or bystanders to an incident of sexual violence may submit reports to such officials. All complaints and reports shall be promptly referred to the Co-Title IX Coordinators for investigation.

Upon receipt of a complaint from a student the student shall be provided with:

- A. A copy of this policy/procedure;
- B. The name, address, and telephone number of the nearest medical facility where a forensic examination may be completed at no cost to the student (if applicable to the allegations in the complaint);
- C. The name, address, telephone number, and website of a community-based, state or national sexual assault crisis center (if applicable to the allegations in the complaint);

- D. A statement notifying the student of interim protective measures and accommodations, including campus no-contact orders or the College's response to any protective order entered by a court (if applicable to the allegations in the complaint);
- E. The range of disciplinary sanctions that may be imposed upon determination of a policy violation; and
- F. Instructions providing information regarding the preservation of evidence of sexual violence (if applicable to the allegations in the complaint).

VII. Investigative Process

In circumstances where the respondent is a student or an employee of the College, the respondent shall be provided with a copy of the complaint (with personally identifiable information redacted if requested by the complainant and deemed appropriate by the Title IX Coordinator) by an investigator within five business days of the investigator's receipt of the complaint. The investigator shall notify the supervisor of the respondent (if the respondent is an employee) or the Vice President, Student Services (if the respondent is a student) and other appropriate College administrative officials regarding the complaint in order that appropriate temporary and/or remedial actions may be taken during the investigative process (e.g., temporary reassignment, investigatory leave of absence, etc.). The investigator shall interview the complainant, the respondent, witnesses, and any other person who may have information about the alleged misconduct and may review personnel and other records relevant to the complaint. In circumstances where the complaint has been anonymously submitted, the investigator shall conduct such investigation as is reasonable in scope based on the facts set forth in the complaint and may include referral to the College Police Department or other law enforcement agencies.

VIII. Reporting of Investigative Findings

Within 30 business days of receiving the complaint the investigator shall determine whether a violation of the policy has occurred and shall submit findings in writing to the complainant (if known to the investigator), the respondent (if the respondent is a student or an employee), and appropriate College administrative officials. The standard of proof for determining whether a violation has occurred shall be that a preponderance of the evidence supports such finding.

IX. Disciplinary Action

In accordance with College disciplinary policies and procedures, the Vice President, Student Services (if the respondent is a student) and the supervisor (if the respondent is an employee) shall consult with the appropriate College

administrative officials regarding formal disciplinary actions to be taken against the respondent.

In making a decision regarding discipline the appropriate College administrative officials shall consider the severity/magnitude of the policy violation and any prior record of misconduct. A complaint submitted more than 12 months after an alleged incident may not be the basis for formal disciplinary action. However, where there are allegations made within the 12-month period and a pattern or practice exists or prior complaints have been confirmed, the appropriate College administrative officials shall consider the totality of information in determining appropriate discipline.

Appropriate discipline for employees may range from oral warning or reprimand up to and including dismissal for cause. Appropriate discipline for students may range from oral reprimand up to and including suspension or expulsion.

The investigator shall be notified in writing of the disciplinary decision and shall notify the complainant regarding the resolution of the complaint.

X. Confidentiality

Reasonable effort shall be made to protect the privacy of all involved in complaints to the extent possible. Disclosure of information regarding a complaint and subsequent investigation shall be limited to those people who have a legitimate reason to know such information, and all employees involved in the investigative process shall be expected to honor confidentiality standards.

XI. Retaliation

The College prohibits retaliation against individuals because they have opposed conduct that they reasonably and in good faith believe to be of a sexually violent character or have in good faith submitted a complaint or participated in the investigatory process. A person determined to have engaged in retaliatory conduct shall be subject to disciplinary sanction as otherwise provided by Board policy.

XII. False Accusation

Any person who knowingly makes false accusations or fabricates facts in respect to a complaint shall be subject to disciplinary sanction as otherwise provided by Board policy.

XIII. Amnesty

A student who in good faith participates in the complaint/investigative process hereunder shall not receive a disciplinary sanction for misconduct that is revealed

in the course of such complaint/investigative process (e.g., underage drinking) except in circumstances where the College reasonably determines that the student's misconduct was sufficiently egregious to risk the health and/or safety of others.

XIV. Appeal of Complaint Resolution/Disciplinary Sanction

A. Filing an Appeal

Either the complaining student or any student or employee who has been found to have violated the policy may appeal the decision concerning resolution of the complaint. An appeal must be made in writing and delivered to the President's Office within five business days of receipt of the notice of resolution/disciplinary decision.

The written appeal must state in detail the reason(s) for the appeal and shall address one or more of the following:

1. If the appeal alleges the findings of the investigator included relevant factual errors or omitted relevant facts, the appeal shall specify each and every alleged factual error and/or details of each and every relevant fact that was omitted from the investigation;
2. If the appeal alleges substantive procedural errors, the person appealing shall identify each and every instance of substantive procedural error;
3. If the appeal alleges relevant and substantive issues or questions concerning interpretation of College policy, the person appealing shall state, in detail, the issues/questions supporting this allegation;
4. If the appeal alleges new information or evidence, the person appealing shall specify the reasons why the information or evidence was not available or provided to the investigator during the investigation;
5. If the appeal alleges either that the action or inaction of the supervisor and/or other appropriate College administrative officials in response to the findings of the investigator shall not deter future policy violations, the person appealing shall specify the basis for this allegation.

The President shall promptly review the appeal and conduct such further investigation, if any, as the President shall deem necessary and appropriate to render a final decision. Upon completion of such review, the President may

affirm or amend the complaint resolution or disciplinary decision and shall notify the parties and appropriate College officials.

The College, in its discretion, may at any point in the complaint or appeal process take such administrative or disciplinary measures as it shall deem appropriate to assure the safety and security of students and staff.

XV. *Written Record of Complaints, Investigations, and Resolutions/Decisions*

Written records of complaints shall be marked “CONFIDENTIAL” and shall be retained in a separate and secure file in the Equal Opportunity Compliance Office. Records shall be retained as required by law.

Written records relating to a finding in support of a policy violation shall be placed in respondent’s official personnel file (if an employee) or official College file (if a student).



Lincoln Land	Subject:	<b>Service Animals</b>
Community College	Policy Number:	<b>1.26</b>
	Officer Responsible:	VP, Student Services
	Last Reviewed:	
	Last Revised:	
	Effective Date:	1/25/17
BOARD POLICY	Old Policy Number:	New Policy

Policy Statement:

Lincoln Land Community College allows service animals assisting individuals with disabilities in all facilities where students, program participants and members of the public are allowed in accordance with the provisions of the Americans With Disabilities Act, the Illinois White Cane Law (775 ILCS 30/1) and related laws, rules and regulations.

Lincoln Land	Subject:	<b>Service Animals</b>
Community College	Policy Number:	<b>1.26</b>
	Officer Responsible:	VP, Student Services
	Last Reviewed:	
	Last Revised:	
ADMINISTRATIVE	Effective Date:	1/25/17
PROCEDURE	Old Policy Number:	New Policy

Procedure: In accordance with College policy, the following procedures will be used.

“A Service Animal” is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. Other species of animals are not service animals for purposes of this definition. The task(s) performed by the service animal must be directly related to the person’s disability.

Lincoln Land Community College may not insist on documentation or proof of state certification before allowing the service animal to accompany the person with a disability. In situations where it is not obvious that the dog is a service animal, staff may ask only two specific questions:

- a. Is the dog a service animal required because of a disability?
- b. What work or task has the dog been trained to perform?

This procedure may not apply to off-campus sites, such as clinical agencies or other locations not under LLCC regulations. Students needing service animal assistance at such a site would need to work closely with the Accessibility Services Coordinator.

Handler’s (Person with Disability) Rights and Responsibilities

1. A Handler has the right for a service animal to accompany him or her to any place within the college buildings or facilities that are open to the public or to

students. Lincoln Land Community College reserves the right to ask about the disability-related work or task the animal is trained to provide.

2. A Handler who uses a service animal on campus on a regular basis should contact Accessibility Services (217-786-2599) to provide proof of animal registration and vaccinations. Lincoln Land Community College reserves the right to ask for proof of vaccinations.
3. The Handler must be in control of the service animal at all times. The supervision of the service animal is the sole responsibility of the handler and the service animal must be on a leash, harness, or tether at all times, unless this interferes with task to be performed.
4. The Handler is responsible for all functions of service animal use and may not cause any financial obligations to Lincoln Land Community College

#### Removal of Service Animals

- a. Lincoln Land Community College reserves the right to ask that the service animal be removed if it becomes disruptive or displays threatening behavior toward others.
- b. Lincoln Land Community College reserves the right to ask that the service animal be removed if the animal is unclean, has a flea infestation, or exhibits signs of illness
- c. Lincoln Land Community College may prohibit the use of service animals in certain locations if it poses a direct threat to the health or safety of others or where the service animal may be in danger.

#### Do Work or Perform Tasks

A service dog must be trained to take a specific action when needed to assist the handler. Examples of work or tasks performed by service animals include, but are not limited to, assisting individuals who are blind or low vision, alerting individuals who are deaf or hearing impaired, assisting with navigation and retrieval for persons with physical impairments, assisting an individual during a seizure, assisting persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Work or tasks that provide comfort, emotional support, or companionship do not qualify as service animals.

#### Psychiatric Service Animal

The Americans with Disabilities Act makes a distinction between psychiatric service animals and emotional support animals. For example, if the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid or lessen the impact, that would qualify as a Psychiatric Service Animal.

#### Professionally Trained

ADA does not require a dog be trained by a professional or complete a specific training program.

### Service Animals in Training

Service animals in training do not qualify as a Service animal under ADA; the dog must already be trained before being taken into public places.

### Service Animal Identification

ADA does not require service animals to wear a vest, ID tag, or specific harness.

### Certification

ADA does not require documentation or proof that the animal has been certified, trained, or licensed as a service animal.

### Concerns Regarding Service Animals

A member of the college who has a concern about a service animal should direct his/her concern to the Accessibility Services Coordinator.

### Appeal/Complaint Resolution

Any person who wishes to appeal a decision regarding the Service Animal procedure or who has a complaint should first contact the Accessibility Services Coordinator. If the appeal or complaint remains unresolved, the person should contact the Executive Director for the Center for Academic Success. The last level of appeal/complaint is to the Vice President – Student Services. Any decision made at this level of appeal/complaint is final.

Lincoln Land	Subject: <b>Protection of Human Subjects in Research</b>
Community College	Policy Number: <b>1.27</b>
	Officer Responsible: VP, Academic Services
	Last Reviewed: 12/16/19
	Last Revised: 12/16/19
	Effective Date: 01/01/2020
BOARD POLICY	Old Policy Number:

Policy Statement: The College will ensure that research conducted at, for, or through Lincoln Land Community College properly protects the rights of research participants and safeguards the College.

Lincoln Land	Subject: <b>Protection of Human Subjects in Research</b>
Community College	Policy Number: <b>1.27</b>
	Officer Responsible: VP, Academic Services
	Last Reviewed: 12/16/19
	Last Revised: 12/16/19
ADMINISTRATIVE	Effective Date: 1/1/2020
PROCEDURE	Old Policy Number:

Procedure: In accordance with College policy, the following procedures will be used:

The College will establish and maintain an Institutional Review Board (IRB) to oversee appropriate procedures for the review of research involving human subjects. These procedures will be consistent with regulations established by the Department of Health and Human Services (DHHS) through the Protection of Human Research Subjects (45 CFR 46).