

## *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</i> et.	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 Community College	Subject: Policy Number: Officer Responsible: Last Reviewed: Last Revised Effective Date:	<b>Statement of Compliance</b> <b>1.5</b> President 4/22/09 4/22/09 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:	4/22/09
	Last Revised:	4/22/09
	Effective Date:	2/28/07
BOARD POLICY	Old Policy Number:	1.8

Policy Statement: Lincoln Land Community College shall not discriminate against any student, employee, prospective employee, or any other person on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, political affiliation, sexual orientation, or any other status protected by the provisions of the Illinois Human Rights Act or other applicable law. As such, it will not tolerate derogatory references by any student or employee with respect to differences regarding any such protected status. 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 College shall designate a compliance officer to assure compliance with these provisions.

In accordance with Illinois law, Lincoln Land Community College shall reasonably accommodate the religious observance of individual students in regard to admissions, class attendance, and the scheduling of examinations and work requirements. Any student who believes that there has been unreasonable denial of an educational benefit due to such student's religious belief or practices may seek redress through the Student Grievance and Appeals Process as provided in Board Policy 5.40.

*Legal citation:*

775 ILCS 5/1-101, et seq.

110 ILCS 110/0.01

Lincoln Land	Subject:	<b>Sexual Harassment</b>
Community College	Policy Number:	<b>1.7</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	4/22/09
	Last Revised:	
	Effective Date:	2/26/03
BOARD POLICY	Old Policy Number:	1.9

Policy Statement: Lincoln Land Community College (the “College”) is committed to providing a working and learning environment that is free from sexual harassment, and it is the policy of this College that sexual harassment of employees, students, and other individuals at any College facility or in connection with any College activity in any form will not be tolerated. Management and supervisory personnel, at all levels, are responsible for taking reasonable and necessary action to prevent sexual harassment. Sexual harassment is prohibited by Titles VI and VII of the Civil Rights Act of 1964 as amended in 1991, Title IX of the Educational Amendment of 1972, and the Illinois Human Rights Act. Retaliation for making a good faith complaint of sexual harassment or for participating in an investigation is also prohibited by law.

Lincoln Land	Subject:	<b>Sexual Harassment</b>
Community College	Policy Number:	<b>1.7</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:	1.9

Procedure: Lincoln Land Community College (the “College”) has adopted the following procedures to promptly and fairly address concerns and complaints about sexual harassment. Complaints may be submitted informally or formally. If a complaint 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 the sexual harassment complaint procedures. In addition, the Board of Trustees may suspend the following procedures when appropriate. In accordance with College policy, the following procedures will be used:

- L. Scope  
This harassment policy applies to all members of the College community, including students, employees, visitors, volunteers, 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 harassment policy also applies to third parties, such as subcontractors, sales representatives, repairpersons, or vendors of the College.

*II. Rights and Responsibilities*

It is the responsibility of each individual student, employee, volunteer, or other College representative to refrain from any type of harassment, and it is the right of each individual student and employee to learn and work in an environment free from harassment. Any such person who discriminates against or harasses a member of the College community will be held liable for his or her individual conduct and will be subject to disciplinary action up to and including expulsion or discharge. The disciplinary action taken will depend upon the pervasiveness and/or severity of the harassing conduct and other relevant factors.

*III. Sexual Harassment*

Sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or educational experience.
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct is sufficiently severe and pervasive so as to alter the conditions of or has the purpose or effect of substantially interfering with an individual's academic or professional performance by creating an intimidating, hostile, or offensive working or educational environment.
- D. Verbal or physical conduct relating to an individual's gender when the harassing conduct is sufficiently severe, persistent, or pervasive so as to alter the conditions of or has the purpose or effect of substantially interfering with an individual's academic or professional performance by creating an intimidating, hostile, or offensive working or educational environment or otherwise interferes with an individual's employment or educational opportunities.

Sexual harassment may either consist of harassment of a sexual nature which is perceived by the complainant as unwelcome or harassment based on a person's gender. It consists of conduct that is verbal and/or physical. The College's prohibition against sexual harassment applies whether the harassment is between people of the same or different gender.

Examples of sexual harassment include, but are not limited to, the following:

- A. Educational, extra-curricular, or employment opportunities and benefits are awarded to an individual who submits (voluntarily or under coercion) to sexual advances or sexual favors or are denied to an individual who does not submit.
- B. An individual's sexuality is emphasized in a manner that impairs or prevents that person's full enjoyment or advantage of educational, extra-curricular, or employment opportunities.
- C. An individual is pressured for sexual activity and that pressure is unwelcome.
- D. An individual is subjected to harassing behavior, whether physical, verbal, or by written words or symbols, and the harassing behavior is directed at the individual because of gender.
- E. Sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion, perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to age or use of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give consent).
- F. Unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature.

Sexual harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the College's educational mission.

#### IV. Education and Training

The College will take measures to periodically educate and train employees regarding conduct that could constitute a violation of this policy. All personnel are expected to participate in such education and training and to be knowledgeable concerning the College's policy, including to whom and how to report such conduct. In addition, students are expected to be knowledgeable concerning the College's policy.

#### V. General Provisions

All members of the College community, including volunteers and other college representatives, are required to comply with this policy and the procedures outlined to address complaints. In addition to the procedures outlined herein, harassment 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 of sexual harassment filed under the College's policy shall be processed even if the complainant also files a complaint with an outside agency. The College will not tolerate retaliation against anyone that makes a complaint or participates in the complaint process.

The College will:

- A. Respond to every complaint of sexual harassment reported;
- B. Implement temporary resolutions, as applicable, through the course of an investigation;
- C. Take action to provide remedies when sexual harassment is discovered;
- D. Impose appropriate sanctions on offenders in a case-by-case manner; and
- E. Protect the privacy of all those involved in sexual harassment complaints to the extent it is possible.

The above actions will apply to the extent permitted by law and where immediate personal safety is not an issue.

#### *VI. Reporting Suspected Sexual Harassment*

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

Individuals who believe they may have experienced sexual harassment or who believe that they have observed sexual harassment taking place, are to report this information immediately to one of the following reporting officials:

- 1. Equal Opportunity Compliance Officer/Co-Title IX Coordinator
- 2. Associate Vice President, Human Resources
- 3. Vice President, Student Services/Co-Title IX Coordinator

Reports and complaints, whether informal or formal, received by the Associate Vice President, Human Resources or the Vice President, Student Services or LLCC Police Department must, in turn, be immediately reported to the Equal Opportunity Compliance Officer/Title IX Coordinator, unless such reporting would result in a conflict of interest. The names and telephone numbers of the individuals holding the positions of the Equal Opportunity Compliance Officer/Co-Title IX Coordinator, the Associate Vice President-Human Resources and the Vice President-Student Services/Co-Title IX Coordinator shall at all times

be posted in the locations set forth at the end of this procedure in Section XVI, as well as on the College's website.

*VII. Investigation of Complaints*

Unless otherwise provided herein, investigation of sexual harassment complaints shall be the responsibility of the Equal Opportunity Compliance Officer/Title IX Coordinator ("investigator"). The President has the authority to appoint an alternate investigator as circumstances require and in the President's sole discretion. The procedures outlined herein shall still control in the event an alternate investigator is appointed under any provision of this policy.

Complaints shall be addressed as confidentially as possible, considering the specific circumstances of the allegations, to protect the rights of both the complainant and the person accused. The investigator may gather information from any sources deemed necessary in an effort to fully investigate and resolve the complaint.

*Investigator Conflict of Interest:* The complainant, alleged offender, and/or the investigator may allege that the investigator has a substantial conflict of interest. In that event, details supporting the alleged conflict of interest must be submitted in writing to the President within five (5) business days of the date the person alleging the conflict has notice of the investigator's identity. The President will determine whether a conflict of interest may exist, and, if so, the President shall appoint an alternate investigator in an expeditious manner. The President's decision is final. In the event a request for an alternate investigator is made and/or an alternate investigator must be appointed, the specific timelines provided herein shall be suspended pending that appointment.

*VIII. Informal Complaint Process*

Individuals who feel they have been sexually harassed may desire to resolve their complaints informally (i.e., without formal disciplinary action being taken against the accused individual and without the formal investigatory process). Informal complaints are not required to be made in writing. An *example* of an informal complaint resolution is one where the complainant requests only that an appropriate college official counsel the accused individual to cease and desist the alleged conduct, and requests no other specific action(s) be taken against the accused. The informal complaint process may not be used in the event of a complaint of sexual violence.

Persons making informal complaints of sexual harassment agree and understand that no formal disciplinary action may be taken against the respondent based on an informal complaint. If the complainant chooses, they may at any time prior to the resolution of the informal complaint amend the informal complaint to a formal complaint.

If the alleged offender elects not to participate in resolving an informal complaint, the nonparticipation will not be considered as damaging evidence and will not change or waive the College's responsibility to investigate and to make decisions based on available information.

The investigator may, if circumstances warrant, request that the alleged offender's immediate supervisor counsel them regarding the alleged conduct, and/or may recommend counseling, training, education, and/or other non-disciplinary actions be implemented or undertaken. Attempts to resolve an informal complaint will be completed within thirty (30) business days from the date of receipt of the complaint by the investigator. The complainant and the respondent will be informed in writing of the outcome of the informal process.

The College will attempt to balance the wishes of a complainant who does not want to file a formal complaint with the College's responsibility to respond to serious allegations and take prompt, appropriate corrective action. A complainant who chooses not to proceed with a formal complaint shall be asked to state that preference in writing.

## *IX. Formal Complaint Process*

### *A. Filing a Complaint*

Formal complaints must be delivered by the complainant to one of the three reporting officials listed. The formal complaint must be filed as soon as possible after the alleged incident occurred or after attempts to resolve the situation informally have been unsuccessful.

The formal complaint must be in writing, signed by the complainant, and shall include the following information:

1. Details concerning the incidents or conduct giving rise to the complaint;
2. Dates and locations of incidents;
3. Names of any witnesses to the alleged incidents or conduct;

4. Action requested to resolve the complaint and prevent future violations of the policy.

#### B. Notifying the Alleged Offender/Supervisor

The alleged offender will be provided with a copy of the complaint by the investigator within five (5) business days of the investigator's receipt of said complaint. The investigator will notify the supervisor of the alleged offender (if the accused is an employee) or the Vice President, Student Services (if the accused 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 investigation (i.e., temporary reassignment, investigatory leave of absence, etc.).

#### C. Investigative Process

The alleged offender, or designee, will be required to submit a written response to the complaint within five (5) business days of receipt of complaint, a copy of which will be provided to the complainant by the investigator.

The investigator will interview the complainant and the alleged offender, may also interview witnesses, supervisors, and/or any other persons who may have information about the alleged incident, and may review personnel and other records relevant to the complaint. The complainant and the alleged offender shall be permitted to suggest witnesses and/or other evidence, which shall be considered by the investigator.

#### D. Reporting of Investigative Findings

Within thirty (30) business days of receiving the formal written complaint, the investigator will assess whether a violation of the policy has occurred and will submit findings in writing to the complainant, the person accused, and appropriate College administrative officials.

If the investigator finds by a preponderance of the evidence that the alleged sexual harassment has occurred, the investigator shall specifically notify the respondent, the immediate supervisor (if the accused is an employee), the Vice President, Student Services (if the accused is a student), the Vice President, Academic Services or the Vice President, Workforce Development

and Community Education (if the accused is a faculty member or student), the Associate Vice President, Human Resources (if the accused is a staff member), and the President.

When the investigator finds that the alleged sexual harassment has occurred, the supervisor of the alleged offender (if the accused is an employee) or the Vice President, Student Services (if the accused is a student) and other appropriate College administrative officials shall be responsible for acting on the findings of the investigator.

X. Disciplinary Action

In accordance with College disciplinary policies and procedures, the supervisor (if the accused is an employee) or the Vice President, Student Services (if the accused is a student) shall consult with the appropriate College administrative officials regarding formal disciplinary actions to be taken against the accused.

In making a decision regarding discipline, the appropriate College administrative officials shall consider properly established records of previous conduct and the seriousness of the violation. A complaint made more than twelve (12) months after the alleged incident shall not be the basis for formally disciplining any person accused of sexual harassment. However, where there are allegations of sexual harassment made within the twelve (12) month period and a pattern or practice of sexual harassment exists or prior complaints of sexual harassment have been confirmed, the appropriate College administrative officials 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 oral reprimand up to and including termination/dismissal for cause or any other appropriate remedial action. Appropriate discipline for students may range from oral reprimand up to and including suspension and expulsion or any other appropriate remedial action.

Within ten (10) business days of receiving the investigator's findings, the supervisor (if the accused is an employee) or the Vice President, Student Services (if the accused is a student) and other appropriate College administrative officials shall meet with the accused person to discuss the findings and recommendations for appropriate disciplinary action.

Both the accused person and investigator will be notified in writing of the disciplinary decision. The investigator will, in turn, notify the complainant regarding the resolution of the complaint, what corrective action, if any, will be taken, and/or, in general, whether any discipline will be imposed.

*XI. Confidentiality*

Reasonable effort will be made to protect the privacy of all those involved in sexual harassment complaints to the extent it is possible. Disclosure of information regarding a complaint and investigation will be limited to those people who have a legitimate reason to know in the discretion of the investigator. All individuals involved in the investigation of complaints are expected to make such reasonable effort.

*XI. Retaliation*

The College prohibits retaliation against individuals because they have opposed conduct that they reasonably and in good faith believe to be sexual harassment or because they have in good faith made a charge or filed a complaint regarding sexual harassment because they have participated in the investigatory process of such sexual harassment. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board policy.

*XIII. False Accusation*

Any person making a knowingly false accusation regarding sexual harassment will be subject to disciplinary action as otherwise provided by Board policy.

*XIV. Appeal of Formal Complaint Resolution / Disciplinary Action*

*A. Filing an Appeal*

Either the complainant or person accused may file an appeal of any decision concerning the resolution of the complaint. An appeal by either party must be made in writing and delivered to the President's Office in Menard Hall within five (5) 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 said 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 said information was not available or provided to the investigator during the investigation, including specific reasons why said information could not have been provided on a timely basis;
5. if the appeal alleges either that the action(s) or inaction(s) of the supervisor and/or other appropriate College administrative officials in response to the findings of the investigator will not prevent future violation(s) of this policy, the person appealing shall specify, in detail, the reasons and basis for this belief/allegation.

No disciplinary or other action based on the complaint shall be taken against the respondent during the appeal process, although temporary, interim measures may remain in place. As indicated herein, the College, in its discretion, may at any point in the complaint process elect to place the respondent on suspension in accordance with Policy 8.7, for employees, or Policy 5.37, for students, or implement a temporary reassignment of duties or classes.

#### B. Appeal Committee

Appeals shall be submitted to an Appeal Committee whose members shall be selected and appointed by the President. The Committee will include at least one male and one female.

#### C. Member Appointments

Both the complainant and the alleged offender shall be provided with an opportunity to submit written objections within a specific time period to the appointment of any Committee member on the basis of that member's inability to act impartially. If the President determines that a Committee member cannot act impartially, then an alternate appointment shall be made. The Committee shall be appointed in a timely manner, considering all relevant circumstances. The President's decision regarding Committee appointments is final. All members of the Appeal Committee are expected to adhere to the strict code of confidentiality as outlined in section XI of this procedure.

D. Hearing /Committee Recommendation

The Committee will conduct a formal hearing and will allow the complainant and the accused person (“the parties”) to present information that, in the Committee’s discretion, is relevant to the allegations. If the appeal involves allegations described in item 5 (under section XII.A.), the Committee will likewise consider the statement(s) of the supervisor and/or other appropriate College administrative officials. The Committee shall have sole discretion regarding the personal appearance of any witness, whether to consider only the parties’ statements and review only the written record, or any other matter regarding the conduct of the hearing. The hearing will not be considered a judicial hearing, but rather an internal hearing at which the complainant and the alleged offender are present. Any party may be accompanied by legal counsel during the Committee hearing at such party’s own expense. The formal hearing shall be recorded and transcribed.

The Committee’s deliberations shall be closed to all persons other than the Committee members and shall not be audio taped. The Committee’s recommendation will be determined by a simple majority vote, shall be in writing, and shall be delivered to the President. It may be accompanied by a minority opinion. The appeal will be conducted and completed in an expeditious manner, considering all the circumstances.

Reasonable effort will be made to protect the privacy of all those involved in the appeal committee process to the extent it is possible. All individuals involved in the appeal process are expected to make such reasonable effort.

E. President’s Review and Recommendation

The President shall review the recommendation and may either affirm, amend, or return the recommendation for further deliberation and recommendation by the Committee. The President’s review and decision will be conducted in an expeditious manner, considering all the circumstances, and will be reported to the complainant, the alleged offender, the immediate supervisor (if the accused is an employee), the Vice President, Student Services (if the accused is a student), the Vice President, Academic Services (if the accused is a faculty member or student), the Associate Vice President, Human Resources (if the accused is a staff member), and the investigator.

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

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

Written records relating to a finding that sexual harassment has occurred may be placed in an accused employee's official personnel file or an accused student's official college file and may include:

1. any document that has been mutually agreed to by the College and the person accused of harassment;
2. a letter issued by the supervisor and/or other appropriate College administrative officials to the accused person at the conclusion of a formal investigation, which notifies the accused of actions, decisions, and/or other recommendations concerning the complaint; and/or
3. a settlement agreement between the parties.

*XVI. Dissemination of Policy/Procedures*

The policy and accompanying procedures will be made available to all employees and students. Periodic notices sent to students and employees about the College's sexual harassment and gender discrimination policy will include information about the complaint procedure and will refer individuals to designated offices/officials for additional information.

*A. Identification of Reporting Officers*

*1. Main Campus, Springfield, Illinois*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer/Title IX Coordinator, the Associate Vice President-Human Resources, and the Vice President-Student Services shall be posted outside the Human Resources office, Room 1217, Menard Hall and the Student Life office, Lower Level, Menard Hall.

*2. LLCC-Jacksonville*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer/Title IX Coordinator, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

*3. LLCC-Beardstown*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer/Title IX Coordinator, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

*4. LLCC-Taylorville*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer/Title IX Coordinator, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the Faculty Lounge and Student Lounge.

*5. LLCC-Litchfield*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer/Title IX Coordinator, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

6. *LLCC-Hillsboro*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer/Title IX Coordinator, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

7. *Capital City Training Center, Springfield, Illinois*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer/Title IX Coordinator, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the open area of the CCTC staff offices.

- B. If any student or employee is unable to obtain the listings referenced in Section XVI(A), please contact the President's office at (217) 786-2273. The President's office is located in the mezzanine, Menard Hall, Lincoln Land Community College, Main Campus, 5250 Shepherd Road, P.O. Box 19256, Springfield, IL 62794-9256 or go to the College's website at [www.llcc.edu](http://www.llcc.edu).

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-weighted 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	Subject:	<b>Chronic Communicable Diseases</b>
Community College	Policy Number:	<b>1.8</b>
	Officer Responsible:	VP, Administrative Services
	Last Reviewed:	
	Last Revised:	
ADMINISTRATIVE	Effective Date:	2/24/98
PROCEDURE	Old Policy Number:	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: Lincoln Land Community College District 526 (the “College”) is committed to maintaining a learning and working environment that is free from all forms of discrimination and harassment based on race, color, national origin, religion, gender, age, disability, marital status, political affiliation, or sexual orientation. The College prohibits any form of discrimination, harassment, or violence in the workplace and in all academic settings or College-sponsored events. Management and supervisory personnel, at all levels, are responsible for taking reasonable and necessary action to prevent discrimination and harassment based on race, color, national origin, religion, gender, age, disability, marital status, political affiliation, or sexual orientation. Such discrimination and harassment is prohibited by Titles VI and VII of the Civil Rights Act of 1964 as amended in 1991, Title IX of the Educational Amendment of 1972, and the Illinois Human Rights Act. Retaliation for making a good faith complaint of harassment or discrimination or for participating in an investigation is also prohibited by law.

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: Lincoln Land Community College (the “College”) has adopted the following procedures to promptly and fairly address concerns and complaints about discrimination or harassment based on race, color, national origin, gender, religion, age, disability, marital status, political affiliation, or sexual orientation. Complaints may be submitted informally or formally. If a complaint 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 the complaint procedures. 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 discrimination and harassment policy applies to all members of the College community, including students, employees, visitors, volunteers, 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 discrimination and harassment policy also applies to third parties, such as subcontractors, sales representatives, repairpersons, or vendors of the College.

II. Rights and Responsibilities

It is the responsibility of each individual student, employee, volunteer, or other College representative to refrain from any type of discrimination and harassment, and it is the right of each individual student and employee to learn and work in an environment free from discrimination and harassment. Any such person who discriminates against or harasses a member of the College community will be held liable for his or her individual conduct and will be subject to disciplinary action up to and including expulsion or discharge. The disciplinary action taken will depend upon the pervasiveness and/or severity of the harassing conduct and other relevant matters.

III. Discrimination

Racial, color, national origin, gender, religion, age, disability, marital status, political affiliation, or sexual orientation discrimination includes not only intentional discrimination based on race, color, national origin, gender, religion, age, disability, marital status, political affiliation, or sexual orientation but also practices that have the effect of discriminating against individuals because of their race, color, national origin, gender, religion, age, disability, marital status, political affiliation, or sexual orientation. For example, discrimination includes the denial or threatened denial of educational or employment opportunities or benefits where such denial or threatened denial is motivated by race, color, national origin, gender, religion, age, disability, marital status, political affiliation, or sexual orientation.

IV. Harassment

- A. Verbal or physical conduct relating to an individual's race, color, national origin, gender, religion, age, disability, marital status, political affiliation, or sexual orientation when:
1. The harassing conduct is sufficiently severe, persistent, or pervasive that affects a reasonable individual's ability to participate in or benefit

- from his/her education or employment or creates an intimidating, threatening, or abusive educational or employment environment;
2. The harassing conduct has the purpose or the effect of substantially or unreasonably interfering with a reasonable individual's full enjoyment or advantage of educational or employment opportunities; or
  3. The harassing conduct otherwise adversely affects a reasonable individual's educational or employment opportunities.
- B. Examples of racial, color, national origin, gender, religion, age, disability, marital status, political affiliation, or sexual orientation harassment include, but are not limited to, the following:
1. Intimidation and implied or overt threats of physical violence motivated by race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation;
  2. Physical acts of aggression or assault upon another or damage to another's property that is motivated by the individual's race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation;
  3. Depending upon the circumstances and context, demeaning jokes, taunting, slurs and derogatory nicknames, innuendos, or other negative or derogatory remarks relating to race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation;
  4. Depending upon the circumstances and context, graffiti and/or slogans or visual displays such as cartoons, posters, or bumper stickers depicting slurs or derogatory sentiments directed at race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation; or
  5. Criminal offenses directed at persons because of their race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation.

Harassment based on race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the College's educational mission.

V. Education and Training

The College will take measures to periodically educate and train employees regarding conduct that could constitute a violation of this policy. All personnel are expected to participate in such education and training and to be knowledgeable concerning the College's policy. In addition, students are expected to be knowledgeable concerning the College's policy.

VI. General Provisions

All members of the College community, including volunteers and other College representatives, are required to comply with this policy and the procedures outlined to address complaints. In addition to the procedures outlined herein, certain discrimination and harassment complaints may be filed with the Illinois Department of Human Rights, the United States Equal Employment Opportunity Commission, or the United States Department of Education, Office for Civil Rights. Any complaint of discrimination and harassment filed under the College's policy shall be processed, even if the complainant also files a complaint with an outside agency. The College will not tolerate retaliation against anyone who makes a complaint or participates in the complaint process.

The College will:

- A. Respond to every complaint based on race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation discrimination and harassment;
- B. Take action to provide remedies when such discrimination and harassment is discovered;
- C. Impose appropriate sanctions on respondents in a case-by-case manner; and
- D. Protect the privacy of all those involved in discrimination and harassment complaints to the extent it is possible.

VII. Reporting Suspected Discrimination and Harassment

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

Individuals who believe they may have experienced discrimination and harassment, as defined herein, or who believe that they have observed such discrimination or harassment taking place are to report this information immediately to one of the following reporting officials:

- A. Equal Opportunity Compliance Officer;
- B. Associate Vice President-Human Resources; or
- C. Vice President-Student Services

Reports and complaints, whether informal or formal, received by the Associate Vice President-Human Resources or the Vice President-Student Services must in turn be immediately reported to the Equal Opportunity Compliance Officer unless such reporting would result in a conflict of interest. The names and telephone numbers of the individuals holding the positions of the Equal Opportunity Compliance Officer, Associate Vice President-Human Resources and the Vice

President-Student Services shall at all times be posted in the locations set forth at the end of this procedure in Section XVII.

*VIII. Investigation of Complaints*

Unless otherwise provided herein, investigation of discrimination and harassment complaints shall be the responsibility of the Equal Opportunity Compliance Officer (the “investigator”). The President has the authority to appoint an alternate investigator as circumstances require and in the President’s sole discretion. The procedures outlined herein shall still control in the event an alternate investigator is appointed under any provision of this policy.

Complaints shall be addressed as confidentially as possible, considering the specific circumstances of the allegations, to protect the rights of both the complainant and the person accused (the “respondent”). The investigator may gather information from any sources deemed necessary in an effort to fully investigate and resolve the complaint.

Investigator Conflict of Interest: The complainant, respondent, and/or the investigator may allege that the investigator has a substantial conflict of interest. In that event, details supporting the alleged conflict of interest must be submitted in writing to the President within five (5) business days of the date the person alleging the conflict has notice of the investigator’s identity. The President will determine whether a conflict of interest may exist, and, if so, the President shall appoint an alternate investigator in an expeditious manner. The President’s decision is final. In the event a request for an alternate investigator is made and/or an alternate investigator must be appointed, the specific timelines provided herein shall be suspended pending that appointment.

*IX. Informal Complaint Process*

Individuals who feel they have been discriminated against or harassed, as defined herein, may desire to resolve their complaints informally (i.e., without formal disciplinary action being taken against the accused individual and without the formal investigatory process). Informal complaints are not required to be made in writing. An *example* of an informal complaint resolution is one where the complainant requests only that an appropriate college official counsel the accused individual to cease and desist the alleged conduct, and requests no other specific action(s) be taken against the accused.

Persons making informal complaints of discrimination and harassment agree and understand that no formal disciplinary action may be taken against the respondent

based on an informal complaint. If the complainant chooses, he/she may at any time prior to the resolution of the informal complaint amend the informal complaint to a formal complaint.

If the respondent elects not to participate in resolving an informal complaint, the nonparticipation will not be considered as damaging evidence and will not change or waive the College's responsibility to investigate and to make decisions based on available information.

The investigator may, if circumstances warrant, request that the respondent's immediate supervisor counsel him/her regarding the alleged conduct, and/or may recommend counseling, training, education, and/or other non-disciplinary actions be implemented or undertaken. Attempts to resolve an informal complaint will be completed within thirty (30) business days from the date of receipt of the complaint by the investigator. The complainant and the respondent will be informed in writing of the outcome of the informal process.

The College will attempt to balance the wishes of a complainant who does not want to file a formal complaint with the College's responsibility to respond to serious allegations and take prompt, appropriate corrective action. A complainant who chooses not to proceed with a formal complaint shall be asked to state that preference in writing.

## X. Formal Complaint Process

### A. Filing a Complaint

Formal complaints must be delivered by the complainant to one of the three reporting officials listed. The formal complaint must be filed as soon as possible after the alleged incidents occur or after attempts to resolve the situation informally have been unsuccessful.

The formal complaint must be in writing, signed by the complainant, and shall include the following information:

1. Details concerning the incidents or conduct giving rise to the complaint;
2. Dates and locations of incidents;
3. Names of any witnesses to the alleged incidents or conduct; and
4. Action requested to resolve the complaint and prevent future violations of the policy.

## B. Notifying the Respondent/Supervisor

The respondent will be provided with a copy of the complaint by the investigator within five (5) business days of the investigator's receipt of said complaint. The investigator will notify the supervisor of the respondent (if the accused is an employee) or the Vice President-Student Services (if the accused 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 investigation (i.e., temporary reassignment, investigatory leave of absence, etc.).

## C. Investigative Process

The respondent, or designee, will be required to submit a written response to the complaint within five (5) business days of receipt of complaint, a copy of which will be provided to the complainant by the investigator.

The investigator will interview the complainant and the respondent, may also interview witnesses, supervisors, and/or any other persons who may have information about the alleged incident, and may review personnel and other records relevant to the complaint. The complainant and the respondent shall be permitted to suggest witnesses and/or other evidence, which shall be considered by the investigator.

## D. Reporting of Investigative Findings

Within thirty (30) business days of receiving the formal written complaint, the investigator will assess whether a violation of the policy has occurred and will submit findings in writing to the complainant, the person accused, and appropriate College administrative officials.

*If the investigator finds by a preponderance of the evidence that the alleged discrimination or harassment has occurred, the investigator shall specifically notify the respondent, the immediate supervisor (if the accused is an employee), the Vice President-Student Services (if the accused is a student), the Vice President-Academic Services or Vice President-Workforce Development and Community Education (if the accused is a faculty member*

or student), the Associate Vice President-Human Resources (if the accused is a staff member), and the President.

*When the investigator finds that the alleged discrimination or harassment has occurred*, the supervisor of the respondent (if the accused is an employee) or the Vice President-Student Services (if the accused is a student) and other appropriate College administrative officials shall be responsible for acting on the findings of the investigator.

#### *XI. Disciplinary Action*

In accordance with College disciplinary policies and procedures, the supervisor (if the accused is an employee) or the Vice President-Student Services (if the accused is a student) shall consult with the appropriate College administrative officials regarding formal disciplinary actions to be taken against the accused.

In making a decision regarding discipline, appropriate College administrative officials shall consider properly established records of previous conduct and the seriousness of the violation. A complaint made more than six (6) months after the alleged incident shall not be the basis for formally disciplining any person accused of discrimination or harassment. However, where there are allegations of discrimination or harassment made within the six (6) month period and a pattern or practice of discrimination or harassment exists or prior complaints of discrimination or harassment have been confirmed, the appropriate College administrative officials 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 oral reprimand up to and including termination/dismissal for cause or any other appropriate remedial action. Appropriate discipline for students may range from oral reprimand up to and including suspension and expulsion or any other appropriate remedial action.

Within ten (10) business days of receiving the investigator's findings, the supervisor (if the accused is an employee) or the Vice President-Student Services (if the accused is a student) and other appropriate College administrative officials shall meet with the respondent to discuss the findings and recommendations for appropriate disciplinary action.

Both the respondent and investigator will be notified in writing of the disciplinary decision. The investigator will, in turn, notify the complainant regarding the

resolution of the complaint, what corrective action, if any, will be taken, and/or, in general, whether any discipline will be imposed.

*XII. Confidentiality*

Reasonable effort will be made to protect the privacy of all those involved in discrimination and harassment complaints to the extent it is possible. Disclosure of information regarding a complaint and investigation will be limited to those people who have a legitimate reason to know in the discretion of the investigator. All individuals involved in the investigation of complaints are expected to make such reasonable effort.

*XIII. Retaliation*

The College prohibits retaliation against individuals because they have opposed conduct that they reasonably and in good faith believe to be discrimination or harassment based on race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation. The College further prohibits retaliation against individuals because they have in good faith made a charge or filed a complaint regarding such discrimination or harassment or because they have participated in the investigatory process regarding such discrimination or harassment. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board policy.

*XIV. False Accusation*

Any person making a knowingly false accusation regarding discrimination and harassment will be subject to disciplinary action as otherwise provided by Board policy.

*XV. Appeal of Formal Complaint Resolution / Disciplinary Action*

*A. Filing an Appeal*

Either the complainant or respondent may file an appeal of any decision concerning the resolution of the complaint. An appeal by either party must be made in writing and delivered to the President's Office in Menard Hall within five (5) 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 said 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 said information was not available or provided to the investigator during the investigation, including specific reasons why said information could not have been provided on a timely basis; and/or
  5. If the appeal alleges either that the action(s) or inaction(s) of the supervisor and/or other appropriate College administrative officials in response to the findings of the investigator will not prevent future violation(s) of this policy, the person appealing shall specify, in detail, the reasons and basis for this belief/allegation.

No disciplinary or other action based on the complaint shall be taken against the respondent during the appeal process, although temporary, interim measures may remain in place. As indicated herein, the College, in its discretion, may at any point in the complaint process elect to place the respondent on suspension in accordance with Policy 8.7, for employees, or Policy 5.37, for students, or implement a temporary reassignment of duties or classes.

B. Appeal Committee

Appeals shall be submitted to an Appeal Committee whose members shall be selected and appointed by the President.

C. Member Appointments

Both the complainant and the respondent shall be provided with an opportunity to submit written objections within a specific time period to the appointment of any Committee member on the basis of that member's inability to act impartially. If the President determines that a Committee member cannot act impartially, then an alternate appointment shall be made. The Committee shall be appointed in a timely manner, considering all relevant circumstances. The President's decision regarding Committee appointments is final.

D. Hearing /Committee Recommendation

The Committee will conduct a formal hearing and will allow the complainant and the respondent ("the parties") to present information that, in the

Committee's discretion, is relevant to the allegations. If the appeal involves allegations described in Section XV(A)(5), the Committee will likewise consider the statement(s) of the supervisor and/or other appropriate College administrative officials. The Committee shall have sole discretion regarding the personal appearance of any witness, whether to consider only the parties' statements and review only the written record, or any other matter regarding the conduct of the hearing. The hearing will not be considered a judicial hearing, but rather an internal hearing at which the complainant and the respondent are present. Any party may be accompanied by legal counsel during the Committee hearing at such party's own expense. The formal hearing shall be recorded and transcribed.

The Committee's deliberations shall be closed to all persons other than the Committee members and shall not be audio taped. The Committee's recommendation will be determined by a simple majority vote, shall be in writing, and shall be delivered to the President. It may be accompanied by a minority opinion. The appeal will be conducted and completed in an expeditious manner, considering all the circumstances.

Reasonable effort will be made to protect the privacy of all those involved in the Appeal Committee process to the extent it is possible. All individuals involved in the appeal process are expected to make such reasonable effort.

#### E. President's Review and Recommendation

The President shall review the recommendation and may either affirm, amend, or return the recommendation for further deliberation and recommendation by the Committee. The President's review and decision will be conducted in an expeditious manner, considering all the circumstances, and will be reported to the complainant, the respondent, the immediate supervisor (if the accused is an employee), the Vice President, Student Services (if the accused is a student), the Vice President, Academic Services or Vice President, Workforce Development and Community Education (if the accused is a faculty member or student), the Associate Vice President, Human Resources (if the accused is a staff member), and the investigator.

#### XVI. Written Record of Complaints, Investigations, and Resolutions/Decisions

Written records of complaints will be marked "CONFIDENTIAL" and will be retained in a separate and secure (locked) file in the Equal Opportunity Compliance Office. Records shall be retained as required by law.

Written records relating to a finding that discrimination or harassment based on race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation has occurred may be placed in an accused

employee's official personnel file or an accused student's official college file and may include:

1. Any document that has been mutually agreed to by the College and the person accused of discrimination or harassment;
2. A letter issued by the supervisor and/or other appropriate College administrative officials to the accused person at the conclusion of a formal investigation, which notifies the accused of actions, decisions, and/or other recommendations concerning the complaint; and/or
3. A settlement agreement between the parties.

*XVII. Dissemination of Policy/Procedures*

The policy and accompanying procedures will be made available to all employees and students. Periodic notices sent to students and employees about the College's race, color, national origin, gender, religion, age, disability marital status, political affiliation, or sexual orientation discrimination and harassment policy will include information about the complaint procedure and will refer individuals to designated offices/officials for additional information.

*A. Identification of Reporting Officers*

*1. Main Campus, Springfield, Illinois*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer, the Associate Vice President-Human Resources, and the Vice President-Student Services shall be posted outside the Human Resources office, Room 1217, Menard Hall and the Student Life office, Lower Level, Menard Hall.

*2. LLCC-Jacksonville*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

*3. LLCC-Beardstown*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

*4. LLCC-Taylorville*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the Faculty Lounge and Student Lounge.

*5. LLCC-Litchfield*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

6. *LLCC-Hillsboro*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the lobby.

7. *Capital City Training Center, Springfield, Illinois*

The current identities, office locations, and telephone numbers of the Equal Opportunity Compliance Officer, the Associate Vice President-Human Resources and the Vice President-Student Services shall be posted in the open area of the CCTC staff offices.

- B. If any student or employee is unable to obtain the listings referenced in Section XVII(A), please contact the President's office at (217) 786-2273. The President's office is located in the mezzanine, Menard Hall, Lincoln Land Community College, Main Campus, 5250 Shepherd Road, P.O. Box 19256, Springfield, IL 62794-9256.

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:	5/27/15
	Last Revised:	5/27/15
	Effective Date:	7/01/15
BOARD POLICY	Old Policy Number:	1.13, 4.2.4

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

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in and on College owned or controlled property. The use or possession of alcohol while on College owned or controlled property is prohibited, except in relation to Lincoln Land Community College functions, Foundation functions, or other special functions as authorized by the President.

Involvement in the unauthorized possession and/or use, distribution, and/or sale of illegal drugs or alcohol or the inappropriate use of tobacco products on LLCC property or at LLCC functions shall result in disciplinary action up to and including expulsion/termination and referral for prosecution.

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
- 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.

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: Effective Date:	<b>Nepotism</b> <b>1.13</b> VP, Administrative Services   11/15/06
ADMINISTRATIVE PROCEDURE	Old Policy Number:	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,
- B. 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
<b>BOARD POLICY</b>	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 Old Policy Number: n/a
<b>BOARD POLICY</b>		

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
<b>BOARD POLICY</b>	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
<b>ADMINISTRATIVE PROCEDURE</b>	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.