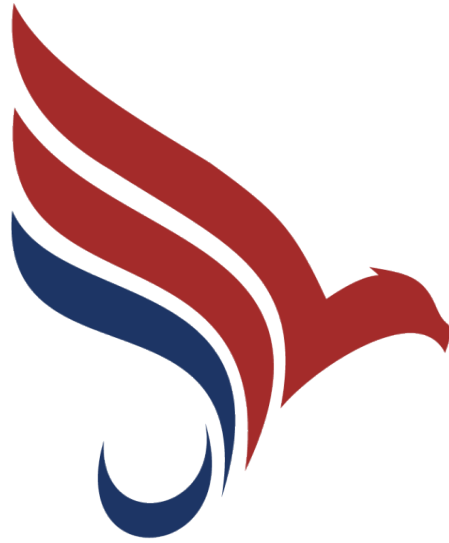


*Southwest Virginia Community College  
Faculty Handbook*



**Southwest  
Virginia Community College**

**Inspire • Transform • Strengthen**

2025-2026

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**SECTION 1: GENERAL ADMINISTRATIVE POLICIES**

## **1.01 GENERAL ADMINISTRATIVE POLICIES – STATE BOARD FOR COMMUNITY COLLEGES**

In accordance with an act of the General Assembly (*Title 23, Chapter 16, Sections 23-214 through 23-231*), the State Board shall establish, control, administer, and supervise all community colleges established by the state in selected communities through the Commonwealth of Virginia. The community college program shall be designed to serve the educational needs of qualified post-high school age youth and adults to prepare them for employment, for advanced collegiate education, and for improved citizenship.

The State Board for Community Colleges consists of a fifteen-member (15) governing board, appointed by the Governor and confirmed by the Senate of Virginia, and per the *Code of Virginia*, the Board shall have the right to confer diplomas, certificates, and associate degrees.

A community college is defined as a comprehensive institution of higher education offering programs of instruction generally extending not more than two years beyond the high school level, which shall include, but not be limited to, courses in occupational/technical fields, the liberal arts and sciences, general education, continuing adult education, pre-college and pre-technical preparatory programs, special training programs to meet the economic needs of the region in which the college is located, and other services to meet the cultural and educational needs of the region.

Each curriculum in the community college shall conform to the statewide criteria set by the State Board as to content, but shall take into consideration the needs and opportunities in the region served by each college. The State Board shall set minimum standards and authorize issuance by institutions of appropriate associate degrees, certificates, and diplomas to individuals who satisfactorily complete the course and program requirements.

In determining the curricula to be offered in each institution under the jurisdiction of the State Board, the State Board shall take cognizance of the varying needs of the communities served through the Commonwealth of Virginia and the substantiated requests of interested local governing bodies, employers, and individuals. These programs shall include, but not be limited to, the following: occupational/technical education, college transfer education, general education, continuing adult education, developmental programs, and specialized regional and community services.

## **1.02 VIRGINIA COMMUNITY COLLEGE SYSTEM POLICY MANUAL STATEMENT**

The *Virginia Community College System Policy Manual* is subject to continuous revision as changes are approved by the State Board for Community Colleges and the Chancellor. Every attempt will be made to show the most current version of the *VCCS Policy Manual*; it is available on the VCCS web site at <http://www.vccs.edu/about/where-we-are/policy-manual/>

**1.03 VIRGINIA COMMUNITY COLLEGE SYSTEM MISSION STATEMENT**

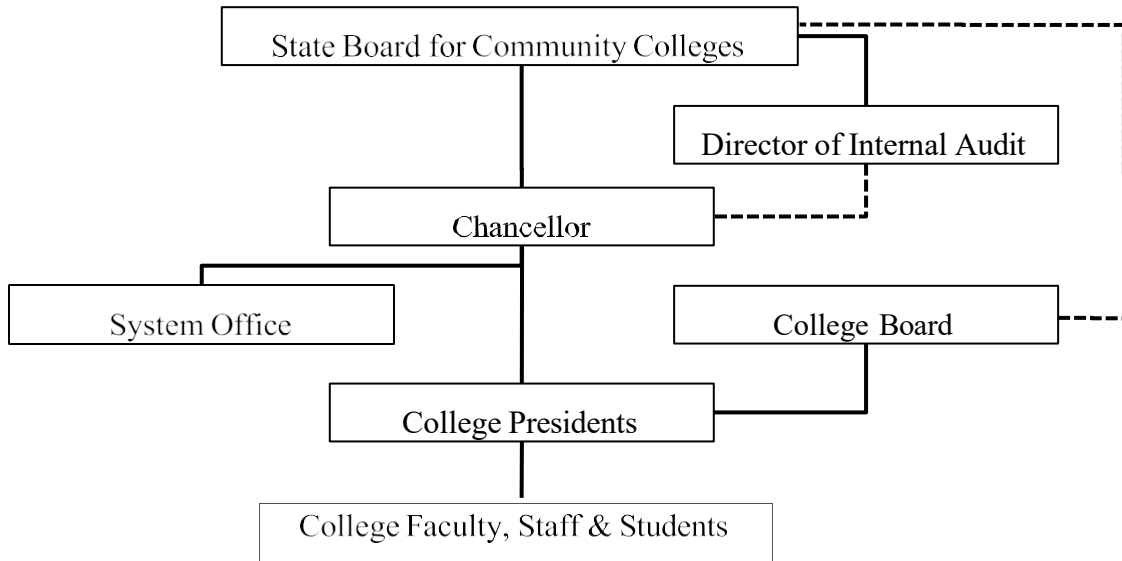
We give everyone the opportunity to learn and develop the right skills so lives and communities are strengthened.

**1.04 VIRGINIA COMMUNITY COLLEGE SYSTEM GOVERNANCE**

In accordance with an act of the General Assembly (*Title 23, Chapter 16, Sections 23-214 through 23-231*), the State Board for Community Colleges shall establish, control, administer, and supervise all community colleges established by the State in selected communities throughout the Commonwealth of Virginia. The community college program shall be designed to serve the educational needs of qualified post-high school age youth and adults to prepare them for employment, for advanced collegiate education, and for improved citizenship.

The State Board, consists of fifteen members appointed by the Governor, and which are confirmed by the General Assembly. Members are charged with the responsibility of serving the best interests of the Commonwealth. The Board establishes the policies providing for the creation of the local community college board and state procedures and regulations under which local boards will operate. The Board has the authority to confer diplomas, certificates, and associate degrees.

**1.05 VCCS ORGANIZATION CHART**



## **1.06 VCCS CHANCELLOR: ROLE AND RESPONSIBILITIES**

The chancellor, who is appointed by the State Board for Community Colleges, is the chief executive officer of the Virginia Community College System and serves as the secretary of the State Board for Community Colleges. It is the duty of the Chancellor to formulate rules and regulations and provide assistance in his office as is necessary for the proper performance of his duties. The State Board prescribes the duties of the Chancellor, in addition to those duties otherwise prescribed for him by law; and, at its discretion, approves the appointment by the Chancellor of such agents and employees as may be needed by the Chancellor and the Virginia Community College System in the exercise of the functions, duties, and powers conferred and imposed by law in order to effect a proper organization to carry out these duties.

## **1.07 THE COMMUNITY COLLEGE BOARD**

The community college boards shall act in an advisory capacity to the State Board and shall perform such duties with respect to the operation of a single comprehensive community college as may be delegated to it by the State Board.

In general, a College Board is responsible for assuring that the community college is responsive to the needs existing within its service region within the statewide policies, procedures, and regulations of the State Board. The specific duties of a college board include the following:

- a. The College Board shall elect a chairman and other such officers from its membership as it deems necessary and regulations as are considered necessary to conduct its business in an orderly manner.
- b. The College Board and the members thereof shall serve as channels of communication between the State Board for Community Colleges and the governing bodies of the local political subdivisions.
- c. The College Board shall submit its recommendations to the State Board for a name for the community college and each campus of a multi-campus college. In the name of each community college shall be included the phrase "Community College." The College Board shall be authorized to provide names for any facilities on the college campus.

SWCC has policies regarding the naming of major facilities provides for naming on the basis of significant service, but also provides incentives and recognition for private sector giving to support the college. Recognition for private sector giving typically occurs after the gift has been received rather than on a prospective basis.

The Office of Facilities Management Services has a current copy of the SWCC policy.

Individuals are not eligible for this award if currently employed at the college or elsewhere within the Virginia Community College System, are serving on the local College Board, or serving on the State Board for Community Colleges. A separation from such employment or service of at least one month is a prerequisite for eligibility.

- a. The College Board shall provide recommendations to the State Board on the development of the site plan and on the design and construction of facilities for the community college.
- b. The College Board shall provide recommendations to the State Board on the development of the site plan and on the design, and construction, of facilities for the community college.
- c. The College Board shall participate with the State Board in the selection, evaluation, and removal of the president of the community college in accordance with procedures adopted by the State Board.
- d. The College Board shall participate, with the college president, the Chancellor and the State Board, in the development and evaluation of a program of community college education of high quality in accordance with procedures adopted by the State Board. In that context, a college statement of purpose shall be developed by the college community. It shall be approved by the College Board and reviewed and approved by the Chancellor on behalf of the State Board. This statement of purpose shall tailor the VCCS mission statement to the particular needs and circumstances of the college.
- e. The College Board shall be responsible for eliciting community participation in program planning and development, establishing local citizens' advisory committees for specialized programs and curricula, and approving the appointments of all members of these committees.
- f. The College Board shall review all new curricular proposals for the community college and shall recommend those proposals that it supports to the State Board. It shall also review proposals for the discontinuation of programs and shall communicate its recommendations on such proposals to the State Board.
- g. The College Board shall oversee the development and evaluation of the community service program for the community college, and may authorize the president to grant an "award of completion" to a person successfully completing an approved non-credit program.
- h. The College Board shall be informed of the fiscal status of the college and shall receive summaries of the biennial financial plan and the annual spending plans.

- i. The College Board shall review and approve a detailed local funds budget for the community college as prepared by the college president within State Board guidelines, and shall submit the proposed budget to the State Board for review at the time of its submission to the local political subdivisions. In addition, the College Board shall submit a financial statement showing detailed expenditures of such local funds to the local political subdivisions and the State Board for Community Colleges at the end of the fiscal year.
- j. The College Board shall be responsible for approving local regulations on student conduct developed by the college president within the guidelines of the State Board.
- k. The College Board shall be responsible for the review and approval of a budget prepared by the college president for the expenditure of revenues from vending commissions and auxiliary enterprises, including the student activity fund within the guidelines of the State. The College Board shall be responsible for reviewing and approving periodic reports of revenues and expenditures with these funds.
- l. The College Board shall be responsible both for reviewing reports of audit and for reviewing the college president's response to those reports of audit.
- m. Be informed of personnel matters by the president.

**1.07.01 FREEDOM OF INFORMATION ACT**

The College Board comes under the Freedom of Information Act as prescribed by statute. All Board meetings shall be open to the public, except where a closed meeting is authorized by Section 2.1-344 of the Virginia Freedom of Information Act, and the Board convenes and adjourns the closed session in the manner provided by said section. Public comment will be received at each regular meeting of the Board following the approval of minutes of the preceding meeting and prior to committee reports. Individuals desirous of speaking before the Board must notify the Office of the President at least five working days prior to the scheduled meeting. All remarks before the State Board for Community Colleges must be matters germane and relevant to the agenda of the day. Written comments may be provided in lieu of speaking at the meeting, and each speaker will be limited to a five-minute statement that will become a part of the public record.

**1.07.02 COLLEGE BOARD COMPOSITION, TERMS, OFFICERS, MEETINGS, AND A QUORUM**

The SWCC Board shall consist of ten (10) members. The counties of Buchanan, Russell and Tazewell shall have three representatives each; and, the county of Dickenson shall have one representative.

Members shall be appointed for a term of four (4) years. All appointments shall become effective on July 1 of the appropriate year. No person having served on the

community college board for two successive four-year terms shall be eligible for reappointment to the college board for two years thereafter provided the person appointed to fill a vacancy may serve two additional successive terms. Members of the College Board receive no salaries.

The elected officers of the board shall be a chairman and a vice chairman elected annually at the regular meeting of the board in June. The term of office will be for one year.

Incumbent officers are eligible for re-election. The college president serves as secretary and will keep minutes and records as necessary to set forth clearly all actions and proceedings of the board.

Regular meetings of the board are held at 5:30 p.m. on the third Tuesday of March, June, September, and December unless otherwise changed by the board. Special meetings of the board shall be held at the call of the chairman or upon petition of a simple majority of the members of the board.

A simple majority of the members of the board will constitute a quorum for all purposes, except as otherwise specified.

Community college presidents shall forward a draft copy of all local board minutes to the Chancellor within fourteen (14) working days following the meeting. Approved copies of local College Board minutes shall be forwarded to the Chancellor upon approval by the local College Board. Any additions or corrections to the draft minutes reflected in the approved minutes shall be noted.

## **1.08 LOCAL ADVISORY COMMITTEES**

Local citizens curricular advisory committees must be utilized to assist in development of all occupational/technical curricula and courses. Members for these local advisory committees shall be recommended by the community college president to the College Board for approval.

Each citizen's advisory committee at Southwest Virginia Community College will meet a minimum of once each academic year. A statement of general purpose and/or by-laws will be developed for each citizens advisory committee, and appropriate minutes of the committee meeting will be recorded in the division dean's office and in the office of the Vice President for Academic and Student Services.

### **1.08.01 ROLE AND RESPONSIBILITIES**

Local curriculum advisory committees act in an advisory capacity to the president of the community college. Within the area of its educational, occupational/technical interest and specialty, the committee may:

- a. Assist the community college in the establishment of occupational/ technical programs and curricula by:
  - 1.Helping to identify present and future occupational needs within the college region and the skills and knowledge required by prospective employees;
  - 2.Advising the community college concerning employment practices, specific certification and licensure requirements, job entry educational levels required by business, industry and the professions, standards and regulations relating to student employment, and occupational placement of graduates; and
  - 3.Reviewing and submitting recommendations regarding specific program and curricular proposals, and specialized equipment and facility requirements for new or innovative programs.
- b. Assist with the recruitment of students by:
  - 1.Publicizing the college programs and employment opportunities; and
  - 2.Encouraging student scholarships and other financial aids.
- c. Promote understanding and support of the community college and its programs by:
  - 1.Assisting with the establishment and maintenance of liaison between the community college and regional business, industrial, professional and other organizations and agencies; and
  - 2.Disseminating information about the college and its programs through the college's business and professional publications.
- d. Assist the community college in the conduct of regional studies or surveys.
- e. Participate in the evaluation of community college programs as they relate to the educational and occupational needs of the region.

Each local curriculum advisory committee shall meet as needed or at least once annually.

## **1.09 STRATEGIC PLAN**

SWCC will conduct an annual strategic planning session comprised of faculty, administration, and students. The plan must be approved by the President's Administrative Cabinet and Local Board.

## **1.10 APPROVAL PROCEDURES FOR NEW CURRICULA AND PROGRAMS**

Approved by the College Curriculum & Instruction Committee and the College Board:

The program faculty and Division Dean who are submitting a new curriculum or program to Southwest Virginia Community College for approval will complete the following steps. The materials appropriate for each step will become a part of the documentation for Southwest Virginia Community College, the Virginia Community College System (VCCS), the State Council of Higher Education for Virginia (SCHEV), and the Commission on Colleges of the Southern Association of Colleges and Schools (SACSCOC).

- a. New curriculum or program ideas may result from Advisory Committees, from comments to agencies, or from the Program Head or Lead Faculty Member. The submission shall include a needs assessment, background information, and justification relevant to the Academic Dean's approval.
- b. A Lead Faculty Member will submit the relevant information for the new program to the Academic Dean for approval. The Vice President of Academic and Student Services approves and sends forward to the Chair of the College Curriculum & Instruction Committee. This faculty member will be identified in the Documentation for the College Curriculum & Instruction Committee. A program faculty roster, including faculty credentials and experience, will be submitted with the Lead Faculty Member information.
- c. Each curriculum and program will be submitted to the SWCC Curriculum & Instruction Committee for approval. The submission will include all documentation required by the Virginia Community College System (VCCS) for program and curriculum approval. The proposal is to include background statements, the needs assessment results, a program budget, and a completed VCCS Form 102 with supporting materials. (See VCCS Policy Manual, Section 5.5.2, Review of Programs, as well as SWCC Form 102A.)
- d. The completed, approved proposal will be presented to the SWCC College Board for action. The resulting College Board decision will be recorded in the College Board minutes and become a part of SACSCOC documentation.
- e. The VCCS Form 102 for degree programs, certificates, and diplomas will be submitted to the Virginia Community College System for review and approval. For career studies

certificates, notification to the VCCS is required. For degree programs, certificates and diplomas, VCCS approval is required.

- f. Degree program documents will be forwarded by the VCCS to the State Council of Higher Education for Virginia (SCHEV) for approval. SCHEV is also notified of certificate and diploma programs that are approved by the VCCS. All VCCS and SCHEV approval notifications will be included in SACSCOC documentation.
- g. Curriculum and program notification will be sent to SACSCOC after College Board approval and submission to the VCCS. The notification will include the proposed program background and needs assessment. If SACSCOC deems the proposal to be a “substantive change” and a prospectus is necessary, all documentation from the approval steps will be submitted as a part of the prospectus.
- h. Any necessary documentation for additional accrediting organizations will be submitted and approval notifications will become a part of the program approval documentation.

SOUTHWEST VIRGINIA COMMUNITY COLLEGE  
 PROCEDURES FOR INITIATING NEW PROGRAMS  
*(including certificates, diplomas, and degrees)*

Proposed Program/Curriculum Title: \_\_\_\_\_

	Submission Date	Approval Date	Approval Signature
Input from Advisory Committee or Agency Justification			
Lead Faculty Member			
College Curriculum & Instruction Committee			
College Board			
Virginia Community College System (VCCS)			
State Council of Higher Education for Virginia (SCHEV)			
Southern Association of Colleges and Schools Submission (SACSCOC)			
Other Required Accrediting Bodies <i>(when applicable)</i>			
Comments			

NOTES:

1. All new instructional programs must comply with the policies and procedures of the VCCS, SCHEV, and, when applicable, the Commission on Colleges of the Southern Association of Colleges and Schools (SACSCOC). See also Section 1070 of the *SWCC Policy Manual*, and the *College Board Policy Manual*. All program submissions must reflect the following:
  - a. Minutes of the appropriate committee (*i.e., Advisory Committee, Curriculum Committee, and others as applicable*) to confirm recommendations and approval.
  - b. Completion of the appropriate procedures and forms in accordance with the College, VCCS, and SCHEV. If the program constitutes a Substantive Change (*based on prior notification to SACSCOC*), a prospectus will be required.
2. Upon approval by the College Board and submission to the VCCS, notification must be submitted to the Commission on Colleges of the Southern Association of Colleges and Schools within forty-five (45) days of College Board approval.

**SECTION 2: OFFICIAL TITLES, MISSION, AND POLICIES**

## **2.01 LEGAL LIMITS**

This manual is not to be construed as a contract between Southwest Virginia Community College and its employees and does not in any way imply or create any rights, contractual or otherwise, on behalf of Southwest Virginia Community College's employees.

## **2.02 LEGAL NAME AND ACCREDITATION**

The official name of this institution and its entire college facilities shall be Southwest Virginia Community College (SWCC). Southwest Virginia Community College's programs and services are approved by the State Board for Community Colleges in Virginia. The associate degree programs of the College have also been approved by the State Council of Higher Education for Virginia.

Southwest Virginia Community College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award associate degrees. Southwest Virginia Community College also may offer credentials such as certificates and diplomas at approved degree levels. Questions about the accreditation of Southwest Virginia Community College may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website ([www.sacscoc.org](http://www.sacscoc.org)).

## **2.03 CAMPUS SITES**

Southwest Virginia Community College's service area includes the counties of Buchanan, Russell, Tazewell, and Dickenson (partial). The campus is located approximately six miles south of Claypool Hill, VA at 369 Community College Road, Cedar Bluff, VA (U.S. Route 19).

Several off-site locations are used for classes, including the Lebanon Center on Pittston Road in Lebanon, VA; the Booth Center in Grundy, VA, located on the campus of the Appalachian School of Law; the Southern Gap Center, also in Grundy, VA; and the Bluefield Center in Bluefield, VA. Area high schools also serve as off-site instructional locations.

SWCC offers programs and services at other locations throughout the service region in order to fulfill its mission. Information on sites can be obtained from the Vice President of Academic and Student Services.

## **2.04 PURPOSE**

SWCC, a comprehensive two-year institution, provides quality educational and cultural

enrichment opportunities for lifelong learners, workforce and community. Believing that each person should be given an opportunity for continuing personal and intellectual development, the College assumes responsibility as a catalyst in the life of the individual and the community. SWCC provides citizens the means for improving skills; expanding knowledge as well as cultural, aesthetic and global awareness; and encouraging economic development and responsible citizenship. SWCC is guided by core values.

## **2.05 VISION STATEMENT**

Southwest Virginia Community College transforms lives, strengthens communities and inspires excellence.

## **2.06 MISSION STATEMENT**

Southwest Virginia Community College, a comprehensive two-year institution, provides quality educational and cultural enrichment opportunities for lifelong learners, workforce and community.

## **2.07 CORE VALUES**

SWCC is guided by steadfast core values. As a community of educators we value:

- Student Centered Learning – SWCC believes that students are the primary reason we exist and our purpose is to help them achieve their goals and aspirations.
- Student Success – SWCC recognizes the potential in individuals and assists them in obtaining their highest level of attainment.
- Excellence – SWCC strives for excellence in instruction and service through rigorous academic and professional standards.
- Collaboration – SWCC reaches out to the communities and partners it serves, supporting and assisting them in achieving their goals.

## **2.08 DEGREES GRANTED**

Using the statewide criteria set by the State Board for Community Colleges, Southwest Virginia Community College has the right to confer degrees, diplomas, and certificates. The types and criteria for each are listed below:

1. An **Associate of Arts and Associate of Science Degrees (AA and AS)** is awarded to students majoring in Business Administration, Liberal Arts, and Science who plan to transfer to four-year colleges or universities after completing their Southwest Virginia Community College program.
2. An **Associate of Applied Science Degree (AAS)** is awarded to students majoring in one of the occupational-technical programs and who plan to obtain full-time employment immediately upon graduation from the College.
3. A **Diploma** is awarded to students who complete one of the two-year non-degree occupational-technical curricula.
4. A **Certificate** is awarded to students who complete one of the approved non-degree curricula which are usually less than two years in length. The College also offers special Career Studies Certificates for programs which can be completed in less than one year.

## **2.09 SWCC ORGANIZATIONAL STRUCTURE**

The college organization charts are listed at:

<https://sw.edu/humanresources/>

## **2.10 COLLEGE POSITION DESCRIPTIONS**

Positions descriptions are kept on file in the Human Resource Office.

## **2.11 POLICY INITIATION PROCEDURE**

Any member of the Southwest Virginia Community College staff or faculty may propose new policy or recommend a policy change or deletion. Most often policy initiation involves revision of policies currently in place as a result of changes in federal and state legislation; VCCS operating procedures; changes in technology impacting workflow and processes; and/or grant/external funding requirements. These policy changes are usually provided by the affected department and forwarded for inclusion into the appropriate publication(s).

The administrative cabinet serves in an advisory capacity to the President regarding institutional policy, procedures, and regulations. In addition, three college standing committees and other college-wide committees formulate, evaluate, revise, and recommend institutional policy. Ad hoc committees may also be appointed by the President as needed.

Policy additions/deletions/revisions are made in the appropriate publication(s) and an email is sent to the appropriate members of the college community to advise them of the changes.

VCCS is not required to review policy proposals after approval or rejection by the President unless the proposal involves a new program or departure from the VCCS policy manual.

## **2.12 COLLEGE COMMITTEES**

Southwest Virginia Community College makes significant use of faculty and staff committees as a part of the planning and decision-making process. There are three standing committees. In addition to College Standing Committees, ad hoc committees may be appointed by the President as needed.

The standing committees are:

1. Academic & Student Services
2. Finance & Administration
3. Institutional Advancement

### **2.12.01 COMMITTEE STRUCTURE**

The Standing committees are organized by the Vice President from each respective area. Committee members are approved by the President after recommendations by the Faculty Senate, Classified Staff Association, and Vice Presidents. The President has the authority to appoint part-time employees as needed for committee service.

The following guidelines for committee operation are provided:

1. Each committee will select a chair and recording secretary.
2. Committee activities pertaining to policy formulation affecting the total faculty will be reported back in writing for the total faculty for consideration and recommendation.
3. Whether committees are recommending or acting is determined somewhat by their purposes in instances where there is some question regarding committee authority or responsibility, the Vice President for the area will make the decision.
4. Each committee may have at least one student representative on committee. Student member's names and contact information will be provided by the Dean

of Student Success and will be added after the organizational meeting.

**2.12.02 ACADEMIC & STUDENT SERVICES**  
**Curriculum and Instruction Committee**

Function: Evaluate and recommend institutional policy regarding matters pertaining to curriculum and instruction. Review and approve all curriculum.

Meetings: As required.

Membership: One faculty member per division, Dean of Student Success, one member from Admissions & Records, one classified staff member, one Academic Dean from each division, and two representatives of the student body.

**Learning Resources/Distance Learning & Instructional Technology Committee**

Function: The committee is tasked with ensuring that the institution's library, digital resources, and educational technologies support student learning, faculty teaching, and the overall academic mission of the college. This group is responsible for advising, managing, and improving access to resources, ensuring equity, and helping the institution stay current with educational trends.

Meetings: As required (minimum two times per AY)

Membership: Director of Distance Learning & Instructional Technology, Coordinator of Library Services, one faculty member per division, one student services member, one CWES member, two representatives of the classified staff and one representative of the student body.

**Institutional Effectiveness, Research and Planning Committee**

Function: The committee plays a critical role in guiding the college's strategic planning processes, evaluating institutional performance, and ensuring that the college meets its mission and goals through data-driven decision-making. The committee focuses on fostering continuous improvement and accountability across all areas of the institution, from academic programs to student services and operational efficiency.

Meetings: As required (minimum four times per AY)

Membership: Institutional Research Officer, one faculty member per division, one student services member, one learning resources member, two representatives of the classified staff and one representative of the student body.

### **Professional Development Committee**

Function: Identify and address the professional growth needs of faculty, staff, and administrators by coordinating relevant, impactful development opportunities. Assess the professional development needs of faculty, staff, and administrators based on surveys, feedback, and institutional goals. Coordinate workshops, seminars, conferences, and other professional development events that align with identified needs. Provide guidance and mentorship on how to make the most of professional development opportunities and to encourage interdisciplinary collaboration and knowledge sharing.

Meetings: As required (minimum four times per AY)

Membership: Human Resource Manager, one member from Library Services, one faculty member per division, one student services member, one Distance Learning & Instructional Technology member, two representatives of the classified staff and one representative of the student body.

### **Student Outcomes/Success Committee**

Function: To identify student success measures and determine implementation plan for ensuring student success. To plan implement and monitor faculty-lead program assessment. Committee will work collaboratively with Institutional Effectiveness, Research & Planning Committee to accomplish goals.

Meetings: As required (minimum two times per AY)

Membership: Dean of Student Success, Academic Deans, one Success Coach, one Distance Learning & Instructional Technology member, two members of the classified staff, two faculty members from each division, two representatives of the student body.

### **Enrollment Management Committee**

Function: The committee is responsible for addressing student requests related to enrollment, academic policies, and advising concerns. This committee ensures that students have access to fair and consistent processes when they face issues that affect their ability to enroll, remain in good academic standing, or make decisions about their academic paths. The committee works to balance institutional policies with individual student needs, while fostering student success and supporting academic integrity.

Meetings: As needed (minimum two times per AY).

Members: Dean of Student Success, one Financial Aid Officer/Advisor, one member

of Admissions & Records, one faculty member from each division, two classified staff members.

### **Faculty Appointment, Awards & Recognition Committee**

Function: The committee reviews faculty members for multi-year appointments, make recommendations to VP of Academic & Student Services for final approval from President. It also serves to recommend policy and implement best practices relating to rewards and recognition of faculty. Review and approve recommendations for reward and recognition.

Meetings: As required (minimum two times per AY).

Members: Human Resource Manager, VP of Finance & Administration, Academic Dean, minimum of five faculty members.

### **Title IX Committee**

Function: To plan, implement and evaluate on-going training for faculty, staff and students to make them aware that no person on the basis of sex can be excluded from participation in, be denied benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. This committee will act as a hearing board in the event such an action occurs.

Meetings: As required.

Membership: Coordinator of Title IX, Human Resource Manager, Risk Manager, one faculty member and one classified staff member.

### **Judicial Board Committee**

Function: Serve as the final decision body for student appeals.

Meetings: As required.

Members: Administration of Justice faculty member, one Academic Dean, one faculty member from each academic division.

### **Undergraduate Research & SWCC Series**

Function: Plan and implement annual educational, cultural and fine arts events which support the college's educational and community mission. The committee is responsible for promoting, organizing, and overseeing initiatives related to student research and academic development. Its purpose is to encourage students to engage in research projects, enhance their learning experiences, and support academic events or series that showcase student scholarships and foster a culture of inquiry at SWCC.

Meetings: As required (Minimum of two times per AY).

Membership: Executive Director of the Foundation, four faculty members, one student support services member, one academic dean, one classified staff member, two will act as a hearing board in the event such an action occurs.

### **Honors Committee**

Function: The committee oversees the administration and development of the college's honors program. This committee typically works to ensure that high-achieving students are provided with enriching academic opportunities that challenge them and support their intellectual growth.

Meetings: As required.

Membership: Honors Associate Dean, three faculty members, two members from Student Services, one classified staff member, one Academic Dean, and two representatives of the student body.

## **2.12.03 FINANCIAL & ADMINISTRATIVE SERVICES**

### **Campus Beautification Committee**

Function: To lead the campus in seasonal on-going clean-up of building and grounds to ensure the exterior and interior of the college is attractive.

Meetings: As required.

Membership: One Building Warden in each building, one member of IT staff, two members of housekeeping, one member student services, one member of Campus Police, two classified staff members, two faculty members, two representatives of the student body.

### **Health, Safety & Security Committee**

Function: Review best practices and recommend institutional health, safety and security measures to ensure, safety and well-being of campus community.

Meetings: As required.

Membership: Risk Manager, one faculty member per division, one student services member, two classified staff members, one Police Officer, one member of the Threat Assessment Team, one member of the student body

### **Information Technology Committee**

Function: Review best practices and recommend policy related to cyber-security. Take active role in recommending technology needs aligned with academia and development of technology plan.

Meetings: As required.

Membership: Information Security Officer, one Academic Dean from each division, one member from Distance Learning & Instructional Technology, one member from IT Support, two classified staff members, and two members of the student body.

### **Environmental Sustainability Committee**

Function: The Environmental Sustainability Committee will identify ways for the campus to be environmentally friendly, and to facilitate and promote sustainability. This will include preparing and updating an overall environmental sustainability strategic plan that encompasses facilities, construction/renovation and instruction/education.

Meetings: As required.

Members: College President, Vice President of Finance and Administrative Services, Vice President of Academic & Student Services, one Facilities Representative, one faculty member from each division, two members of Student Government.

## **2.12.04 INSTITUTIONAL ADVANCEMENT**

### **Marketing Committee**

Function: To plan, recommend, implement, and evaluate marketing media to promote the college.

Meetings: As required.

Membership: Coordinator of Public Relations, Web Master, one faculty member from each division, two classified staff members, two members of student services, one member of CWES, two members of the student body.

### **Scholarship Committee**

Function: To develop processes and policies for fair and consistent means to distribute scholarships based on merit and need.

Meetings: As required.

Membership: Executive Director of Foundation, one faculty member from each division, Financial Aid Officer, one Financial Aid Advisor, and one additional member selected by Executive Director.

### **Grants & Fundraising Committee**

Function: To explore grants/external funding sources based upon program needs. To assist with strategic planning for long term grants such as NSF and Department of Labor. Meetings: As required.

Membership: Executive Director of Foundation, Human Resource Officer, one Academic Dean from each division, two members of the classified staff, two faculty members.

## **2.12.05 THREAT ASSESSMENT TEAM**

Membership: As directed in the Code of Virginia §23-9.2:10, the team will consist of representatives from student affairs, law enforcement, human resources, counseling services, and other constituencies as needed.

Purpose: The Threat Assessment/Violence Prevention Team is responsible for a coordinated and planned approach to the identification, prevention, assessment and management of behavioral threats to the College and the SWCC learning environment.

## **2.12.06 FACULTY SENATE CONSTITUTION**

Ratified May 22, 1970, and amended April 11, 1972; February 11, 1975; January 11, 1979; April 8, 1986; and March 13, 1990.

### *PREAMBLE*

To provide an orderly process for improving communications and mutual understanding within the college organization, and to promote faculty participation in policy-making procedures in keeping with the high aims of Southwest Virginia Community College in the educational process, the faculty of Southwest Virginia Community College established this constitution.

### *ARTICLE I. FUNCTIONS OF FACULTY SENATE*

SECTION 1. The Senate shall be empowered to make recommendations to the President concerning:

1. Matters of general education policy, such as academic requirements, admissions, and certification of students' completion of graduation.
2. Matters of general faculty interest, such as professional development, academic freedom, and faculty benefits.
3. Student affairs.
4. Certain administrative procedures of general college interest, such as expansion of physical plant and the budgetary process.

SECTION 2. In exercising the aforementioned functions the Senate shall make such rules, regulations, and by-laws as it may deem necessary for the fulfillment of its duties. The Senate shall not be limited to the above.

### *ARTICLE II. FACULTY SENATE STRUCTURE*

SECTION 1. Membership

1. The Faculty Senate shall consist of all full-time<sup>1</sup> teaching faculty, except by special petition approved by a majority vote of the Senate.
2. There shall be two categories of membership, active and inactive, based on provisions set forth in the by-laws.

<sup>1</sup> "nine-month" deleted by amendment April 11, 1972.

## SECTION 2. Senate Officers

- A. Officers that shall be elected:
  - 1. President
  - 2. Vice-President
  - 3. Secretary
  - 4. Treasurer
- B. The officers of the Faculty Senate are elected at large by the membership of the Senate.
  - 1. The officers must be active members.
  - 2. The term of office shall begin the day of the last regular meeting in the academic year and continue for a period of twelve months. The election of the officers shall be held during the penultimate meeting of the academic year.
  - 3. No individual may serve in more than one of the above offices at the same time, except that an individual may serve in the offices of Secretary and Treasurer at the same time.

## SECTION 3. The functions of the President, Vice-President, Secretary, and Treasurer.

- A. President
  - 1. The President of the Senate shall act as presiding officer over the Senate meetings.
  - 2. As President of the Senate, the President has no vote except in the case of ties.
- B. Vice-President
  - 1. The Vice-President shall preside over Senate meetings in the event of the President's absence.
  - 2. The Vice-President is Chairman of the Faculty Affairs Committee
- C. Secretary
  - 1. The Secretary shall record minutes and distribute them to the membership one week after the meeting. After approval at a subsequent meeting, the minutes shall be distributed in accordance with college policy.

2. The Secretary shall distribute the agenda for special meetings.

D. Treasurer:

1. The Treasurer shall be responsible for Faculty Senate funds.

SECTION 4. Visitors to the Senate Meeting

- A. Faculty privileges. The president of the student body shall be requested to address the Senate at least once each year to express the student government's requests for faculty actions.
- B. Other requests to address the Faculty Senate shall be presented to the Faculty Affairs Committee.

*ARTICLE III. PROCEDURE*

SECTION 1. Meetings

- A. Regular Meetings Regular meetings are to be held once a month on the second Tuesday at a time to be decided by a majority vote at the beginning of each term.
- B. Special Meetings
  1. Special meetings may be called by the President or, in his/her absence, the Vice- President of the Senate upon one week's notice.
  2. An agenda must be provided to the Senate members one (1) duty day prior to the special meeting.
  3. NO SPECIAL OR EMERGENCY MEETING SHALL BE CONVENED UNLESS ALL MEMBERS ARE DULY NOTIFIED.
  4. Upon request of ten percent of the total membership, the President or, in his/her absence, the Vice-President shall call a special meeting of the Senate.
- C. Adjournment of Meetings
  1. Each meeting shall be adjourned only upon a motion duly seconded and passed.

## SECTION 2. Voting

- A. Only active members shall be eligible to vote.
- B. All business before the Senate shall be decided by a simple majority except:
  - 1. For the establishment or amendment of Senate by-laws, a two-thirds (2/3) vote shall be necessary.
  - 2. Debate shall be closed only by a motion for the previous question which requires a two-thirds (2/3) majority.

SECTION 3. There shall be annual dues, based on provisions set forth in the by-laws.

SECTION 4. Rules of Order In all matters of procedure not specified herein, Robert's Rules of Order, Revised, shall be applied.

## *ARTICLE IV. COMMITTEES*

SECTION 1. Purpose There shall be a system of committees to aid, assist, supplement, advise, and formulate ideas consistent with the mission and philosophy of the college. This system of committees shall be further subdivided into the several classes of committees which are required to perform effectively the necessary research relative to the actual work which may arise in the regular day-to-day activities of the College.

- A. The elected standing committees
- B. The special committees.

SECTION 2. Guidelines for Standing Committees. It shall be the duty of these committees to consider all problems referred to them, make thorough investigation of the problems, report such findings, and make recommendations to the Faculty Senate.

- A. Each committee shall publish a plan of action, a standard operating procedure, and a statement of philosophy consistent with the purpose of the committees.
- B. The committees shall be given the power to accept and dispose of day-to-day work which may not require Senate action.
- C. If any committee members disagree with a report submitted, they may submit a minority report signed by the dissenting members.
- D. Unless otherwise specified by the Senate, a majority of the committee members constitutes a quorum and majority of the legal votes cast shall

be necessary to take any official action.

SECTION 3. Special Committees. It shall be within the power of the President and Faculty Senate individually, to appoint such special committees as are deemed necessary for the consideration of special problems not covered by the standing committees.

A. Presidential Special Committees

1. Such committees shall be named by the President as necessary for the function of his/her office and the college.
2. Selection of members to these committees shall be at the discretion of the president, and the term of office shall be determined by him/her.

B. Faculty Senate Special Committees

1. Such committees shall be created by Faculty Senate action for specific tasks.
2. Selection of members shall be at the discretion of the Faculty Senate.
3. It shall be the responsibility of the Faculty Senate, through its officers, to familiarize the chairman of the special committee with the policies of the Senate and all pertinent information relative to the assigned problem.
4. The committee shall be empowered by the Senate to do any research required by a successful solution of the specified problem.
5. It shall be the responsibility of each committee to accomplish any assigned work required to solve the problem and make subsequent reports to the Faculty Senate.
6. At the completion of the assigned task, the committee shall be dissolved by the Senate.

C. No specific committee shall be appointed unless it has a specific task to perform.

*ARTICLE V. RATIFICATION AND AMENDMENT*

SECTION 1. Ratification: This constitution shall be ratified by a vote of three-fourths of the membership. It then, upon approval as provided above, shall become the effective governing instrument for the faculty of Southwest Virginia Community College in carrying out the foregoing powers invested in the Faculty Senate by this constitution.

SECTION 2. Amendment: Amendments to this constitution shall be ratified by a vote of sixty percent of the membership. Amendments shall be for the purpose of revision of the articles within this constitution, or to enlarge upon the powers granted by this Constitution to the Faculty Senate. The text of any proposed amendment shall be sent to all members not later than 10 days prior to the vote. Voting shall be done by secret ballot.<sup>2</sup>

**2.12.07 BY-LAWS OF THE FACULTY SENATE OF SOUTHWEST VIRGINIA COMMUNITY COLLEGE**

*ARTICLE 1. MEMBERSHIP*

SECTION 1. An active member is one who has paid dues for the current academic year.

SECTION 2. An inactive member is one who has not paid dues for the current academic year or one who has requested to be inactive.

- A. An inactive member is one who has not paid dues for the current academic year. The inactive member may pay dues at any time during the year and become active.
- B. An inactive member may be an inactive member who requests in writing to be placed in the inactive status. He/she may become active at any time by declaring his/her intent to the Faculty Senate to be an active member.

SECTION 3. An applicant for membership by special petition shall submit in writing a petition for membership.

- A. The petition shall be considered at the next regularly scheduled meeting.
- B. Voting shall be by secret ballot.

<sup>2</sup> Original text: "Amendments to this constitution shall be ratified by a vote of three-fourths of the membership. Amendments shall be for the purpose of revision of articles within this constitution, or to enlarge upon the powers granted by this Constitution to the Faculty Senate." Amended January 11, 1979.

- C. If approved for membership, the petitioner will be eligible for membership at the next regularly scheduled meeting.

*ARTICLE II. DUES*

Dues shall be established at the first meeting of the academic year.

*ARTICLE III. QUORUM*

A quorum shall consist of a majority of the active members.

*ARTICLE IV. OFFICERS*

SECTION 1. The (Secretary) shall distribute a copy of the Constitution and By-laws to all new members.

SECTION 2. The President shall insure an annual audit of Senate funds.

## **SECTION 3: HUMAN RESOURCES**

### **3.01 CATEGORIES OF EMPLOYMENT**

All employees at SWCC are State employees. Personnel are further categorized as follows:

#### **3.01.01 REGULAR NINE-MONTH TEACHING FACULTY**

Full-time teaching faculty (including program heads and assistant division chairs) are normally on nine-month appointments which include the fall and spring semesters of the academic year.

#### **3.01.02 TEN-MONTH TEACHING FACULTY**

Ten-month teaching faculty are on-going positions for regular full-time teaching faculty with program head, or administrative duties or for faculty teaching non-traditional schedules. Salary for the tenth month is based on a pro-rata basis of the nine-month teaching salary.

#### **3.01.03 TWELVE MONTH TEACHING FACULTY & NINE-MONTH ADMINISTRATIVE/ PROFESSIONAL FACULTY**

Twelve-month teaching positions and nine-month administrative positions are established by special request to the Chancellor. The requests are submitted annually prior to March and must explain how the exceptional position will better meet the needs of the college. For twelve-month teaching positions, the work schedule and leaves are the same as those of twelve-month administrative and professional positions. For nine-month administrative/professional positions, salary and leaves are prorated.

#### **3.01.04 TWELVE-MONTH PROFESSIONAL FACULTY**

Professional faculty are individuals holding non-teaching positions with continuing responsibilities, employed on a twelve-month basis beginning July 1 and ending on June

30. All professional faculty are assigned a faculty rank for which they qualify. Librarians and Counselors are professional faculty. Colleges may also designate Coordinator, Assistant Coordinator, and Administrative Officer level positions as professional faculty.

#### **3.01.05 TWELVE-MONTH ADMINISTRATIVE FACULTY**

Administrative faculty perform work related to the management of the educational and general activities of the college, department, or division. Administrative faculty are normally employed on a twelve-month basis, beginning on July 1 and ending on

June 30. Twelve-month administrative faculty personnel are assigned a faculty rank for which they qualify.

### **3.01.06 RESTRICTED FACULTY**

A restricted position carries limitations due to funding, length of service, or other special conditions. Such conditions include funding in whole or in part by non-state revenues (e.g. grants, fees, etc.), restricted state revenues, limited appointment period, non-continuing assignments, or other restricted conditions. Restrictions may apply to teaching, administrative and professional faculty positions as well as classified positions.

### **3.01.07 ASSOCIATE INSTRUCTOR**

Associate Instructors are individuals holding a full-time, restricted, one-year appointment to teach a higher instructional load than regular nine-month teaching faculty for the fall and spring semesters. This position is relieved of most administrative and governance duties to spend time in student support and student success related activities. The Associate Instructor contract contains no expectation or guarantees of continued employment.

### **3.01.08 REGULAR PART-TIME NINE-MONTH TEACHING FACULTY**

Part-time nine-month teaching faculty are employed on a continuing basis to teach approximately 60%-80% of a regular faculty workload and carry regular faculty duties and responsibilities. Compensation is pro-rated, and benefits are restricted consistent with state policies and regulations.

### **3.01.09 ADJUNCT FACULTY**

Adjunct faculty are employed to teach less than a normal faculty load or to teach less than a full session on a semester by semester or summer term basis. The total workload includes credit hours taught at all VCCS colleges. Adjunct faculty workload is governed by the equivalent workload credit hour limits established in the Virginia Manpower Control Program, Section 4-7.0.1 of the Code of Virginia. The adjunct faculty contract contains no guarantee of continued employment.

### **3.01.10 CLASSIFIED EMPLOYEES**

Classified employees are employees who occupy positions that are listed in the Commonwealth's Compensation Plan, and who are covered by the Virginia Personnel Act as found in Chapter 10, Title 2.1 of the Code of Virginia, once they have completed the probationary period.

### **3.01.11 WAGE EMPLOYEES**

Wage employees are employees not covered by the Virginia Personnel Act (also referred to as hourly, P-14, or WE-14 employees). Generally, these positions are non-exempt for the purpose of overtime compensation. The positions are used to supplement the workforce during seasonal or temporary workloads, to provide interim replacements, or to perform short-term projects, or other jobs that do not require full-time classified employees. Wage employees are limited to working 29 hours per week on average and 1500 hours per year at any one or more VCCS college/System Office. These positions are governed by the Manpower Control Program, Section 4-7.0.1 of the Code of Virginia.

## **3.02 ACADEMIC RANK, SPECIAL POSITIONS, ADMINISTRATIVE TITLES**

*Reference:* [VCCS-29: Normal Minimum Criteria for Each Faculty Rank](#)

### **3.02.01 ACADEMIC RANK**

The titles authorized for the four standard levels of faculty rank are Professor, Associate Professor, Assistant Professor, and Instructor. The qualifications for these are on the VCCS-29.

### **3.02.02 SPECIAL RANK**

- a. The Assistant Instructor classification may be used for individuals who are appointed on a temporary or emergency basis for one year. These individuals meet most, but not all, of the minimum requirements for the instructor rank and show supporting written evidence of being able to complete such requirements within one year. A one-year renewal may be requested by a college administrator and approved by the president for a person who is actively pursuing completion of the necessary requirements.
- b. Teaching faculty members who are restricted hold the rank for which they qualify according to the VCCS-29. The Lecturer rank may be used for restricted positions in exceptional cases upon the approval of the President.
- c. Associate Instructors hold the rank of lecturer.

- d. The Lecturer rank is used for restricted administrative and professional faculty.

### **3.02.03 SPECIAL POSITIONS**

- a. Part-Time Nine Month Teaching Faculty Position is a regular part-time teaching position with the same rights, privileges, and responsibilities of full-time faculty. It has an academic year workload that is generally 60%-80% of a fulltime position, with 14-24 credits and 18-32 contact hours. It may be assigned an overload of up to 9 credits but the total workload cannot exceed 27 credits. Compensation is based on the nine-month faculty salary scale by percentage. Benefits are limited and governed by the policies and regulations of the state for part-time, regular employees. Leave benefits are prorated. All full-time, unrestricted faculty policies apply.
- b. The Associate Instructor Position is a student-focused position responsible for teaching and being involved in activities that directly support student success, such as mentoring and tutoring. It carries a higher instructional load than regular nine-month faculty but is relieved of most administrative and governance duties. The position is a nine-month restricted position teaching fall and spring semesters. The following conditions apply to this position:
  - 1. Workload: The academic year workload is 33-39 credits with 39-49 contact hours. No more than 3 credit hours of overload may be assigned in an academic year.
  - 2. Office hours and additional duties: The position is expected to have 12-19 hours per week involved in student engagement activities such as office hours, tutoring, and mentoring.
  - 3. Compensation: There are two salary ranges for the Associate Instructor position. The Level I range is for those who meet the VCCS-29 qualifications of instructor or assistant professor. Level II is for those who meet the qualifications of associate professor or professor. The position is full-time and therefore receives full benefits.
  - 4. Contract Period: The position receives an annual one-year contract. Contracts are not renewable. However, individual associate instructors may receive an additional one-year contract upon the successful review of the college's instructional needs and the individual's performance.
  - 5. Applicability of full-time faculty policies: The following policies are unique to the associate instructor position.
    - a. Evaluation: The college adjunct faculty evaluation plan will be used.
    - b. Academic rank: All Associate Instructors hold the rank of Lecturer.

Credentials are evaluated using the requirements of the VCCS-29 to determine whether placement for compensation should be as a Level I or Level II Associate Instructor. Those with credentials that match the instructor or assistant professor rank requirements are designated as Level I. Those with credentials that match the associate professor and professor rank requirements are designated as Level II.

c. Reclassification: Faculty who acquire additional credentials may request a re-evaluation of salary and position level prior to the issuance of a new contract.

d. Grievance Procedure: Faculty concerns may be pursued through Level 3 of the Faculty Grievance Procedure. College-level decisions are binding.

e. Severance: The Associate Instructor position is not covered under the severance policy.

6. Recruitment and Selection: Because of the restricted, limited time nature of the associate instructor position, colleges may use regional recruitment sources. Hiring decisions may follow reviews by smaller committees than those utilized for regular full-time teaching positions.

c. Ten-month Teaching Faculty Positions are on-going positions for regular full-time teaching faculty with program lead, or administrative duties or for faculty teaching non-traditional schedules. Salary for the tenth month is based on a pro-rata basis of the nine-month teaching salary. Ten-month positions are not temporary assignments that faculty move into and out of on a regular cycle, rather a permanent assignment for programs that do not shift assigned program lead responsibilities periodically.

### **3.02.04 EMERITUS:**

The Emeritus/Emerita title is honorific and is intended to acknowledge outstanding service to the Virginia Community College System. It does not represent any entitlement to authority, rights, privileges or resources.

a. President Emeritus.

1. Eligibility: Candidates for emeritus status must have provided ten or more years of outstanding, distinguished, and honorable service to the VCCS in positions of substantial leadership to include the role of president.

2. Procedure: The Local College Board must nominate a President for emeritus status by official Board action. The request should contain a brief description of the candidate's service and an explanation of why he or she is deserving of this honor. The request should be submitted in writing to the Chancellor for review and consent. If agreed to, the Chancellor will submit the request to the

State Board for approval.

3. Emeritus Conditions: The appointment of the President Emeritus/Emerita is for life. Whenever using the Emeritus title in print or otherwise, the President Emeritus should conduct himself or herself in the same manner and consideration expected of an active president.
  4. General Provision: Notwithstanding any other element of this policy, the State Board retains the authority to withdraw the Emeritus title, without cause. Further, the Chancellor may in extenuating circumstances recommend exceptions to the eligibility requirements for the State Board's consideration and action.
- b. Chancellor Emeritus. The State Board may grant the title of Chancellor Emeritus at its sole discretion.
  - c. Professor Emeritus. The establishment of the status of Professor Emeritus is recommended as a method of honoring teaching faculty for meritorious service to the college. The President of the college shall establish a procedure for selecting individuals for appointment as a Professor Emeritus with all the rights and privileges established by the college. To be eligible the faculty member must be retired and usually will have the rank of Associate Professor or Professor with a minimum of ten years of service in the VCCS and have made a significant, meritorious contribution to the college or the VCCS.
  - d. Administrative/Professional Faculty Emeritus. The establishment of the status of Administrative/Professional Faculty Emeritus is recommended as a method of honoring individuals for meritorious service to the college. The President of the college shall establish a procedure for selecting individuals for appointment as Administrative/Professional Faculty Emeritus with all the rights and privileges established by the college. To be eligible, the person must be retired, have a minimum of ten years of service in the VCCS, and have made a significant, meritorious contribution to the college or the VCCS.
  - e. Classified Employee Emeritus. The establishment of the status of Classified Employee Emeritus is recommended as a method of honoring staff members for meritorious service to the college. The President of the college shall establish a procedure for selecting individuals for appointment as Classified Employee Emeritus with all the rights and privileges established by the college. To be eligible the person must be retired, have a minimum of ten years of service in the VCCS, and have made a significant, meritorious contribution to the college or the VCCS.

### **3.02.05 USE OF ADMINISTRATIVE AND PROFESSIONAL TITLES AND FACULTY RANK**

All faculty employees shall use the faculty rank and/or administrative titles as recommended by the college president and approved by the VCCS, and the State Board, in all formal or official operations of the college. Approved working titles may be used when they are reflective of the position level and responsibilities.

### **3.03 FACULTY QUALIFICATIONS FOR ACADEMIC RANK**

*Reference:* [VCCS-29: Normal Minimum Criteria for Each Faculty Rank](#)

#### **3.03.01 QUALIFICATIONS FOR TEACHING FACULTY**

Qualifications for teaching faculty are stated on the “Normal Minimum Criteria for Each Faculty Rank,” VCCS-29 chart and narrative. The academic rank is determined by academic preparation, previous teaching experience and/or related occupational experience. Academic rank determines the salary range for compensation decisions.

#### **3.03.02 QUALIFICATIONS FOR ADMINISTRATIVE AND PROFESSIONAL FACULTY**

- a. Qualifications for Administrative and Professional Faculty are stated on the “Normal Minimum Criteria for Each Faculty Rank,” VCCS-29 chart and narrative in Columns 1 and 2. The academic rank is determined by academic preparation, previous teaching experience and/or related occupational experience. Academic rank does not determine the range for compensation decisions; the salary range for the type of position (e.g. Vice President, Dean, Director, Coordinator, etc.) is used for this purpose.
- b. The use of Columns 3, 4, 5, and 6 to hire administrative and professional faculty requires the approval of the Chancellor.
- c. The minimum academic credential for the positions of Provost, Academic Vice President, and President is an earned doctorate. All vacancy announcements for these academic positions must clearly state that an earned doctorate is the minimum degree required.

#### **3.03.03 QUALIFICATIONS FOR ADJUNCT FACULTY**

Adjunct Faculty must meet the qualifications as stated on the “Normal Minimum Criteria for Each Faculty Rank,” VCCS-29 chart and narrative. The academic rank is determined by academic preparation, previous teaching experience and/or related occupational experience. Academic rank determines the range for compensation decisions.

### **3.03.04 DEGREE EQUIVALENCY**

- a. The earned doctoral degree normally includes the Ph.D., D.A., D. Sc., and Ed. D.
- b. For faculty whose effective employment date with the VCCS is July 1, 1995, or anytime thereafter, or for current employees who earn a master's or bachelor's degree on July 1, 1995, or anytime thereafter, only those graduate hours taken after the master's or bachelor's degree requirements are completed may be used to determine salary increments for initial salary calculations or to meet promotional requirements. For all other faculty, the equivalency factor of 30 hours for the master's degree will be continued.
- c. Degrees such as M.D., D.D.S., D.V.S., J.D., D.P.T. and other professional degrees are equivalent to the master's degree plus 24 graduate semester hours.
- d. The Master of Fine Arts (MFA) degree is considered a terminal degree for faculty teaching in a field related to the degree. The requirement of the doctoral degree under columns one and two for such faculty will not be necessary; however, these faculty will still need to satisfy the requirements of credits in the teaching field and the other requirements for promotion to upper ranks of the professoriate.
- e. In considering college degrees for initial appointment, promotion, or recognition, the highest degree accepted for consideration must have been awarded by a college or university in good standing with a regional accrediting agency recognized by the U.S. Department of Education. Regional accrediting agencies include: Middle States, New England, North Central, Southern, North West and Western Commissions. If the highest degree is from a non-regionally accredited institution outside the United States, evidence must be presented showing that the faculty member has appropriate academic preparation and that the degree requirements are consistent with the academic rigor required of a regionally accredited institution. Foreign transcripts must be evaluated by a credential evaluation service approved by the National Association of Credential Evaluation Services (NACES). The evaluation will be considered by the college as a recommendation.

### **3.03.05 COLLEGE TRAINING AND EXPERIENCE**

College training and experience includes the following:

- a. College degrees;
- b. Number of undergraduate and graduate credits in major teaching field;
  1. Courses in field will normally have their substantive content in the principal discipline field for which the faculty member is hired. When neither

discipline prefix nor course title reflects this substantive content, the faculty member must supply documentation to his or her supervisor who will determine the appropriateness of the course content. Recommendations of acceptable courses will be reviewed by the academic vice president and forwarded to the president for final approval.

2. Courses in related teaching field will normally pertain directly to concepts or application of the principal discipline field for which the faculty member is hired. The faculty member must supply documentation of such direct pertinence to his or her supervisor, who will determine the appropriateness of the course content. Recommendations of acceptable courses will be reviewed by the academic vice president and forwarded to the president for final approval.
- c. Professional and occupational certificates or licenses;
  - d. Apprenticeships;
  - e. Training in trade schools and special schools;
  - f. Internships;
  - g. Advanced studies; and
  - h. Previous occupational experiences in business, government, industry, and the professions and previous educational experiences both inside and outside the VCCS.
  - i. Faculty teaching in the occupational/technical fields are required to possess some appropriate occupational experience in fields related to the subjects they are teaching. They are encouraged to keep up to date with occupational developments through visitations, summer employment in industry, and other occupational experience.

### **3.03.06 COLLECTIVE MINIMUM QUALIFICATIONS FOR HIRING AND PROMOTION**

*Reference:* [VCCS-29: Normal Minimum Criteria for Each Faculty Rank](#)

- a. Minimum Qualifications for hiring and promotion are comprised of State Board for Community Colleges' Policy as stated on this page, the VCCS-29 chart, and the following Principles of Accreditation of the Commission on Colleges of the Southern Association of Colleges and Schools (SACSCOC) Section 6--Faculty.

*"Qualified, effective faculty members are essential to carry out the mission of the institution and to ensure the quality and integrity of its academic program. The tradition of shared governance within American higher education recognizes the importance of both faculty and administrative involvement in the approval of educational programs. Because student learning is central to the institution's mission and educational degrees, the faculty has responsibility for directing the learning enterprise including overseeing and coordinating educational programs to ensure that each contains essential curricular components, has appropriate content and pedagogy, and maintains discipline currency."*

- b. **Emphasis on Continuous Improvement:** Faculty qualifications for promotion must emphasize enhancement of knowledge, skills, and abilities through supplemental education beyond the minimum required for initial hiring and through the accrual of successful full-time teaching experience. For this reason, faculty must complete credit hours beyond the current highest degree attained and/or additional years of full-time teaching experience as partial criteria for promotion.
- c. **Equality of Rank across Disciplines and Programs:** Each faculty rank carries comparable levels of responsibility and requires comparable levels of content expertise relative to the discipline/program. To this end, faculty in both transfer and career and technical disciplines retain comparable privileges of and, relative to the discipline, must meet comparable expectations for each rank.
- d. **SACSCOC Credential Guidelines**
  - 1. Faculty teaching associate degree courses designed for transfer to a baccalaureate degree: doctoral or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).
  - 2. Faculty teaching associate degree courses not designed for transfer to the baccalaureate degree: bachelor's degree in the teaching discipline, or associate's degree and demonstrated competencies in the teaching discipline. In addition to the above two categories of faculty specified by SACS, the VCCS adds the following categories.
  - 3. Faculty teaching courses designed for non-associate degree occupational fields: high school diploma or equivalent with demonstrated competencies in the teaching field.

4. Faculty teaching developmental courses: bachelor's degree in a discipline related to the teaching assignment and either teaching/occupational experience related to the teaching assignment or graduate coursework in developmental education.
  5. Faculty teaching Student Development (SDV) courses: A minimum of a bachelor's degree from a regionally accredited institution.
- e. Coverage: The accompanying chart (VCCS-29) specifies the normal minimum criteria for each faculty rank for:
1. Full-time and adjunct teaching faculty
  2. Administrative and professional faculty (including counselors and librarians)
  3. For administrative and professional faculty:
    - “Teaching effectiveness” refers to effective performance in the primary area of responsibility;
    - “Teaching experience” includes professional service in the primary area of responsibility;
    - “Graduate semester hours in teaching field” refers to coursework in one's occupational field for the purpose of hiring and promotion.
- f. Applicable Policies: The chart will be used and interpreted in conjunction with the above explanation of policy; section 3.2, Faculty Qualifications; section 3.7, Faculty Promotions; and section 3.8.0, Procedure to Determine Faculty Entry Level Salaries in the VCCS Policy Manual.
- g. Minimum Requirements
1. Fulfillment of normal minimum criteria does not guarantee original placement in, or promotion to, a given rank.
  2. Minimum degree requirements for original appointments and promotions must be met.
  3. The following are appropriate substitutions that may be used at the discretion of the college:
    - i. Teaching experience beyond the minimum required may be used in lieu of occupational experience at the rate of one year of full-time teaching experience being considered equivalent to a required year of full-time

- occupational experience.
- ii. Occupational experience beyond the minimum required may be used in lieu of teaching experience at the rate of one year of full-time, related occupational experience being considered equivalent to a required year of full-time teaching experience.
  - iii. Educational preparation above the requirements for initial placement in rank may fulfill requirements for occupational experience and/or teaching experience at the rate of 30 undergraduate credits being considered equivalent to one year of teaching or occupational experience, and 24 graduate credits being considered equivalent to one year of teaching or occupational experience.
  - iv. For Columns 3 and 5, business, industry, and professional certifications may substitute for educational requirements. These equivalencies must be documented, approved by the president, and placed in the personnel file.
  - v. Eighteen graduate semester hours of course work related to the teaching field may substitute for the requirement that a bachelor's degree be related to the teaching field.
- h. Program Accreditation Requirements: In cases where program accreditation agencies recommend specific graduate courses for faculty, those courses should be considered to be "in the teaching field" for VCCS- 29 purposes regardless of the course prefix or other criteria normally used to determine the status of coursework.
- i. Measurement of teaching effectiveness: For initial appointments teaching effectiveness is determined through references. Measurement of performance evaluation for promotions is determined by whether teaching faculties have achieved a "Meets Expectations" summary rating on their most recent faculty evaluation. Administrative and Professional faculty must receive at least a "good" summary evaluation rating on the most recent evaluation to qualify for promotion eligibility. (Per VCCS Policy 3.7.0.1.0, fulfillment of normal minimum criteria does not guarantee promotion to a given faculty rank.)
- j. For Promotions Only: Credit hour equivalency may be granted for no more than a total of 15 semester hours by either a) or b) below or a combination of both during employment with the VCCS.
- 1. Active participation in given learning experiences (continuing educational unit classes, workshops, conferences, seminars, etc.) when part of a written professional development plan, approved in advance by the president applying the following formula: 45 contact hours is equivalent to one semester credit hour.

2. Non-teaching work experience directly related to the faculty member's field at a rate not to exceed 1.25 semester credit hours per month of full-time equivalent work experience and not to include work experience applied toward initial appointment, when part of a written professional development plan approved in advance by the president of the college.
- k. Human Resource Delegated Authority Agreements: Any exceptions to the criteria as outlined in the VCCS-29 must be fully justified and documented in accordance with the community college's Human Resource Delegation Agreement.

### **3.04 RECRUITMENT AND SELECTION**

*Reference:* [VCCS-29: Normal Minimum Criteria for Each Faculty Rank](#)

#### **3.04.01 RECRUITMENT AND SELECTION PROCEDURES**

Each college shall have written policies pertaining to recruitment and selection.

#### **3.04.02 RECRUITMENT OF FACULTY RANK APPLICANTS**

The responsibility for faculty recruitment rests with the individual college. The System Office will assist in college recruitments upon request. No fees shall be paid to recruit employees from personnel agencies.

#### **3.04.03 APPOINTMENTS AND EXCEPTIONS TO NORMAL SEARCHES**

Purpose: The purpose of this policy is to identify circumstances whereby a College or the System Office may appoint a faculty member to an existing vacant position without a normal search. These are rare circumstances appropriate only when it advances the mission, goals, or published initiatives of the College or System Office.

##### **3.04.03.01 ELIGIBILITY**

This policy applies to state funded and restricted full-time teaching, administrative, and professional positions.

##### **3.04.03.01 Types of Positions, Hiring Opportunities and Circumstances Covered**

The following exceptions to a full search are covered by this policy.

1. Distinguished Faculty – Select academics with a noteworthy record of

teaching, scholarship or creative activity that would significantly enhance the mission of the College.

2. Uniquely Qualified Professional – Appoint a professional who would enhance the organization because of a unique set of professional skills that are rarely duplicated, or that meet particular special needs of a College/System Office.
3. Reorganization – As a result of a documented and strategic reorganization plan, faculty members may be reassigned to different or newly created positions. Automatic reassignments should not be taken for granted if they limit the opportunity of other qualified candidates to compete for the position. Appointments that result in newly vacant positions will be more favorably considered.
4. Temporary Positions – It is not the intent of this policy to apply to all temporary openings, therefore requests should be made only when there are unique circumstances. An appointment for a temporary position that is funded for a limited duration after recent searches produced a small number of applicants is characteristic of an exceptional request.
5. Diversity – When the opportunity exists to advance documented College or System Office goals to diversify its faculty and a uniquely qualified professional from an underrepresented minority group is nominated.
6. Urgent/Emergency Appointment – Appointment of a qualified individual due to a critical timing issue such as the illness, injury or sudden death of a faculty member, an inopportune vacancy i.e. beginning of semester, or similar unanticipated needs.
7. Classified to Faculty – To change a classified position to a faculty position when there is no substantial change of duties or any change in compensation, and the incumbent is qualified to hold a faculty position.
8. Funding Change – When a position’s funding changes from restricted or grant funds to institutional funds and the President deems it is in the organization’s best interest to retain the incumbent without the necessity of a normal search.

### **3.04.03.03 REQUEST PROCEDURE**

- a. A written request for an exceptional action should be sent by the President to the Chancellor with a copy to the Associate Vice Chancellor for Human Resource Services. The letter will include justification that clearly explains the unique circumstances surrounding the request for an exception to a normal search and how the organization will benefit from the exception. Components of the justification should at least include the following:

1. Category of Exception
2. Rationale
3. History of position vacancy and/or any past searches
4. Qualifications of the anticipated candidate
5. If the candidate has any prior relationship with the College or with any individual who has some influence over the hiring decision.
6. Planned Salary Range
7. Other pertinent information

b.No offer or statement of intent should be made to an employee or potential candidate until the President receives written approval from the Chancellor.

c.The existence of any one or more of the factors described in this policy does not provide automatic justification for an exception to conducting a normal competitive search.

d.It is anticipated that this policy will be used less than 5% of the time, since it recognizes that in rare circumstances there are organizational needs that outweigh the inherent fairness of normal, open and competitive searches. Each request will be rigorously scrutinized to ensure that a compelling organization need for an exception is evident.

e.The point of contact for this policy is the VCCS Human Resource Services Department.

### **3.04.04 CONFLICT OF INTEREST IN EMPLOYMENT**

Purpose: It is the purpose of this policy to protect college personnel and Local Board members from any appearance of impropriety that could undermine the integrity of the SWCC employment process.

a. Definition: For purposes of this section, immediate family shall be defined as any son, daughter, or spouse whether living in the employee's household or not. Son and daughter shall include those related by blood, marriage, or adoption. Also included in the definition are all dependents residing in the employee's or board member's household and anyone for whom the employee or board member is a dependent.

b. General Provisions

1. College Personnel. An employee of the college shall not exercise any control over the employment or the employment activities of a member of the employee's immediate family and shall not be in a position to influence those activities. For example: a spouse of the president, or a member of the president's immediate family, shall not be employed by the college. The spouse of a vice president, or a member of the vice president's immediate family, shall not be employed in the area of responsibility of a vice president.
  2. Local Board Members. No member of a local college board shall apply for a full or part-time position in the VCCS while serving as a member of a local college board. Each community college is prohibited from employing for remuneration, in any capacity whatsoever, either on a full-time or part-time basis, a member of the college's board, or the Board member's immediate family.
  3. State Board Members. No member of the State Board shall apply for a full or part-time position in the VCCS while serving as a member of the State Board. The community colleges and the System Office are prohibited from employing for remuneration in any capacity whatsoever, either on a full-time or part-time basis, a member of the State Board, or the Board member's immediate family.
  4. New State Board members who have a family member covered by the definition of immediate family in a., above, who is employed or has accepted employment with the Virginia Community College System prior to the effective date of the board member's term of service shall be asked to abstain from all votes regarding conditions of employment or any issue which may raise a perception of conflict of interest as determined by the Board Chair.
- c. Student Employment. An exception to this policy is granted in circumstances wherein a family member of an employee or board member is enrolled in a course of study, their employment is related to their status as a student, the employment concludes at the end of their course of study, and the student does not both live in the employee's household and receive more than half of their financial support from the employee.

#### **3.04.05 REFERENCE AND BACKGROUND CHECK**

Purpose. The purpose of the Reference and Background Check Policy is 1) to promote a safe environment and protect the welfare of students, employees, and visitors to our campuses; 2) to protect organizational assets including people, property and information;

3) to verify the identity and credentials of applicants; 4) to perform due diligence in ensuring that we appropriately evaluate candidates' background and suitability for

employment within the VCCS; and 5) to enable each college and the System Office to make prudent hiring decisions based upon comprehensive job-related information.

- a. Coverage. All new employees (full-time and adjunct teaching faculty, administrative/ professional faculty, classified staff, and wage employees), and current employees who are hired into or transfer to classified, administrative/professional and teaching faculty positions at their current or another VCCS college on or after July 1, 2007 are covered by this policy, with the following exceptions:
  1. Work-study students/student assistants positions are not covered by this policy, unless the student works in a position that is deemed sensitive in accordance with DHRM Policy 2.10 and the Code of Virginia § 2.2-1201.1, has access to sensitive IT systems or data, is subject to other provisions in this Policy, or other similar or related Commonwealth regulations.
  2. Employees rehired within 18 months of their last assignment are not required to undergo a background check if a check appropriate to the new position had been previously completed.
  
- b. Minimum Reference and Background Check Requirements. The minimum investigation will always include the following:
  1. Professional reference checks to verify the skills, past performance, and the candidate's potential and suitability for employment.
  2. A reference from the current (or most recent) supervisor is strongly preferred for applicants with work experience. If this is not feasible, references from two former immediate supervisors should be obtained in addition to checks of other appropriate references.
  3. Verification of social security number.
  4. Virginia criminal history and sexual offender registry check.
  5. Verification of academic credentials and professional licensure, as appropriate for the position.
  
- c. Completion of Reference and Background Checks. Reference and background checks should be completed prior to an offer of employment, however the applicant's first day of work in the position must not be prior to the satisfactory completion of appropriate checks.
  1. Exceptions to this policy must have the joint approval of the chief human resource

officer and appropriate vice president/vice chancellor.

2. If an exception is made, the offer letter or Faculty Employment Contract will explicitly state that, "This offer is conditional and will become final only upon receipt of satisfactory results from the College's/System Office's verification of credentials and other information required by law, regulation, and VCCS policies, including the completion of a criminal history and other background checks. In the event issues are raised in the investigation report that may impact your appointment, this offer and confirmation will be withdrawn."
- d. Additional Background Checks Requirements. Some positions will require additional background investigations based upon the nature or importance of the position to the college and community. Reasons for additional checks include, but are not limited to, positions that handle significant financial transactions, security sensitive positions, executive positions and other positions afforded a degree of special trust and confidence. Such checks may include the following:
1. Sensitive Positions: In accordance with DHRM policy and Virginia Code, Va. Code § 2.2-1201.1, each agency must designate positions which are directly responsible for the health, safety and welfare of the general populace or protection of critical infrastructures. These positions are required to have a Virginia criminal history and Federal Bureau of Investigation database check conducted through the Department of State Police, and this check must include also including fingerprinting.
  2. Work and Residence History: Candidates who have resided or worked in a state other than Virginia will undergo a criminal history check on the national level or in the communities where they worked and resided, as appropriate. Such checks should be undertaken in addition to Virginia State Police criminal history checks.
  3. Motor Vehicle History: Motor vehicle record checks should be conducted for positions that involve the operation of a motor vehicle or heavy equipment, or that require a valid driver's or commercial driver's license. Such operators should have their motor vehicle records checked periodically to ensure that the employee maintains a good driving record.
  4. Credit Check: Positions requiring a credit check are those that have access to material levels of cash or negotiable securities; have responsibility or authority for the execution, approval or commitment of financial resources or transactions; responsibility for creating, collecting, or accounting for material levels of accounts receivable; have significant inventory control responsibilities, including the receipt and release of inventory; have access to, or responsibility for the

payroll/personnel or purchasing systems, or privileged access to sensitive data or critical data processing systems; have unsupervised access to college, employee, or student property or master key access to facilities or have access to pharmaceuticals or other controlled drugs.

5. Fingerprint Check: Fingerprint checks are required for all security positions, and information technology positions designated as security sensitive, consistent with the requirements of Code of Virginia § 2.2-1201. Fingerprint checks may also be conducted for other positions designated as “sensitive” by the College/System Office.
6. Medical/Physical Evaluation: A pre-employment, post-offer, or return-to-work physical may be required for positions that require a certain degree of physical exertion based upon the essential functions of the position in question, or medical qualification requirements (if applicable). Such requirements exist to ensure applicants can perform the essential functions of the job with or without reasonable accommodation, or that they possess the minimum abilities necessary for safe and efficient performance of the duties that characterize the position.
7. Drug and Alcohol Testing: In accordance with the Code of Federal Regulations, all drivers of vehicles requiring a Commercial Driver’s License (CDL) are subject to the pre-employment testing for controlled substances and reasonable suspicion, random, and post-accident, return-to-work testing for the use of controlled substance (drugs) and alcohol.

e. Current Employee Responsibility to Report Convictions

Current employees must report to their immediate supervisor and office of human resources within five days:

1. Any drug convictions they receive, whether they are felonies or misdemeanors.
2. Convictions related to child molestation, indecency with a minor, or other sexual offenses.
3. Convictions for alcohol related and serious motor vehicle violations, including but not limited to DWI/DUI, reckless driving, evading arrest, hit-and-run, and similar offenses if their duties involve the operation of college heavy machinery equipment or motor vehicles, life safety, security.
4. Any convictions involving financial impropriety or similar matters for employees who work in positions with fiduciary responsibilities.
5. The System Office and Colleges reserve the right to conduct a criminal background check when circumstances are identified that warrant further

investigation for job-related convictions. Results of the background check will normally not affect opportunities for continued employment unless information discovered regarding prior or current convictions leads to a conclusion that the safety of students, clients, and/or co-workers may be compromised. The individual may be reassigned or his/her employment may be terminated.

#### **3.04.06 COLLEGE RESPONSIBILITIES**

- a. All applicants will be required to complete a Commonwealth of Virginia employment application or submit a résumé as a part the recruitment process.
- b. Applicants who submit résumés must complete a state employment application prior to the time of interview.
- c. Advertisements will announce and applicants will be advised that satisfactory reference and background checks are a condition of employment.

#### **3.04.07 USE OF BACKGROUND CHECK INFORMATION**

The discovery of either a job-related conviction or falsified conviction information or other information on the application may result in denial of employment. A previous conviction does not automatically disqualify an applicant from consideration from employment within the VCCS.

- a. Job relatedness: In making the determination of job-relatedness of convictions, consideration will be given to the 1) nature, 2) recency, 3) frequency, 4) severity of the crime(s), and 5) the age of the individual at the time the crimes were committed.
- b. Other factors: that will impact the decision include the nature of the position for which selected; the relationship that a conviction has to the duties and responsibilities of the position; whether the circumstances arose out of an employment situation; whether the conviction related to harm to others, such as murder, rape, assault, domestic violence, etc.; the nature and scope of position's fiduciary responsibilities; the nature and scope of the position's student, public or other interpersonal contact; the nature and scope of the position's autonomy and discretionary authority; the sensitive nature of the data or records maintained or to which the position has access; the potential opportunity presented for the commission of offenses; the extent to which acceptable job performance requires the trust and confidence of the college or public; and other factors as deemed appropriate.
- c. Withholding Conviction Information: If an applicant fails to reveal any previous

job- related conviction, he/she will likely be disqualified from employment in that or any other position within the VCCS for falsification of an application

- d. Final Decision: A decision to not hire, or rescind a previous offer will be made jointly by the chief human resources officer and the appropriate vice president/vice chancellor.

### **3.04.08 MAINTAINING INFORMATION**

Any information derived from reference or background checks shall be maintained in the strictest confidence possible. Only essential personnel involved in the hiring process shall be informed, on a need-to-know basis.

- a. The chief human resource officer will administer the gathering of this information, except in the case of Campus Police Officers and security positions, which pursuant to DHRM Policy 2.10 will be conducted by the Campus Police/Public Safety Department.
- b. SWCC follows the guidelines of DHRM Policy 2.10 and the requirements of the Fair Credit Reporting Act, where appropriate, for conducting background checks.
- c. Information retained in personnel files shall be kept to a minimum, briefly identifying the outcome of the results. For individuals rejected, the file documents will indicate that the offer was retracted because of information obtained through a reference or background check. For the person hired, the file documentation would indicate that the appropriate reference and background checks were conducted and revealed no problem areas related to employment.

## **3.05 FACULTY APPOINTMENT**

### **3.05.01 ORIGINAL AND CONTINUING APPOINTMENT POLICY**

#### **3.05.01.01 DEFINITIONS**

- a. Appointment Dates: The effective date for all appointments is July 1 through June 30 irrespective of whether the faculty employment contract covers a nine- or twelve-month period. The faculty employment contract shall specify the period of service, the rank, and the salary.
  - 1. The normal period of service for nine-month faculty is August 16 - May 15 and July 1 - June 30 for twelve-month faculty.
  - 2. In exceptional cases, nine-month teaching faculty may serve for twelve- months, July 1-June 30. Administrative faculty may serve for nine months; August 16-May 15.

- i. To establish exceptional twelve-month teaching positions and nine-month administrative positions, the college must submit a request to the Chancellor explaining how the exception will better meet the needs of the college.
- ii. For these twelve-month positions, the work schedule and leave are the same as that for twelve-month administrative and professional faculty members as stated in VCCS Policy 3.9.3.2.
- iii. The Chancellor may establish additional criteria for requests.

f. Probationary Appointment: The first year of employment for teaching faculty.

g. One-year Appointment: A one-year appointment shall be for one (1) year and may be renewed annually.

h. Multi-year Appointments: Multi-year appointments shall be three or five years in duration.

1. Three-year Appointment: A three-year appointment shall be for three (3) years and shall not be affected by change in faculty rank.

2. Five-year Appointment: A five-year appointment shall be for five (5) years and shall not be affected by change in faculty rank.

i. Year of Service: For purposes of eligibility for multi-year appointments, a year of full-time employment for both nine month and twelve-month faculty personnel is full-time employment for two academic semesters (fall and spring), the salary for which is chargeable to a single fiscal year's budget. Employment for less than this period shall not constitute a year of full-time employment and shall not count toward the time eligibility period for a multi-year appointment. An unauthorized absence of 14 days or less in an academic year will not cause that year to be discounted. See IV. Leave of Absence.

j. Non-reappointment: The decision not to renew the appointment of a faculty member at the end of the current appointment period.

### **3.05.01.02 ELIGIBILITY**

- a. Faculty: Only teaching faculty, counselors, and librarians, who are employed in unrestricted full-time appointments and have been recommended for reappointment, are eligible for three- and five-year appointments. Administrators who hold faculty rank, faculty members with the rank of assistant instructor or lecturer, or those on restricted appointments serve only one-year or shorter appointments. Whenever the

person becomes otherwise qualified, full-time employment in these capacities counts toward the eligibility for a multi-year appointment.

- b. Tenured Faculty: Faculty having tenure on the effective date of this policy shall, unless they elect otherwise, remain subject to the tenure policy of January 29, 1969, as amended; however, such faculty shall be subject to the college evaluation procedures.

### **3.05.01.03 SEQUENCE OF APPOINTMENT**

- a. Normal Sequence: -- The normal sequence of appointments under this policy is three (3) one-year appointments (one probationary then two one year appointments), one (1) three-year appointment, and then the first five-year appointment. The sequence of appointments is subject to all of the other provisions of this policy. Nothing shall limit the number of one- and three-year appointments which may be granted nor shall anything prohibit the granting of a shorter appointment to a faculty member who had previously held a longer-term appointment.
- b. Continuance: Once a faculty member has been granted a five-year appointment, subsequent three or five multi-year renewal is presumed unless cause for discontinuance is demonstrated following review by the Ad Hoc Appointment Advisory Committee.
- c. Termination of Employment: Termination of employment with the VCCS constitutes a break in service for purposes of seniority. (See the Procedure for Reduction of Staff Holding Faculty Rank for the determination of seniority.)
- d. Transfer Within the VCCS: Upon transfer from one college in the VCCS to another college in the System, the appointment proposals accepted by faculty members while at the former college shall be deemed voided upon such transfers. The normal sequence of appointments at the receiving colleges shall be for faculty members to receive two (2) one-year appointments before being considered for the type of appointments for which they would have been eligible had they remained at the former institutions.
- e. Change of Status: For teaching faculty, counselors and librarians who hold a multi-year appointment, an appointment to an administrator's position shall void the multi-year appointment since administrators receive only one-year appointments. For administrators transferring to a teaching, counselor or librarian position, the normal sequence of appointment shall be for the faculty member to receive one (1) one-year appointment before being recommended to the Ad Hoc Appointment Advisory Committee for consideration of a multi-year appointment, based on total previous service in the VCCS.

### **3.05.01.04 LEAVE OF ABSENCE**

#### **a. Education Leave**

1. **Partial Pay:** Faculty members holding three- or five-year appointments who are granted educational leaves of absence with partial pay and are not employed full-time during at least two academic semesters of the period August 16 through August 15 of the following year shall have their current multi-year appointments extended for one year
2. An educational leave of absence, with or without pay, shall not disqualify the year of its occurrence as counting towards a year of service. No more than two academic years may be exempted from the years of full-time service requirement because of educational leave.

b. **Military Leave:** A military leave of absence, for a member of a reserve unit who is called to active duty, and who, upon completion of her or his military obligation, returns immediately to the college, shall not disqualify the active military duty period as counting towards a year of service for purposes of promotion or multi- year appointments.

c. **Leave With or Without Pay:** Periods of leave, with or without pay (except for the use of earned annual or sick leave, educational leave, sabbaticals, or military leave), of over 14 calendar days cause a discontinuity for a semester, disqualifying the semester from counting towards a full year of employment, unless specific arrangements have been made between the president and faculty member. The arrangements must be in writing and placed in the faculty member's personnel file prior to the beginning of the leave. No leave without pay agreement shall exceed one fiscal year in length.

1. **Extension:** An extension of more than two years beyond the original expiration date of a multi-year appointment is not authorized.

### **3.05.01.05 COLLEGE PROCEDURES**

a. **Ad Hoc Appointment Advisory Committee:** The president shall establish an Ad Hoc Appointment Advisory Committee to provide information and advice for the president's consideration on all faculty members eligible for three- and five-year appointments.

b. **Committee Membership:** The distribution of the membership of this committee shall be determined by the president and shall be from the various segments of the college faculty (teaching faculty, counselors, and librarians)

and administrators. Where practicable, the faculty membership shall be in general proportion to the college population of each such faculty segment, but in no case shall there be less than one representative from each faculty segment. The various segments of the college faculty shall elect from their members their representatives on this committee. The president shall appoint administrators to this committee, but in no case shall administrative representatives exceed one-third (1/3) of the committee membership.

c. Committee Procedures

1. The committee shall elect a chair from the membership and establish operating procedures necessary to fulfill its function in accordance with guidelines established by the president. Among these guidelines shall be provisions:
  - i. That a faculty member eligible for a three- or five-year appointment may appear before the committee to present such information as the committee deems appropriate.
  - ii. In the event that an administrator has participated in any preliminary decision regarding the current evaluation of the faculty member in question, the administrator shall be replaced by another administrator appointed by the president for the consideration of that faculty member.
  
2. The committee shall consider all eligible faculty for three- or five-year appointments and any other faculty who have been recommended for special consideration by the President. The criteria to be considered by the committee as it considers faculty for three- and five-year appointments shall include, but not be limited to, the following:
  - i. Competence of faculty members as teachers or in their assigned functions;
  - ii. Effectiveness of faculty members in carrying out their functions and duties as prescribed in the college Faculty Handbook;
  - iii. Ability to establish and maintain positive professional relationships with colleagues, supervisors, students, and the community;
  - iv. Extent and currency of professional qualifications;
  - v. Adherence to all policies, procedures and regulations as outlined in the college Faculty Handbook, the VCCS Policy Manual, any policy, procedure, and regulation adopted by the college or the VCCS, and the laws of the Commonwealth of Virginia;

vi. Evaluations.

Where additional criteria are considered, they shall be stated in the report of the committee. In order for the committee to consider appropriately the above criteria, the committee shall have access to all available information regarding each faculty member under consideration. Such information shall be retained in strict confidence by the committee.

**3.05.02 GENERAL PROVISIONS**

**3.05.02.01 APPOINTMENT**

All appointments are considered approved by the State Board for Community Colleges upon execution of the faculty employment contract by the President or Chancellor if the appointment is made in accordance with the provisions of the VCCS Policy Manual and applicable state and federal law.

**3.05.02.02 PROBATIONARY TEACHING APPOINTMENT**

- a. A probationary appointment is normally for the fall and spring semesters of the first academic year of employment. Faculty whose initial appointment occurs at any time other than the fall semester must still serve a two semester (fall/spring) probationary appointment. Summer may not be used as a probationary period.
- b. Periods of leave, with or without pay of over 14 calendar days will normally disqualify a semester from counting towards the two semester probationary requirement. In such cases, the probationary period may be extended for one semester.
- c. To receive a one-year appointment, first year faculty must complete the probationary appointment with a summary evaluation rating of “meets expectations.”
- d. First-year faculty who receive a “does not meet expectations” rating in either semester will not be reappointed, however they may be allowed to complete their employment contract period. They may continue to teach or be reassigned at the discretion of the president for the second semester. In accordance with the Non- reappointment Policy they must be notified by March 15th that they will not be reappointed for the following academic year.

### **3.05.02.03 MULTI-YEAR APPOINTMENTS**

Faculty members shall indicate their acceptance of the multi-year appointment by signing and returning the Appointment Proposal to the president within the designated timeframe. The president submits a certification to the Chancellor that the provisions of this Appointment Policy have been followed in the offering of multi- year appointments to college faculty.

### **3.05.02.04 ORIGINAL AND CONTINUING APPOINTMENT**

By signing the Faculty Employment Contract, faculty agree to accept the general conditions of employment set forth in college policies and the VCCS Policy Manual. Additionally, each appointment is made expressly subject to the terms and conditions of the Appropriations Act of the Virginia General Assembly and the applicable laws of the Commonwealth of Virginia. Conditions of employment, academic rank, salary and beginning and ending dates shall be specified on the VCCS Faculty Employment Contract.

### **3.05.02.05 NON-REAPPOINTMENT OR CHANGE IN CONDITIONS**

The president shall notify the faculty member in writing of the intent to non-reappoint or of any changes in the conditions of employment or special contingencies by the following dates.

a. Teaching Faculty:

1. March 15 for teaching faculty in their probationary year of employment, second year of service, and third year of service.
2. January 15 for teaching faculty on multi-year appointments and other faculty.

b. Administrative and Professional Faculty:

1. January 15 for administrative and professional faculty.
2. Multi-campus Institutions: In a multi-campus college within the VCCS, the provisions of this policy shall apply to the institution as a whole and service on one campus shall transfer to other campuses within the same college.

### **3.05.02.06 REASSIGNMENT OF ADMINISTRATIVE AND PROFESSIONAL FACULTY**

The President/Chancellor may reassign administrative and professional faculty members during the contract period. A reassignment is a temporary change in administrative title, responsibilities, or assignment to another position or department. Reassigned faculty members will continue to receive no less than their contract salary until the end of the contract period. The duties of the reassigned position will be reasonably commensurate with the faculty member's education, experience, performance and needs of the college. Any reassignment made under this provision will be for a period of less than one contract year. Permanent actions must meet the provisions of policy 3.4.0.5.4, Non-reappointment/Change of Conditions, where appropriate.

### **3.05.02.07 TIME FRAMES**

- a. Changes in Appointment Status: Changes in appointment status for nine-month faculty become effective on August 16 and for twelve-month faculty on July 1 each year.
- b. The president shall advise all faculty members in writing no later than June 30 of their academic rank and salary for the up-coming contract period.
- c. Return Date: If an Appointment Proposal or the Faculty Employment Contract is not returned within the specified timeframe the college may withdraw the offer.

### **3.05.03 APPOINTMENT PROPOSAL AND FACULTY EMPLOYMENT CONTRACT FORMS**

Purpose: To provide instructions on the completion of the Appointment Proposal Form and the Faculty Employment Contract Forms.

#### **3.05.03.01 APPOINTMENT PROPOSAL FORM: VCCS-34A-1**

- a. Use: The Appointment Policy is used when there is a change in the conditions of the faculty member's employment. The following actions require an appointment proposal: change in multi-year status, change from a nine-month teaching position to a twelve-month teaching position, and from a twelve-month teaching position to a nine-month teaching position, change from twelve month administrative position to nine month administrative position change from administrative/professional faculty position to a teaching faculty position, change in the academic field taught, nine-month program head to nine-month faculty and nine-month faculty to nine-month program head and other changes deemed appropriate by the college.

- b. Time Frames: The time frame on the Appointment Proposal shall be August 16 through May 15 for nine-month teaching faculty and July 1 through June 30 for twelve-month teaching faculty and administrators. For multi-year appointment, the period covered is the length of the one, three, or five-year appointment.
- c. Deadlines: Appointment Proposals, for a change in multi-year status, must be issued as soon as possible after the college multi-year process is completed but before Faculty Employment Contracts are issued. Proposals reflecting a change in the conditions of employment must be issued by March 15 for faculty with three years of service or less and by January 15 for faculty with more than three years of service in order to be in compliance with the Non-reappointment Policy and Section 3.4.0.5.4 of this policy.
- d.

**3.05.03.02 FACULTY EMPLOYMENT CONTRACT: VCCS-34A-2**

- a. Use: The Faculty Employment Contract is the VCCS employment contract. It is to be used for full-time administrative, professional and teaching faculty.
- b. Time Frames: Faculty Employment Contracts shall be dated August 16 through May 15 for nine-month teaching faculty and July 1 through June 30 for administrative, professional faculty and twelve-month instructional faculty. Contracts may not span fiscal years. For example, if an administrator was hired effective June 10, the administrator would be issued one Faculty Employment Contract for the period June 10 through June 30 and a second Faculty Employment Contract for the July 1 through June 30 period.
- c. Special Conditions: All conditions and terms will be entered in the Special Conditions section of the form. These may include additional academic requirements, etc. A timeframe for accomplishment and a statement of the consequence of failure to meet the terms of the special conditions shall be included if appropriate.
- d. Restricted Positions: Positions may be restricted by length of appointment or by funding source. All conditions and terms for a restricted contract will be described in the "Special Conditions or Assignments" portion of the form. At a minimum, the Statement of Conditions should include, but is not limited to the following: "It is understood that this contract is restricted in nature. Accordingly, there shall be no further notices of non-reappointment as this proposal shall expire without notice at the end of said term. Additionally, this appointment is subject to full and continued availability of funds."

### **3.05.02.03 FACULTY EMPLOYMENT CONTRACT FOR ASSOCIATE INSTRUCTOR: VCCS-34A-3**

- a. Use: The Faculty Employment Contract is the VCCS employment contract for Associate Instructor. It is to be used for the positions of Associate Instructor I and II.
- b. Time Frames: Faculty Employment Contracts shall be dated August 16 through May 15 for Associate Instructors. Contracts may not span fiscal years.
- c. Special Conditions: All conditions and terms will be entered in the Special Conditions section of the form. These may include additional academic requirement, etc. A timeframe for accomplishment and a statement of the consequence of failure to meet the terms of the special conditions shall be included if appropriate.

### **3.05.04 RESTRICTED FACULTY APPOINTMENTS**

Purpose: Restricted appointments create circumstances that are not appropriately handled by certain policies developed for regular faculty appointments. The purpose of the policies and procedures in this appendix are to address these special circumstances.

#### **3.05.04.01 DEFINITIONS**

- a. Restricted Appointment: A restricted appointment is an appointment to a position that is funded in whole or in part by non-State revenues, or has been accepted under special conditions, or that is identifiable as non-continuing in nature.
- b. Restricted Classified Personnel: Restricted classified personnel are individuals holding an appointment to a restricted classified position.
- c. Restricted Faculty Personnel: Restricted faculty personnel are individuals holding a restricted appointment to a teaching and research (T&R) faculty position in the Virginia Community College System. Restricted faculty personnel are further categorized as follows:
  - i. Restricted Education and General (E&G) Faculty Personnel: Restricted E&G faculty personnel are appointed to restricted positions funded from Education and General (E&G) funds appropriated to the Virginia Community College System. Restricted E&G faculty personnel provide replacements for permanent faculty members on leave with or without pay for a specific period and who are expected to return at the conclusion of the leave. Conditions appropriate to this category include, but are not limited to, leaves for purposes of education, illness, military, or for personal reasons. Restricted E&G appointments for other purposes must

have prior approval of the Chancellor.

- ii. Grant Funded Faculty Personnel: Restricted grant funded faculty personnel are appointed to restricted positions funded in whole or in part from sources other than Education and General (E&G) funds appropriated to the Virginia Community College System. Grant funds may derive from, but are not limited to, state, federal, local, private, or foundation sources.

#### **3.05.04.02 SCOPE**

- a. Applicable to Restricted Faculty Personnel Only: Restricted classified personnel are governed by applicable policies of the Department of Human Resource Management.
- b. Effect on Other Policies: Except as provided in this section, all policies, procedures, and compensation plans established by the State Board for Community Colleges, the Chancellor of the Virginia Community College System, or the individual community colleges for faculty personnel are applicable to restricted faculty personnel. This specifically includes applicable affirmative action plans and procedures. References to "faculty rank personnel" in other VCCS policies and procedures shall be deemed to include restricted faculty personnel, whether or not such personnel have been awarded faculty rank.

#### **3.05.04.03 SPECIAL PROVISIONS APPLICABLE TO ALL RESTRICTED FACULTY PERSONNEL**

- a. Required Notification of Restricted Status: Proposals of appointment to restricted positions must clearly describe the temporary nature of the appointment. See Appointment Proposal and Rank and Salary Proposal forms.
- b. Reappointment: The provisions of the Original and Continuing Appointment Policy and Faculty Sanctions (Non-reappointment) Policy shall not apply to restricted faculty personnel.
- c. Reduction in Staff Policy and Severance Pay: The Reduction in Staff Policy shall not apply to restricted faculty personnel and restricted faculty personnel shall not be eligible for severance pay.
- d. Benefits: Restricted faculty personnel are to receive all benefits (hospitalization, insurance, retirement, etc.) provided by current state regulations for such positions. The cost of benefits must be included in grant budgets, or the institution must bear the expense from other funds.

### **3.05.04.04 SPECIAL PROVISIONS APPLICABLE TO GRANT FUNDED FACULTY PERSONNEL**

- a. Appointment Periods: The appointment period for grant funded faculty personnel may be made consistent with the period of the controlling grant; however, an appointment may not be for more than twelve months.
- b. Administrative Titles: At the discretion of the college president, descriptive titles for grant funded faculty personnel may be made consistent with titles used by the sponsor of the grant. Such titles shall not be construed to apply to SWCC or VCCS hierarchical organizational structures or salary scales. Grant funded faculty personnel will normally be classified as "administrative officers" for VCCS appointment purposes.
- c. Faculty Rank and Faculty Qualifications: Unless the duties of the grant funded faculty personnel involve instruction of credit courses or other functions where faculty rank is appropriate, faculty rank will not be assigned and faculty qualifications prescribed in the VCCS-29, Normal Minimum Criteria for Each Faculty Rank, will not apply.
- d. Salary: Salaries for grant funded faculty personnel shall be established by the college president within resources provided by the grant and are independent of salary ranges associated with faculty ranks or administrative titles.
- e. Effect of Grant Curtailment or Termination: Grant funded faculty personnel may be terminated whenever the sponsor of the grant curtails or terminates the program.
- f. Effect of Grant Continuation, Renewal, or Extension: In the event a grant is continued, renewed, or extended, grant funded faculty personnel may be issued a new appointment or may be notified that their appointment will not be renewed. Such notice shall be in writing and shall be issued within thirty (30) days of receipt of a notification of the grant continuation, renewal, or extension or within sixty (60) days of the end of the appointment period, whichever is later.

### **3.05.05 EMPLOYMENT OF ADJUNCT FACULTY**

In accordance with the Criteria of the Commission on Colleges of the Southern Association of Colleges and Schools (SACSCOC), SWCC has a management system for adjunct faculty including recruitment, orientation, compensation, supervision, and evaluation. Further, SWCC has an adjunct faculty handbook that contains policies and procedures related to adjunct faculty.

### **3.06 FACULTY RESPONSIBILITIES**

The major emphasis shall be on teaching, by working with students in classrooms, distance learning, laboratories, individual conferences, and related activities to help the students develop their interests and abilities to the fullest capacity to become better persons, better workers, and better citizens. To accomplish this goal, the following workloads are expected of faculty.

#### **3.06.01 CLASSES**

- a. Faculty teaching loads during the academic year shall include such combinations of on- and off- campus, day, evening, distance learning, and weekend classes as the needs of the college require. Twelve-fifteen (12-15) credit hours and fifteen-twenty (15-20) contact hours per semester are required for all full-time faculty. For the purpose of workload calculations, every lecture hour shall equate to one (1) credit hour and one (1) contact hour; and every laboratory hour shall equate to one-half (1/2) credit hour and one (1) contact hour. When the number of credit hours falls below twelve (12) because of the number of laboratory hours involved, the number of contact hours should be increased to bring the teaching load to the minimum of twelve (12) credit hours (utilizing the standard of two (2) laboratory hours equal one (1) credit hour) or to a maximum of twenty-four (24) contact hours.
- b. Faculty teaching loads shall be calculated for the academic year, with a teaching load less than or in excess of normal for the fall semester being compensated for with adjustments in teaching load in the spring semester.
- c. A faculty teaching load may also be adjusted by the college to take into consideration such factors as the use of instructional assistance, team teaching, the use of non- traditional instructional delivery systems, special assignments, and curriculum development. Curriculum development should be primarily for the development of a new program or new course in a program and/or the complete revision of an existing course or program.
- d. Teaching-load adjustments shall be expressed in terms of an equivalent teaching load for the purpose of computing a faculty member's total teaching load.

#### **3.06.02 OFFICE HOURS**

To promote the availability of faculty to work with individual students, all full-time faculty members are required to include in their syllabus and in the Learning Management System (LMS) ten (10) hours per week when they will be available to work with students outside of class meetings, including times, locations, and modalities.

Faculty will work with their supervisors to determine the distribution of these ten (10) hours. Various modalities, including on-campus meetings and the use of technology to connect should be considered in determining how these services will be delivered.

Each adjunct faculty member shall ensure that all students are informed of their contact details, including location, time, and modality, in the faculty member's syllabus and the LMS.

Exception due to distance learning, off-campus assignments, or use of technology to serve students may be approved by the Academic Vice President or designee.

### **3.06.03 TEACHING FACULTY ASSIGNED TEMPORARY ADMINISTRATIVE/ PROFESSIONAL DUTIES**

- a. Regular nine and twelve month teaching faculty may be temporarily assigned non- teaching duties (released time) for administrative/professional activities of more than 50% of an individual's full-time teaching load for a maximum of two academic years by the college president. Faculty assigned more than 50% released time for non- teaching duties for more than two years must be classified as administrative faculty unless an extension beyond two years is approved by the Chancellor. The college shall maintain a record of all released time for audit purposes.
- b. For the purposes of determining release time, SWCC equates 44 clock hours to 1 credit hour of release time.
- c. Prior approval for release time must be granted by the academic dean or immediate supervisor and approved by the Vice President of Academic & Student Services.
- d. Faculty members are to document their hours spent on the release time activity and submit to the academic dean or immediate supervisor and to the Vice President of Academic & Student Services.

### **3.06.04 ADDITIONAL ACTIVITIES**

Faculty responsibilities include committee work, student activities, community activities, student advising, professional activities and attendance at graduation, in-service and faculty/staff meetings. Faculty are also required to complete Assessment activities.

### **3.06.05 PROFESSIONAL ACTIVITIES AND CONTRIBUTIONS**

In addition to teaching effectiveness, faculty are expected to engage in and contribute toward the good of the college and its community. This requires that faculty members maintain current competence in their disciplines or specializations and that they share their expertise, time, and talents with the larger college community. Performance in this category will be measured not only by membership or affiliation but also by the quality of the contributions made by faculty members toward these endeavors. Such activities may include but are not limited to:

- a. Membership and activity in professional and civic organizations (general and/or specialized organizations at the local, state, and/or national levels);
- b. The accomplishment of important professional development activities that may or may not be part of an individual professional development plan;
- c. Attending and participating in professional conferences; workshops, and meetings;
- d. Keeping current regarding developments in education and industry;
- e. Participating in business or industrial activities related to professional field;
- f. Participating in college and state-level professional development activities;
- g. Being active in college and System-wide committees;
- h. Engaging in writing speeches and reports and in consulting;
- i. Engaging in classroom-based research to improve teaching or in discipline-based research that may lead to publication;
- j. Sharing innovations in using instructional technology with colleagues in other colleges;
- k. Participating in the community service program at the colleges;
- l. Participating in local colleges advisory committees; and
- m. Contributing to community welfare and community development.

### **3.06.06 ACADEMIC FREEDOM AND RESPONSIBILITY**

- a. To ensure the college as an instructional institution marked by excellence, SWCC and the Virginia Community College System support the concept of academic freedom. In the development of knowledge, research endeavors, and creative activities, college, faculty, and students must be free to cultivate a spirit of inquiry and scholarly criticism.

- b. Faculty members are entitled to freedom in the classroom in discussing their subjects, but should be careful not to introduce teaching matters which have no relation to their fields. Faculty and students must be able to examine ideas in an atmosphere of freedom and confidence and to participate as responsible citizens in community affairs.
- c. SWCC and the VCCS also recognizes that commitment to every freedom carries with it attendant responsibilities. Faculty members must fulfill responsibility to society and to their profession by manifesting academic competence, professional discretion, and good citizenship. When they speak or write as a citizen, they will be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As professional educators, they must remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not an institutional spokesperson.

### **3.07 FACULTY EVALUATIONS**

*Reference:* [VCCS-29: Normal Minimum Criteria for Each Faculty Rank](#)

#### **3.07.01 TEACHING FACULTY DEVELOPMENT, EVALUATION AND RECOGNITION POLICY**

##### **3.07.01.01 PURPOSE**

To create an environment for teaching faculty that promotes high performance and continuous improvement resulting in world class faculty and increased student success.

##### **3.07.01.02 APPLICATION**

This section of the policy applies to all regular full-time teaching faculty.

##### **3.07.01.03 OVERVIEW**

The VCCS teaching faculty development and evaluation process provides a mechanism for appraising teaching faculty performance with the expressed aim of working on continuous faculty improvement and professional development. A faculty development and evaluation plan that is meaningful for both faculty members and their supervisors requires strong agreement on the domains of faculty performance to be evaluated, the component areas to be included in the

assessment, and the specific elements within these areas to include in the plan. Four domains of faculty performance are included in the VCCS Teaching Faculty Development and Evaluation process: (a) teaching, (b) scholarly and creative engagement, institutional responsibility, and (d) service. Based on the results of the appraisal of faculty performance, individualized personal and professional development plans will be developed through a collaborative effort between each faculty member and his/her supervisor.

#### **3.07.01.04 PERFORMANCE AND PROFESSIONAL DEVELOPMENT**

Faculty will develop performance and development goals.

##### a. Performance Evaluation

1. Performance evaluation plans will include standards and expectations in each of four performance domains: teaching, scholarly and creative engagement, institutional responsibility, and service.
2. The performance domains will be weighted according to each college's evaluation plan; however the minimum weighting will be 50% for teaching, and 10% each for scholarly and creative engagement, institutional responsibility, and service.
  - i. The weighting of evaluation domains outlines the focus of effort and the articulation of standards and expectations for performance and does not denote the quantification of time for the purpose of establishing a rating.
  - ii. Teaching: Creating a learning environment that facilitates students' acquisition of knowledge and skills in a subject (i.e. instructional design, instructional delivery, instructional effectiveness, and instructional expertise).
  - iii. Service: For the service domain, service is the quality participation and commitment to students, college and/or community organizations. Participation in these activities is not done for extra compensation but is an expectation of one's activities as a professional educator. Service activities are divided into three categories: college representation, college citizenship, and community citizenship. Activities in this domain are differentiated as follows:
    - College Representation – Service activities that involve a direct connection between the faculty member who engages in the specific activity, and his/her position at the college.

- College Citizenship - Service activities that are in support of college or VCCS initiatives in which the participant is not in a leadership role for the activity.
  - Community Citizenship - Service activities that are indirect in which the employee is acting as a community resident who also happens to be a college employee.
- iv. Scholarly and Creative Engagement: Activities specifically associated with the faculty member's formally recognized area of expertise.
  - v. Institutional Responsibility: Performing assigned or presumed duties according to one's role at the college. These activities support and advance both the mission of the VCCS and the college to enhance the effective functioning of the college – including the business processes (i.e. advising students, adherence to college and VCCS policy, collegiality, administrative duties, departmental supervision or assigned college community leadership duties, additional duties as assigned). If an activity does not otherwise fit into Teaching, Scholarly and Creative Engagement, or Service, and the activity is job related, then it should be counted in the Institutional Responsibility domain.
  - vi. The minimum teaching weighting for first-year faculty will be 70%, and 60% for second-year faculty.
3. Evaluation data will come from student, supervisor, and self-evaluation sources. Peer evaluation data is strongly encouraged.
  4. Evaluation content will include the four performance domains, progress on the annual performance and development objectives from previous years, elements in the faculty member's job description, and other factors as appropriate (e.g. release time work, temporary duties, additional administrative or professional duties, etc.).
- b. Development The intent of the Annual Performance and Development Objectives is to provide a quality enhancement initiative for each faculty member.
5. All faculty members are required to establish annual goals in consultation with their respective dean/supervisor. These objectives will be related to one or more of the four performance domains.
  6. Each faculty member and supervisor will have an annual discussion

on the progress and completion of agreed upon performance and professional development objectives.

7. Progress on objectives will be used in evaluations at the time of contract renewal.

### **3.07.01.05 REWARD AND RECOGNITION**

Rewards and recognition are based on educational excellence in the four performance domain areas: teaching, service, institutional responsibility, and scholarly and creative engagement. It is expected that approximately 10 – 25% of teaching faculty would receive a monetary award each year as a part of the Reward and Recognition component of the Faculty Development and Evaluation System, assuming availability of resources. Recognition activities would be in addition to rewards and are expected to be given in greater number than rewards.

#### a. Definitions:

1. Recognition is defined as non-monetary or de minimis awards such as certificates, gift certificate to the college bookstore, or preferred parking spaces for a semester, etc.
2. Rewards are defined as significant annual monetary awards bonus, percentage pay increase, or professional development stipends that are available on a competitive basis to a limited percentage of faculty each year.

#### b. Eligibility Requirements:

1. First year faculty are ineligible for reward but are eligible for recognition.
  2. Multi-year faculty who receives a ‘does not meet expectations’ rating will be ineligible for reward and recognition that year.
  3. Reward and recognition will require additional justification through a clear narrative that contains evidence, a portfolio, or a body of work.
- c. Nominations for Recognition may come from the faculty member or their dean/supervisor or any other stakeholder. Nominations for Reward will come from a faculty member, dean/supervisor, or other employees of the college or VCCS. Reward and Recognition award recipients will be recommended by a committee comprised of a majority of full-time teaching faculty.

### **3.07.01.06 COLLEGE PLAN**

- a. SWCC's Full-time Faculty Evaluation and Development Plan was approved in September 2013.
- b. Publication of Plan: The college evaluation plan shall be widely disseminated including placement in the college's Faculty Handbook. The SWCC Plan is listed at the end of the handbook as Appendix A.

### **3.07.01.07 SUMMARY RATINGS**

Performance evaluations shall include a summary rating of 'meets expectations' or 'does not meet expectations.'

- a. Faculty must meet expectations in all four performance domains to receive a 'meets expectations' rating.
- b. The default rating is 'does not meet expectations.' The faculty member will present information and evidence to justify a 'meets expectations rating.' If the rating is appealed, the burden of proof shifts to the Dean or Supervisor to prove why a 'does not meet expectations rating' was given.
- c. Faculty who does not 'meet expectations' will be ineligible for promotion, or reward and recognition, and ineligible for multi-year contracts, subject to the review of the Ad Hoc Appointment Advisory Committee.

### **3.07.01.08 TIMETABLE**

- a. The evaluation process will operate on an annual, calendar year cycle.
- b. Decisions regarding continued appointments will be made by March 15th for faculty members who are on probationary-year, second-year, and third-year contracts, and January 15th for faculty members on multi-year contracts and other faculty. To meet the provisions of this policy, all first, second, and third- year faculty must receive their pay on a 24-pay disbursement cycle.
- c. Frequency of Evaluations
  1. First-year faculty will be evaluated during each of the first two semesters of employment (exclusive of summer term).

2. Second and third-year faculty members (and any other faculty members operating under a one-year appointment) will be evaluated once per year, near the end of the calendar year.
3. Faculty working under a multi-year appointment will only participate in the full evaluation process in the final year of their multi-year appointment. During the intervening years of a multi-year appointment, faculty members will develop annual personal and professional development plans in collaboration with their supervisors. The results of the annual personal and professional development plan and all performance over the multi-year appointment will be considered in the multi-year renewal evaluation.

d. Continuation Decisions

1. First-year faculty who receive a 'does not meet expectations' rating in either semester will not be continued, however they may be allowed to complete their employment contract period. They may continue to teach or be reassigned at the discretion of the president for the spring semester but must be notified by March 15th that they would not be reappointed for the following academic year.
2. Second and third-year faculty who receive a 'does not meet expectations' rating will not be continued.
3. Multi-year faculty who receives a 'does not meet expectations' rating will have their evaluation documents further reviewed by the Ad Hoc Appointment Advisory Committee, consistent with policy 3.4.0.4. The President will consider the input of the supervisor, the input of the supervising Vice President, and the recommendation of the Ad Hoc Appointment Advisory Committee when determining whether or not to grant a multi-year appointment.

**3.07.01.09 ACCESS TO RECORDS**

Faculty members shall have the right to review all materials utilized in the development of the evaluation. All supplemental information shall become part of the record.

### **3.07.01.10 APPEAL**

Teaching faculty may appeal their evaluation through the Faculty Grievance Procedure, however, appeals reaching Level III of the Faculty Grievance Procedure must be heard by peers through an Ad Hoc Hearing Committee.

### **3.07.01.11 REVIEW PROCESS**

The college development and evaluation plan shall be reviewed periodically. The review process shall provide the opportunity for involvement of all faculty.

Recommendations for change shall be approved by a majority of the faculty who participate in the vote, either in person or by absentee ballot and submitted to the president for approval. If the recommended changes are not approved, the president must submit recommended modifications for further consideration and re-submission. In the meantime, the existing plan would remain in effect.

### **3.07.01.12 ACADEMIC FREEDOM**

Evaluation shall not be used to restrain faculty members in their exercise of constitutional rights or academic freedom as set forth in the Statement of Academic Freedom and Responsibility adopted by the State Board.

## **3.07.02 ADMINISTRATIVE AND PROFESSIONAL FACULTY**

Application: This section of the Policy applies to administrative and professional faculty. Colleges will continue to use their current administrative and professional evaluation plans until a new system-wide plan is developed.

## **3.08 FACULTY PROMOTIONS**

*Reference:* [VCCS-29: Normal Minimum Criteria for Each Faculty Rank](#)

### **3.08.01 ACADEMIC RANK PROMOTIONS**

Purpose -- To provide for the academic rank promotion of faculty members using the VCCS-29, Normal Minimum Criteria for Each Faculty Rank.

### **3.08.01.01 DEFINITIONS**

- a. Year of Service: For purposes of eligibility for promotion, a year of full-time employment for both nine-month and twelve-month faculty is full-time employment for two academic semesters (fall and spring), the salary for which is chargeable to a single fiscal year's budget. Employment for less than this period shall not constitute a year of full-time employment and shall not count towards the time eligibility period for a promotion.
- b. Faculty Member: For purposes of this policy, faculty members are those employees who hold faculty rank and teach or occupy an administrative, counselor or librarian position which is exempt from the classified service.

### **3.08.01.02 ELIGIBILITY**

- a. Minimum Criteria: Qualifications for promotion to regular faculty ranks and Assistant Instructor are stated in the VCCS 29, Normal Minimum Criteria for Each Faculty Rank. Fulfillment of normal minimum criteria does not guarantee promotion to a given faculty rank.
- b. Crediting Experience: No more than one year of experience, teaching or related occupational, may be credited in a single twelve-month period. Therefore, no more than one year of experience credit may be given for a combination of teaching and related occupational experience in the same year.
- c. Experience Creditable Towards Time in VCCS: Only permanent P-3 (Report of Appointment or Change of Status) employment with the VCCS can be counted towards time in the System.
- d. Creditable Teaching Experience: Creditable teaching experience shall be the sum of:
  - e. Experience computed in accordance with the VCCS Procedure to Determine Faculty Entry Level Salaries at the time of initial appointment and
  - f. Teaching experience subsequent to initial appointment.
- g. Related Experience: A year of related occupational experience must contain twelve months and shall be computed in accordance with the VCCS Procedure to Determine Faculty Entry Level Salaries.
- h. Leave of Absence: A military leave of absence, for a member of a reserve unit who is called to active duty, and who, upon completion of her or his military obligation, returns immediately to the college, shall not disqualify the active military duty period as counting towards a year of service for purposes of promotion. An educational leave of absence, with

or without pay, shall not disqualify the year of its occurrence as counting towards a year of service. No more than two academic years may be exempted from the years of full-time service requirement because of educational leave.

Other periods of leave, with or without pay (except for the use of earned annual or sick leave), of over 15 calendar days cause a discontinuity for a semester, disqualifying it from counting towards a full year of employment, unless specific arrangements have been made between the president and faculty member. The arrangements must be in writing and in the faculty member's personnel file prior to the beginning of the leave.

### 3.08.01.03 General Authority:

All promotions are granted by the State Board upon recommendation of the president of the college and the Chancellor.

- a. Multi-Campus Institutions: In a multi-campus college within the VCCS, the provisions of this policy shall apply to the institution as a whole.
- b. Faculty Rank and Salary Proposals: Faculty rank and salary proposals shall be dated August 16 through May 15 or July 1 through June 30 as applicable.
- c. Contingency Conditions for Promotion: Administrative and teaching faculty must be fully qualified for promotion by the effective date of the Rank and Salary Proposal. Contingency conditions for promotion must be entered in the special conditions or assignments section of the rank and salary proposal.
- d. Substitutions: Requirements for promotion may not be waived, however, certain substitutions for experience and education may be granted, as outlined in the VCCS-29.
- e. Promotion of Assistant Instructor to Instructor: The salary computation for persons promoted from Assistant Instructor to Instructor shall be handled in accordance with the VCCS Procedure to Determine Faculty Entry Level Salaries.
- f. College Promotion Procedure
  1. Each college shall have a written procedure for considering faculty personnel for promotion in rank.
  2. Each college has flexibility in determining the dollar amount for promotion in rank; however, the established amount may not be

less than \$2,000.

3. The following general provisions will apply:

- i. Instructional Faculty. The promotion increase will be the base promotional increase established by the college or the amount required to bring the faculty member to the minimum of the new rank range, whichever is greater. For example, if the college base promotional increase is \$1,000 and the amount required to bring the faculty member to the new rank minimum is \$1,500, the instructional faculty member will receive \$1,500 for the promotion.
  - ii. Administrative/Professional Faculty. The promotion increase will be the base promotional increase established by the college. Academic rank ranges do not apply to administrative faculty positions.
4. Colleges may establish different base promotional increases for administrative and instructional faculty and also different increases for the academic ranks.

### **3.08.14 VOLUNTARY PRE-RETIREMENT WORKLOAD PROGRAM**

#### **3.8.14.0 PURPOSE:**

The purpose of this policy is to establish procedures that will allow colleges to offer teaching faculty the opportunity to teach a reduced workload prior to their actual retirement date; however, each individual case is approved at the discretion of the president according to the needs or best interests of the college.

#### **3.08.14.01 ELIGIBILITY:**

To be eligible for this program, teaching faculty must meet all of the following criteria:

1. be a full-time teaching faculty member;
2. be at least 60 years of age;
3. have completed at least 10 years of full-time service in the VCCS;
4. have the right to continued contractual employment in a non-restricted position;
5. have received a “Meets Expectations” rating on the most recent evaluation; or the equivalent good, very good, or excellent rating; and

6. have the approval of the president.

### **3.8.1.2 PROCESS:**

1. The college will establish application procedures for its reduced workload program that will include due dates, submission instructions, and other information the college may request.
2. The availability of the program will be publicized to all faculty.
3. Requests to participate in the reduced workload program will normally be submitted prior to the end of the fall semester to become effective at the beginning of the next academic year.
4. The college will inform faculty members of its decision prior to the end of the current contract period.

### **3.8.14.3 PROGRAM PROVISIONS:**

1. A reduced teaching workload may extend to no more than three one-year contracts and must be reviewed annually after the initial award.
2. A reduced teaching workload contract will be 60% to 80% of the salary of the final year of full 100% employment.
3. The college will provide benefits according to state policies or on a pro-rated basis equivalent to the percentage of the agreed upon contract (60% to 80%).
4. The total workload including teaching, non-teaching duties (e.g. advising, service, institutional responsibility, committee work, etc.) and office hours will be determined on a negotiated, pro-rated basis.
5. Faculty members with a reduced workload will be evaluated only on the annual performance and professional development measures in the Teaching Faculty Development, Evaluation and Recognition Policy, 3.60.
6. Faculty members electing a reduced workload must commit to their retirement date in writing at the time of approval into the program.

#### **3.8.14.4 GENERAL PROVISIONS:**

1. College participation in this program is optional. Initial participation does not imply continual participation. The college president will determine whether the program should be offered in any given year.
2. Participants will be selected based on the needs of the college as determined by the President. The President's decision is final and may not be appealed through the faculty grievance process.
3. Faculty participation in the program is voluntary; no faculty member shall be penalized in any way for not participating.
4. Academic deans will determine how the reduced workload is distributed between the fall and spring semesters
5. Faculty members electing a reduced workload:
  - are not eligible to return to a 100% contract.
  - will be paid adjunct rates if they are asked to teach in the summer.

### **3.09 FACULTY COMPENSATION**

#### **3.09.01 PROCEDURE TO DETERMINE FACULTY ENTRY LEVEL SALARIES**

- a. The following procedures shall be used to determine the entry-level salary upon initial appointment to a member institution of the VCCS.
  1. Administrative/Professional Faculty. For administrative and professional faculty positions, the starting point is the minimum of the position range. The College/System Office will establish a starting salary that is within the minimum to mid-point of the position range or no more than 15% above the candidate's current salary or that of his/her most recent comparable position. A salary offer may be less than the candidate's currently salary. Consideration should be given to the candidate's educational background, experience and the salaries of similarly situated college administrators and the candidate's current salary. If the college or System Office needs to negotiate a salary exceeding the position range midpoint or 15% above the candidate's current salary, the criteria of the Competitive Salary Increments Policy may be applied if all the criteria of that policy are met. If the provision of the Competitive Salary Increments Policy are not sufficient, the college must submit a non-routine salary request for State Board approval.
  - i. For starting pay, reporting requirements as defined in the Human Resource Delegated Authority Agreements should be adhered to.

- ii. For administrative/professional faculty, academic rank must be determined if the position is full-time and state funded.
2. Instructional Faculty. For Instructional Faculty, the starting point is the minimum of the faculty member's academic rank range. The academic rank is determined in accordance with policy 3.2.0. The College will establish a starting salary that is within the minimum to mid-point of the academic rank range or no more than 15% above the candidate's current salary or that of his/her most recent comparable position. A salary offer may be less than the candidate's current salary. Consideration should be given to the candidate's educational background, experience, specialized skills and the salaries of similarly situated college instructional faculty members and the candidate's current salary. If the college needs to negotiate a salary exceeding the academic rank range midpoint or 15% above the candidate's current salary, the criteria of the Competitive Salary Increments Policy, 3.8.0.1.4, may be applied if all of the criteria of that policy are met. Those criteria are: a recruitment generates fewer than five qualified candidates, a recruitment is unanticipated, or a recruitment results in only one finalist who fully meets the position requirements and the college's needs. If the provisions of the Competitive Salary Increments Policy are not sufficient, the college must submit a non-routine salary request for State Board approval. In all cases, the starting salary shall not be limited by the midpoint.

### **3.09.01.01 GENERAL PROVISIONS**

a. Entry-level Salary

The entry-level salary may exceed the mid-point of the range for the rank or the position under consideration.

b. Fractions of Years

Fractions of years beyond a whole number do not apply; therefore, use next lower number of years.

c. Crediting Experience

No more than one year of experience, teaching or related occupational, may be credited in a single 12-month period. Therefore, no more than one year of experience credit may be given for a combination of teaching and related occupational experience in the same year.

d. Teaching Experience

Teaching experience shall be computed on the basis of full-time employment in an academic year.

1. Part-time teaching experience shall be counted in computing total experience to be applied towards the initial appointment. Only that part-time experience which can be verified from previous employment shall be allowed. Part-time teaching experience shall be calculated on the basis of 30 semester hours or 45 quarter hours being equivalent to one year.
2. Related experience: A year of related occupational experience is twelve months and shall be computed on the basis of equivalent full-time employment in a position closely related to the area of instruction.
3. Teaching experience may be substituted for related occupational experience or related occupational experience may be substituted for teaching experience.
4. One academic year of teaching experience is equivalent to 12-months of occupational experience.
5. Once the substitution of teaching experience for related occupational experience or related occupational experience for teaching experience has been made, the substitution shall apply to all future personnel actions to include promotion.

e. Competitive Salary Increments

1. Competitive salary increments may be added to the entry level salary calculated for an initial appointment of teaching, administrative, and professional faculty when justified by the criteria in subsection **3.8.0.1.4.b.**
2. Criteria: The following criteria must be considered and documented:
  - i. Difficulty of recruitment. The term “difficult” may include but is not limited to:
    - Recruitment that generates fewer than 5 (five) candidates who meet the minimum position qualifications.
    - unanticipated recruitments conducted near the beginning of the semester.
  - ii. Availability of only one alternative finalist who fully meets the position requirements and the college’s needs.
  - iii. The entry level salary and the competitive increment must not exceed the salary of comparable faculty by more than 10%.
  - iv. The finalist’s current salary for a position of comparable work

hours, responsibility, and geographic proximity is greater than the amount generated by the VCCS entry level salary calculation.

3. Limitations: Competitive salary increments may not be offered to candidates currently employed at another VCCS college.
4. The Chancellor will provide the competitive salary limits to the colleges in the annual Human Resource Delegated Authority Agreement.

### **3.09.02 NINE-MONTH FACULTY SALARIES**

- a. Salaries for the year are based on the semesters taught, with each academic year being divided into two semesters (fall - August 16 to December 31, and spring - January 1 to May 15) of nine pay periods each.
- b. Faculty members who do not fulfill the terms of an academic year appointment, due to leave or separation, shall have their final salary adjusted to the actual number of days worked based upon the college's academic calendar.

### **3.09.03 NINE-MONTH FACULTY SUMMER PAY**

- a. The summer term shall be scheduled between the ending date of the spring semester and the faculty reporting date for the fall semester. Courses taught during the summer shall represent the equivalent of sixteen and one-half (16.5) weeks of instruction and related work regardless of the actual calendar length of the summer term.
- b. Nine-month faculty employed during the previous academic year shall be paid during the summer term according to the credit-hour/contact-hour-equivalent fraction of a full teaching load during the academic year as defined by Section 3.6.0 and based upon the weekly equivalent of one thirty-ninth (1/39th) of the previous year's salary. The normal maximum full-time teaching load during the summer term is ten (10) credit hours or the equivalent. Operationally, the normal full-time faculty summer term salary rate translates to the formula: 1 credit hour or equivalent =  $\frac{1}{15} \times \frac{16.5}{39} \times \text{previous year's salary}$  with a normal maximum full-time summer teaching load of 10 credit hours or equivalent. The rate of pay for new faculty during the summer term shall be five (5) percent less than the permanent annual salary proposed for the coming academic year.
- c. Faculty may be offered a teaching overload of not more than three credit hours or equivalent during the summer term. A faculty member shall not be considered as working an overload unless more than ten (10) credit hours or equivalent are taught. Pay for overloads shall be at adjunct rates.

- d. The college president has authority to develop optional summer pay plans which
  - 1) compensate faculty at a proration of the normal summer salary rate when a given course does not meet minimum enrollment standards as defined by the college; and
  - 2) limit to less than ten (10) the maximum credit hour or equivalent assignment to be paid at the full time faculty summer term salary rate.
    1. SWCC Summer Pay Policy full-time teaching faculty will be permitted to teach a total of 6 credit hours at their equivalent rate of pay and 4 credits at the hourly adjunct rate for their current rank during summer term. As a guideline, no more than seventy-five (75) percent of the credit hours taught at a college during the summer term should be paid at the full-time faculty summer term salary rate.

#### **3.09.04 MERIT PLAN**

(See the Faculty Compensation Plan in this section.)

#### **3.09.05 TEACHING OVERLOADS**

- a. A faculty member may be offered a teaching overload not exceeding ten (10) credit hours for pay per academic year (fall and spring semesters). Faculty members shall be considered as working an overload when they teach: a) greater than thirty (30) credit hours, b) greater than forty (40) contact hours, or c) greater than thirty (30) workload hours - whichever figure results in the greatest amount of overload credit hours. For the purpose of workload calculations, every lecture hour shall equate to one (1) credit hour and one (1) contact hour; and every laboratory hour shall equate to one-half (1/2) credit hour and one (1) contact hour. In cases where the number of credit hours for a full teaching load falls below twenty-four (24) credit hours, a faculty member shall be considered as working an overload when he/she teaches greater than forty-eight (48) contact hours.
- b. Each college shall develop overload procedures consistent with the above. In addition, the college president has the authority to develop optional overload plans; such plans shall be developed in consultation with the faculty and must be approved by the Chancellor. Extra pay for an overload shall be the rate of the faculty members' nine-month salary multiplied by .015 for each overload credit hour. Overloads shall be paid at the end of the academic year (fall and spring semesters). If separation occurs after only one semester in that academic year and an overload was taught in that semester, payment for the overload shall be at the end of that semester.
- c. At the president's discretion, payments for overloads worked in the fall may be made after January 15 if in the president's judgment the faculty member's anticipated spring semester course load would result in an overload for the academic year. The payment shall be for the fall workload only. In cases where

the overload does not materialize, recovery of any overpayment must be finalized by May 15.

### **3.09.06 TWELVE-MONTH ADMINISTRATIVE & PROFESSIONAL FACULTY TEACHING CREDIT COURSES**

Twelve-month administrative and professional faculty may teach and earn pay for teaching up to and including nine (9) credits per fiscal year within the VCCS, for teaching assignments beyond those that are required as part of the regular duties. The college president will determine the positions eligible to receive extra pay for teaching credit courses and shall specify the teaching portion of those administrative or professional faculty member's regular workload in the college's faculty handbook or other appropriate publication. Administrators involved in determining teaching loads (e.g., directors, division chairs, vice-presidents, and provosts) shall not be assigned a course for extra pay until all full-time teaching faculty in that discipline are given an opportunity to accept a teaching assignment for extra pay at their institution. Extra pay for such an overload shall be at the rate of the faculty member's equivalent nine-month salary multiplied by .015 for each overload credit hour. Such overload teaching shall be approved in advance by the president.

### **3.09.07 TEACHING NON-CREDIT COMMUNITY SERVICE COURSES, SEMINARS, ETC.**

- a. A faculty member may be assigned to teach non-credit community service courses, seminars, etc., as part of the regular teaching load.
- b. Any person holding faculty rank or any fully qualified classified employee may teach non-credit community service courses, seminars, etc., in addition to the regular work load for extra pay. Such additional work load for pay should not exceed the equivalent of three (3) Continuing Education Units (CEU) at any time. Such faculty personnel shall be paid by P 14 authorization in accordance with hourly or CEU rates.
- c. No VCCS employee's salary shall be supplemented with any college funds without prior approval of the Chancellor.

### **3.09.08 WORK LOAD CREDITS FOR ADJUNCT FACULTY**

- a. To provide adjunct faculty members who teach lecture and laboratory courses with appropriate compensation, the following procedures for determining the work load credits for pay purposes is utilized. Work Load Credits - Lecture Hours plus 1/2 Laboratory Hours.

(Example: DRF 126 (3 credits) had 2 lecture hours and 3 laboratory hours. Work load credits for pay purposes would be  $2 + 1/2 (3) = 3.5$  work load credits.)

- b. If any course requires the presence of adjunct faculty members more than one day per week, the college may give a travel allowance.

### **3.09.09 OUTSIDE EMPLOYMENT**

Faculty may engage in outside employment so long as it does not interfere with their work performance, or professional responsibilities to the college or create a conflict of interest as specified in the State Conflict of Interest policy.

### **3.09.10 PROFESSIONAL DUTIES AND CONSULTING**

#### **3.09.10.01 ELIGIBILITY:**

- a. This policy applies to full-time administrative, professional and instructional faculty (including restricted faculty positions).
- b. Adjunct faculty may be compensated for non-instructional services only through procedures governing wage employment or by contract.
- c. Classroom instruction is not addressed by this policy

#### **3.09.10.02 OPPORTUNITIES WITHIN THE VCCS**

- a. Without Compensation:
  - 1. Full-time teaching, administrative, and professional faculty may provide professional services such as consulting or conducting workshops to VCCS colleges and to the System Office as part of their employment contract with their current college. These services shall be performed on an expense only basis.
  - 2. Faculty members must receive approval of the college president or designee in advance of performing such service. Such approval may be withheld if the proposed services are perceived to interfere with the assigned responsibilities and duties of the individual.

b. With Compensation:

1. Compensation may be provided for professional services such as consulting or workshops to the VCCS colleges or the System Office under the following circumstances:
  - i. Faculty members must receive approval of the college president or designee in advance of performing such service. Approvals must be documented through a stipend agreement between the faculty member and the faculty member's college or the System Office. (See VCCS Form 14). Such approval may be withheld if the proposed services are perceived to interfere with the assigned responsibilities and duties of the individual.
  - ii. During Normal Work Hours: If the services, including preparation time, are provided during normal working hours or at a time that does not otherwise create a conflict with work duties, administrative, professional faculty and teaching faculty members must take an appropriate amount of annual or personal leave (including leave to cover preparation time) from the System Office or the "home" college.
  - iii. Outside of Normal Working Hours: If the professional services, including preparation time, are provided outside of normal working hours, it will not be necessary for the faculty member to take annual or personal leave.
2. Payment
  - i. The rate of compensation will be negotiated directly between the faculty member and the System Office or the college receiving the proposed services.
  - ii. All payments for professional services may be paid through stipend. Payment for professional services may be made by vendor contract only when the contract amount does not exceed \$500 in order to comply with the State and Local Government Conflict of Interest Act.
  - iii. All payments exceeding \$500 will be made by stipend. A stipend agreement must be completed prior to the provision of any services. A copy of the stipend agreement between the faculty member and the college or System Office receiving services will be transferred to the "home" college or System Office for payment through payroll to the faculty member. The stipend will automatically become an addendum to the faculty member's employment contract.

### **3.09.11 STIPEND**

Purpose: Stipends are only to be used in conjunction with Policy 3.8.9 Professional Duties and Consulting; all provisions of that policy must be met. A stipend provides a method to pay eligible faculty for their provision of professional services such as consulting or conducting workshops as needed by a college or the System Office. A stipend agreement must be entered into between the faculty member and the college or System Office receiving services. Once entered into, such agreement becomes an addendum to an employee's VCCS employment contract and the actual stipend is paid through payroll where the faculty member is employed full-time.

#### **3.09.11.01 ELIGIBILITY:**

- a. This policy applies to full-time administrative, professional and instructional faculty (including restricted faculty positions).
- b. Adjunct faculty may be compensated for non-instructional services only through procedures governing wage employment or by contract

#### **3.09.11.02 PROCEDURE**

- a. A stipend agreement, which will include a detailed description of the professional services to be provided, the amount of the stipend, the expected completion date and the signatures of all parties, must be completed and approved before the faculty member provides any professional services.
- b. All stipends must be approved by the "home" college president or Chancellor or his designee.
- c. No payments will be made to any faculty member until after he/she has fully performed the professional services agreed to in the stipend agreement or all of the conditions of the stipend agreement have otherwise been met.

### **3.09.12 VCCS FACULTY COMPENSATION PLAN**

Categories of Positions: The following categories of positions shall serve as the management categories in the VCCS salary structure.

### **3.09.12.01 STATE BOARD/CHANCELLOR'S MANAGEMENT STRUCTURE**

- a. Executive Vice Chancellor: acts as chief executive officer in Chancellor's absence; has broad responsibilities throughout entire system. Serves as the senior official responsible for daily operations.
- b. Vice Chancellor: assisting and advising in the areas of Academic Services, Administrative Services, Information Technology Services, Institutional Advancement, and Workforce Development with reporting responsibilities directly to the Chancellor.
- c. Special Assistant to the Chancellor: provides executive-level support to the Chancellor.
- d. Associate Vice Chancellor: chief administrative officer for a defined system-wide functional area and responsible for staffing or interacting with a committee of the State Board and/or the Advisory Council of Presidents (ACOP) on a regular basis on issues of system-wide priority and reporting directly to a Vice Chancellor or Executive Vice Chancellor. The position typically supervises staff in a functional area.
- e. Assistant Vice Chancellor: chief administrative officer for a defined system-wide functional area with reporting responsibilities directly to a Vice Chancellor or Executive Vice Chancellor.
- f. Director of Internal Audit--administrative officer responsible for a system-wide auditing function reporting directly to the State Board with day-to-day administrative oversight by the Chancellor.

The approved title shall be the title of official use.

### **3.09.12.02 COLLEGE MANAGEMENT STRUCTURE**

- a. Executive Vice President: acts as chief executive officer in the president's absence; has broad functional responsibilities throughout entire institution. Also serves as senior official responsible for daily operations.
- b. Provost/Dean of the College: chief administrative and academic officer of a college or a campus in a multi-campus college with reporting responsibilities directly to the president or an executive vice president.
- c. Vice President: chief administrative officer for a defined, functional area such as technology, instruction, administrative services, student services, institutional advancement, workforce development, or a combination of these functions with reporting responsibilities directly to the president or Executive Vice President.

- d. Associate (or Assistant) Vice President/Dean/Campus Dean/Director: administrative officer who manages a major administrative function or area of responsibility such as learning resources, student services, management services, or an instructional division. Reporting responsibilities usually are directly to the vice president, or a provost.
- e. Executive Director: an administrative officer with varied, complex leadership and management responsibilities involved in the oversight of a college foundation. This position would generally report directly to a vice president or a president.
- f. Coordinator/Associate (or Assistant) Director: administrative officer who supervises an administrative function or area of responsibility such as counseling services, cooperative education, institutional research, or admissions and records. This level of administrative responsibility differs from the associate (or assistant) vice president, dean/campus dean/ director level in terms of complexity of area of responsibility and number of personnel supervised. Reporting responsibilities usually are directly to a vice president, associate (or assistant vice president), campus dean, director, or to the president.
- g. Assistant Coordinator/Administrative Officer: assists in the supervision and responsibilities outlined under coordinator or director or is responsible for a limited administrative function such as grants. Reporting responsibilities may be to any of the positions listed above or the president.

The approved title shall be the title of official use.

The management structure at SWCC is in accordance with Section 2.2 of the VCCS Policy Manual and will initiate appropriate modifications thereto if the management structure is not in accordance with Section 2.2 of the VCCS Policy Manual and the position categories as outlined above.

### **3.09.12.03 ADMINISTRATIVE AND PROFESSIONAL FACULTY**

- a. Administrative Faculty
  - 1. Administrative faculty require the performance of work directly related to the management of the educational and general activities of the institution, department or subdivision thereof. Incumbents in these positions exercise discretion and independent judgment and generally direct the work of others.
  - 2. Since the VCCS is considered a single institution of higher education, administrative faculty positions normally must be no lower than three organizational levels below the Chancellor (two organizational levels below the president).

b. Professional Faculty

1. Require advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. This category is normally limited to librarians, counselors, and other professional positions serving education, research, athletic, medical, student affairs, and development functions or activities.

**3.09.19 MERIT PLAN**

The merit plan that best meets the needs of SWCC is consistent with the following guidelines:

- a. The plan should acknowledge that merit recognition in the VCCS is provided as follows:

1. Granting of a multi-year appointment (where applicable).
2. Granting of a promotion.
3. Granting of merit pay awards.

- b. Performance evaluations shall include a summary rating of Excellent, Very Good, Good, Fair or Unsatisfactory as defined below:

Excellent -	consistently delivers outstanding performance, substantially exceeding performance standards.
Very Good -	clearly exceeds performance standards.
Good -	performs satisfactorily, meeting performance standards.
Fair -	marginally meets performance standards. Improvement required.
Unsatisfactory	fails to meet performance standards.

- c. Salary increases shall consist only of merit pay awards based on performance evaluations and shall be limited to those faculty members whose overall performance is evaluated as Good, Very Good, or Excellent.

- d. Merit pay awards may consist of two components:
  - 1. Merit Salary Award - this component becomes a part of the individual's base salary and allows a faculty member's salary to progress to the maximum for the rank held. A Merit Salary Award shall not cause the total salary to exceed the maximum of the rank.
  - 2. Non-Cumulative Merit Salary Award - this component allows the total salary to exceed the maximum for the rank for the year that the Non-Cumulative Merit Salary Award is given, but the Non-Cumulative Merit Salary Award amount does not become a part of the individual's base salary.
- e. Merit salary awards for faculty without a performance evaluation because of an absence shall be awarded in accordance with guidelines developed by the college. These guidelines will be in writing.
- f. Faculty who are at the current range minimum and do not receive an increase because of a Fair or Unsatisfactory summary evaluation rating, or because the merit increase given is less than the faculty salary average increase, will be below the salary scale range minimums. Future meritorious evaluations or merit salary awards will not require the college to automatically bring the faculty member to the current range minimum. The faculty member must be brought to the current range minimum only at the time of promotion to the next rank.
- g. Promotional increases become effective July 1 for twelve-month administrative and professional faculty and August 16 for nine-month teaching faculty. Merit increases take effect on November 25 for all faculty. For planning purposes, the funds required to cover promotional increases must be deducted from the total funds provided for faculty salary increases before the amount available for merit increases can be determined.
- h. SWCC has a merit plan that includes a graduated distribution increase for the summary evaluation ratings of Good, Very Good, and Excellent.
- i. The current SWCC plan is approved by the Chancellor and published locally prior to the issuance of contracts.
- j. The Chancellor shall publish a performance evaluation plan for System Office management staff.

### **3.09.20 CONSOLIDATED SALARY AUTHORIZATION FOR FACULTY POSITIONS**

Under the provisions of the Consolidated Salary Authorization for Faculty Positions in Institutions of Higher Education, each governing board is charged with the responsibility for establishing the institution definition of full-time equivalency (FTE) for part-time faculty (wage or adjunct faculty). The VCCS definition of an FTE

part-time faculty is 30 teaching credit hours or the equivalent.

### **3.09.21 ADMINISTRATIVE/PROFESSIONAL AND INSTRUCTIONAL FACULTY COMPENSATION ACTIONS**

#### **3.09.21.01 PURPOSE**

The purpose of this policy is to establish procedures that will enable the System Office and the colleges to effectively maintain and administer the Faculty Compensation Plan.

#### **3.09.21.02 ELIGIBILITY**

This section applies to all full-time administrative, professional and instructional faculty including those in restricted positions unless designated otherwise.

#### **3.09.21.01 COMPENSATION PRACTICES**

- a. Competitive Salary Offer: A competitive offer is the College/System Office counter offer made to an existing faculty member, deemed critical to the college/System Office, who has received an employment offer at a higher salary from an employer. Generally, competitive offers should not exceed more than 15% above the faculty member's current salary. The College/System Office may make a counter offer if:
  1. The faculty member's employment offer is in writing or verified by the supervisor.
  2. Consideration is given to the salaries of other faculty in similar positions with comparable educational backgrounds and experience.
  3. The competitive salary offer does not exceed the maximum of the position range maximum for administrative/professional faculty or the academic rank range maximum for instructional faculty.
  4. For competitive offers from within the VCCS, there can only be one counter offer from the current College or System Office. The amount of the competitive offer may go up to but will not exceed the amount of the job offer. The other College or System Office may not make a second offer in response to the current College or System office counter offer.

5. For competitive salary offers, reporting requirements as defined in the Human Resource Delegated Authority Agreements should be adhered to.

b. Additional Duties

1. Additional Duties Resulting from a Temporary Vacancy. When additional non-instructional duties resulting from a temporary vacancy are assigned to a faculty member or divided among several faculty members, the faculty member(s) may be given a supplement of from 0 to 10%. The supplement is not part of a faculty member's base salary and will not be included on the Faculty Employment Contract. In all cases, an amendment to the Faculty Employment Contract will be issued stating the base salary, the additional duties supplement and the duration of the additional duties. This provision may not be used in lieu of the Teaching Overloads Policy, 3.8.4, the Teaching

Faculty Assigned Temporary Administrative/Professional Duties Policy, 3.5.2, or the Stipend Policy, 3.8.10.

2. Substantial Additional Assignments. When a substantial additional assignment or alternative work schedule is given to a faculty member, he/she may be given a supplement of from 0 to 10%. The supplement is not part of a faculty member's base salary and will not be included on the Faculty Employment Contract. In all cases, an amendment to the Faculty Employment Contract will be issued stating the base salary, the additional duties supplement, the duration of the additional duties, the additional duties assignment, interim goals, and the expected outcomes. This provision may not be used in lieu of the Teaching Overloads Policy, 3.8.4, the Teaching Faculty Assigned Temporary Administrative/Professional Duties Policy, 3.5.2, or the Stipend Policy, 3.8.10. It may not be used to compensate faculty when they are not under their full-time contract.

- c. Acting Pay: A faculty member will be eligible for an acting pay supplement of from 0 to 15% when he/she assumes a majority of the responsibilities of a vacant position. The supplement is not part of a faculty member's base salary and will not be included on the Faculty Employment Contract. In all cases, an amendment to the Faculty Employment Contract will be issued stating the base salary, the acting supplement, and the duration of the acting assignment. Interim assignments should not extend beyond one year.

- d. Internal Alignment: An increase of 0-10% may be granted to align a faculty member's salary more closely with those of other faculty members at the same college.

Consideration may be given to experience, educational background, similar duties and responsibilities, performance, expertise and academic rank. Adjustments resulting from internal alignments will not exceed 10% for any faculty member in a fiscal year. The following process should be followed for an internal alignment review.

1. Determine the base salary by using the faculty member's original VCCS-10 to establish the entry level salary, academic credentials and years of occupational experience. For instructional faculty alignment reviews, faculty members must be in the same VCCS-29 columns and also be in comparable groups within the column. For example, in Columns 3 and 4, nursing faculty would not be compared with business management faculty.
2. The following are acceptable reasons for salary differences and must be factored into reviews:
  - i. Competitive increments offered at the time of the initial appointment
  - ii. Merit increase differentials
  - iii. Promotions
  - iv. Time in rank

- e. Non-competitive Voluntary Transfer:

1. Within the College. A voluntary transfer occurs when, with the college's approval, a faculty member moves within the college from a twelve-month administrative position to a nine-month administrative or teaching position or from a nine-month administrative or teaching position to a twelve-month administrative or teaching position.
  - i. The new nine-month salary will be established by calculating 75 percent of the twelve month salary. For administrators moving to a teaching position, the academic rank should be determined using the criteria on the VCCS-29. The nine-month salary will not exceed the academic rank maximum.
  - ii. The new twelve month salary will be established by increasing the nine- month salary by a factor of 1.3333 percent.

2. Within the VCCS.

- i. A lateral transfer is a permanent faculty assignment from one community college to another community college or the System Office under the following circumstances:
  - There has been no open competition for the position,
  - The positions are the same level, i.e., director level to director level,
  - The action has the consent of both Presidents, or the Chancellor in the case of the System Office.
- ii. No change in faculty rank or salary shall be made. An exception to this provision is a lateral transfer to or from Northern Virginia Community College. The salary should be adjusted up or down by 8% in direct relationship to the VCCS-18.

f. Competitive Transfer

1. A faculty move from one community college to another shall not be considered a transfer if it is the result of an open recruitment
2. For rank and salary purposes, the faculty member will be considered a new hire and the starting salary policy will be applied. In such cases, years of service in the VCCS are transferable for purposes of promotion, but not for reduction-in-staff decisions.

g. Reallocation of Administrative and Professional Faculty Positions

1. Definition: A reallocation is the movement of a position from one title and salary range to another based upon and to recognize a significant increase or diminution in the duties and responsibilities assigned to the position. The reallocation shall be limited to movement from counselor, librarian, assistant coordinator, and administrative officer to coordinator level; coordinator to counselor level, librarian, assistant coordinator, and administrative officer level; coordinator to director/dean level or director/dean to coordinator and assistant coordinator level.
2. Procedure: A position file must be established which contains the following:
  - i. A copy of the current position description.
  - ii. A description of the gradual and substantive differences in duties and responsibilities and the reason for changing the particular duties and responsibilities.

- iii. The new position description incorporating the gradual and substantive differences in duties and responsibilities.
- iv. A revised organizational chart showing the reallocated position.

### 3. Criteria for Reallocation

- i. The reallocation will not result in significant organizational changes. A recruitment is more appropriate for these types of situations.
- ii. The position has assumed the additional responsibilities as the result of business and program necessity.
- iii. The request shall only be used in cases of a justified change to a position caused by a gradual change in the scope of assigned responsibilities that re related to the primary role of the position.
- iv. A reallocation request shall not be used to recognize the assignment of responsibilities on a temporary basis or for an individual to be assigned to a position in an acting capacity.
- v. The changed duties and responsibilities are in line with the ongoing and current responsibilities of the administrative/professional faculty position.
- vi. The position must remain within the same functional area in the college.

### 4. Compensation: The position incumbent shall be eligible for the issuance of a new Faculty Employment Contract. Salaries will be adjusted as follows:

- i. Upward Reallocation: If the salary is already above the new position range minimum, the faculty member may receive an increase of from 0 to 10%. For salaries not above the minimum, the percentage includes the amount required to bring the faculty member to the new position range minimum. In all cases, the faculty member's salary will be brought at least to the new range minimum.
- ii. Downward Reallocation The salary will at least be reduced to the maximum of the new position range and may be reduced up to 10%. If the faculty member's salary is not above the maximum of the new position range, the current salary will be reduced by 0 to 10%.

### **3.09.22 VOLUNTARY EARLY RETIREMENT INCENTIVE PROGRAM**

#### **3.09.22.01 PURPOSE**

The purpose of this policy is to establish procedures that will allow SWCC and/or the VCCS to develop a voluntary early retirement program to encourage the retirement of selected teaching faculty to enable SWCC to better meet future academic and financial needs of the College.

#### **3.09.22.02 ELIGIBILITY**

To be eligible for this program, teaching faculty need to meet all of the following criteria:

- a. Be at least 60 years of age;
- b. Have completed at least 10 years of full-time service at the current college of employment;
- c. Have the right to continued contractual employment in a non-restricted position;
- d. Agree to withdraw from active membership in the Virginia Retirement System, or from active participation in an ORP if applicable;
- e. Submit application materials in a timely manner and by any established application deadlines.

#### **3.09.22.03 GENERAL PROVISIONS**

- a. If a faculty member is offered participation in the program and subsequently agrees to participation in the program, upon retirement the College will continue to pay the state portion of the faculty member's health insurance costs or the cost of a Medicare supplement for a minimum of two years and no more than five years and/or the College will offer cash compensation of up to 150 percent of a faculty member's salary.
- b. The total of cash payments including health insurance costs offered under this program shall not exceed 150 percent of the faculty member's base annual salary reflected in the Personnel Management Information System at the time of election to participate. Any such payments shall be allocated over at least two years.
- c. The total cost in any fiscal year for this program shall not exceed two percent of the College's corresponding fiscal year state general fund

allocation for faculty salaries and associated benefits as determined by the System Office.

- d. College participation in this program is optional. Initial participation does not imply continual participation. The College President will determine whether the program should be offered in any given year. The College President will also determine whether insurance costs and/or cash compensation will be offered in any given year.
- e. Each college will develop and publicize information about the program which must be written and include the institutional needs and the objectives to be served by the program, the application and selection process, time frame, and any additional College eligibility requirements that may apply.
- f. Faculty participation in the program is voluntary; no faculty member shall be penalized in any way for not participating.
- g. Participants will be selected based on the needs of the College as determined by the President and as publicized in information about the program. The President's decision is final and may not be appealed through the faculty grievance process.
- h. College plans and any subsequent amendments or modifications must be reviewed for compliance with state and VCCS guidelines by System Counsel. The initial VCCS plan and any subsequent amendments or modifications requires approval of the Governor and the Office of the Attorney General.
- i. The State Board for Community Colleges reserves the right to modify, amend or repeal this program at any time. However, no such amendment, modification or repeal shall be effective as to any individual who retires under the plan prior to the effective date of the amendment, modification or repeal.
- j. Surviving spouses of retirees who pass away before the end of the contract period will be eligible to receive continuation of up to one-half the monthly amount previously agreed upon for the remaining duration of the original contract period.

### **3.10 FACULTY LEAVE**

#### **3.10.01 SICK LEAVE**

Faculty electing the Virginia Sickness and Disability Program (VSDP) shall have sick leave as specified in the VSDP policy. For faculty not eligible for, or not electing VSDP, the VCCS sick leave policies for 12-month and 9-month faculty and presidents discussed in this section shall apply. In all cases, for 9-month faculty, the smallest unit of leave charged shall be a half day. (12-month administrative, professional, and teaching faculty, 9-month administrative faculty, and presidents)

##### **3.10.01.01 ACCRUAL AND USE OF SICK LEAVE**

Sick leave credits shall be accrued and used in accordance with Department of Human Resource Management policies and procedures. Sick leave credits may

transfer from another state agency or state institution of higher education if the accrual rate is the same as that provided for in this section.

##### **3.10.01.01 NINE-MONTH TEACHING FACULTY**

###### a. Accrual

Sick leave for full-time 9-month teaching faculty members shall accrue at the rate of four and one-half (4 1/2) days per academic semester, awarded on the first day of each semester. There shall be no limit on the amount of sick leave that can be accrued.

###### b. Use

The absence of faculty members for the reasons stated below shall be a charge against earned sick leave credits:

1. Illnesses or injuries incapacitating the member to perform his duties;
2. Exposure to contagious disease such that presence on duty would jeopardize the health of fellow employees or the public;
3. Appointment for examination and treatment related to health when such appointment cannot reasonably be scheduled during non-work hours; and
4. Illness or death in the immediate family. The immediate family includes parents, including step-parents; spouse; children including step-children

and foster children; siblings including step-siblings; any relative either by blood or marriage, living in the employee's household. The period of absence which may be charged against earned sick leave in this application may not exceed a total of ten (10) work days in a calendar year because of an illness, injuries, or deaths in the immediate family.

5. The smallest unit of leave shall be a half-day. For example, an absence of two hours will be charged as 4 hours of sick leave. Absences of more than one-half day shall be charged on a day-for-day basis (5 days, 40 hours per week) regardless of the faculty member's schedule. Faculty members on approved Family and Medical Leave will have the first eight hours of leave charged on an hour-for-hour basis. Longer absences will be charged on a day-for-day basis (5 days, 40 hours, per week) regardless of the faculty member's schedule. Those on Family and Medical Leave with approved intermittent leave or a reduced schedule will have all absences charged on an hour-by-hour basis counting class hours and designated office hours, etc.
6. Absences may be charged against earned sick leave credit during the summer employment in direct relation to the percentage of weekly workload. However, sick leave shall not accrue during summer employment.

### **3.10.02 DISPOSITION OF SICK LEAVE BALANCE**

#### **3.10.02.01 COVERAGE AND ELIGIBILITY**

Upon separation from state service, faculty and presidents shall be eligible for a single sum payment of sick leave balances in accordance with the following provisions.

- a. Separation from state service is defined as resignation, non-reappointment, retirement, death, dismissal, or layoff.
- b. Sick leave balances for faculty with less than five years of continuous service with the Virginia Community College System, shall lapse upon separation and are not eligible for payment. Continuous service is defined as salaried state service computed from the last employment or re-employment date, including approved leaves without pay.
- c. Sick leave balances for faculty with five years or more of continuous service with the Virginia Community College System shall be paid in one sum for twenty-five percent of their sick leave balances, provided that the total amount paid for sick leave shall not exceed \$5,000. The remaining balances shall lapse. The hourly rate is determined based on 2,080 hours for twelve-

month employees and 1,560 hours for nine-month faculty.

### **3.10.02.02 EXCEPTIONS:**

- a. Faculty shall have their sick leave balances transferred when they transfer, without a break in service, to other faculty positions within the Virginia Community College System.

However, faculty who separate from the VCCS and are reemployed with another state agency may have their sick leave balances transferred, in lieu of payment, if the receiving agency agrees to accept the balance. Nine-month teaching faculty who separate and accept a classified position shall be authorized payment for sick leave if they meet the eligibility criteria.

- b. Faculty who are reinstated within 12 calendar months following layoff may be credited with the sick leave balances held when placed on layoff, provided that payments for sick leave balances were not made upon layoff.
- c. Faculty who are reemployed no later than 180 days after the date of separation from service may be credited with sick leave balances held upon separation provided that payments for sick leave balances were not made upon separation from service.
- d. Faculty who are granted educational leave with or without pay are not eligible for sick leave balance payments during the educational leave period.
- e. Faculty, with five or more years of continuous service, who are on leave-without-pay for more than three calendar months during the terms of their academic year contracts, are eligible for payment of 25 percent of accrued sick leave not to exceed \$5,000. (For continuing 9-month faculty, the period between the conclusion of the spring semester and the commencement of the fall semester is continuous employment and not defined as leave or separation.)

### **3.10.03 PERSONAL LEAVE**

Faculty electing the Virginia Sickness and Disability Program (VSDP) shall have personal leave as specified in VSDP policy. For faculty not eligible for, or not electing VSDP, personal leave of three (3) days shall be granted at the beginning of the academic year to all full-time 9-month teaching faculty members. In all cases, the smallest unit of leave shall be a half-day. For example, an absence of two hours will be charged as 4 hours of leave. Absences of more than one-half day shall be charged on a day-for-day basis (5 days, 40 hours, per week) regardless of the faculty member's schedule (See sick leave for exception for faculty on Family Medical

leave). This leave may be taken by faculty members at their discretion, provided satisfactory prior arrangements have been made with the faculty members' supervisors. Personal leave is not intended for recreational purposes. Unused personal leave shall be converted to sick leave accrual at the end of the summer term following the academic year for which it was granted. The personal leave policy shall not apply to participants in the Virginia Sickness and Disability Program (VSDP) with the following exception: the smallest unit of leave charged shall be a half day.

**3.10.04 ANNUAL LEAVE**

**3.10.04.01 TWELVE-MONTH FACULTY EMPLOYED IN THE VCCS PRIOR TO JANUARY 1, 2007.**

- a. Twelve-month faculty who are employed in the VCCS prior to January 1, 2007 shall accrue annual leave at the following rate based on years of service:

<b>Years of Service</b>	<b>Semi- Monthly Accrual Rate</b>	<b>Maximum Carryover Limits</b>	<b>Maximum Payment Limits</b>
<b>Up to 5 years</b>	4 hours	192 hours (24 days)	192 hours (24 days)
<b>5 years</b>	5 hours	240 hours (30 days)	240 hours (30 days)
<b>10 years</b>	6 hours	288 hours (36 days)	288 hours (36 days)
<b>15 years</b>	7 hours	336 hours (42 days)	288 hours (36 days)

<b>20 years</b>	<b>8 hours</b>	<b>384 hours</b> <b>(48 days)</b>	<b>336 hours</b> <b>(42 days)</b>
<b>25 years</b>	<b>9 hours</b>	<b>432 hours</b> <b>(54 days)</b>	<b>336 hours</b> <b>(42 days)</b>

b. Presidents, Executive Vice Presidents, Vice Presidents, Provosts, and faculty-rank members of the Chancellor’s Cabinet shall be given 160 hours (20 days) of annual leave on January 10. When they have 15 years of service, the amount of annual leave given will be as indicated in a. above. For executive-level employees who start employment any time other than January, the amount of annual leave given will be prorated on a per pay-period basis. Termination dates before December will result in a proration of leave eligible for payment. The maximum carryover amounts and the maximum payment limits in a. shall apply.

c. All annual leave in excess of the maximum allowed shall be carried over beyond January 1 of each year. However, the excess leave must be used by July 9th of the same calendar year. The remaining excess hours will be converted to sick leave on an hour-for-hour basis as of July 10, except for participants in the Virginia Sickness and Disability Program (VSDP).

As annual leave is used during the first six months of the calendar year, the hours used shall be deducted from the excess hours balance. When all excess hours have been used, annual leave taken shall be deducted from the current calendar year balance.

**3.10.04.02 TWELVE-MONTH PRESIDENTS ADMINISTRATIVE/PROFESSIONAL FACULTY AND TWELVE-MONTH TEACHING FACULTY HIRED IN THE VCCS AFTER JANUARY 1, 2007.**

Presidents, administrative/professional faculty, and twelve-month teaching faculty hired after January 1, 2007 will receive leave in accordance with the following chart:

	<b>Up Front, Upon Hire</b>	<b>Accrual Per Pay Period Worked</b>	<b>Maximum Accrual Per Year</b>	<b>Maximum Carry Forward Limit</b>	<b>Maximum Payment Limit</b>

<b>Presidents</b>	120 Hours (15 days)	10 hours	240 hours (30 days)	240 hours (30 days)	240 hours (30 days)
<b>Executives, Senior Administrators</b>	96 hours (12 days)	8 hours	192 hours (24 days)	192 hours (24 days)	192 hours (24 days)
<b>Administrators, 12-month teaching faculty</b>	84 hours (10.5 days)	7 hours	168 hours (21 days)	168 hours (21 days)	168 hours (21 days)

a. For this policy, Administrative/professional faculty positions are categorized as follows:

- i. Executives: Executive Vice President, Vice President, Provost, Executive Vice Chancellor, Vice Chancellor, faculty rank members of the Chancellor’s Cabinet, and Associate Vice Chancellors with State Board Responsibility.
- ii. Senior Administrators: Assistant Vice President, Associate Vice President, Assistant Vice Chancellor, Dean, Campus Dean, Director.
- iii. Administrators: Assistant Director, Associate Director, Coordinator, Assistant Coordinator, Administrative Officer, Counselor, Librarian, twelve-month teaching faculty.

b. “Up-front” leave will be granted on the effective date of employment.

c. Leave accruals continue to increase per pay period, however, the total accrual is reduced to the maximum annual accrual each January 10th.

d. Upon termination, the compensation of unused annual leave shall be the current annual leave balance which may not exceed the person’s maximum payment limit. The payment rate will be calculated by converting the annual salary to an hourly rate. Grant funded positions will be compensated for unused annual leave only if grant funds are available for this purpose.

e. Administrative/professional faculty hired before January 1, 2007 will have a one time option of electing to participate in the plan. The decision to enter the plan is final and may not be reversed. An administrative/professional faculty member hired before January 1, 2007 who accepts a higher level position in the System may retain the accrual and payout limits in 3.9.3.1.a. above or opt into the new system in 3.9.3.2 at the time of the promotion.

### **3.10.04.03 ACCRUAL, USE AND TRANSFER OF ANNUAL LEAVE CREDITS**

- a. Annual leave shall not be provided to nine-month faculty.
- b. When terminating employment or when moving from an administrative or professional position to a 9-month teaching position, an employee shall be paid for only the maximum leave allowed by policy.
- c. Unless otherwise stated above, the accrual, use and transfer of annual leave credits shall be in accordance with policies and procedures of the Department of Human Resource Management.

### **3.10.05 LEAVE SHARING**

Leave sharing for teaching faculty and administrative/ professional faculty shall be in accordance with Department of Human Resource Management policies and procedures. Teaching faculty will be eligible to participate only as leave recipients since they do not earn annual leave. Each college shall develop a leave sharing procedure that includes the communication of requests to all potential donors.

### **3.10.06 FAMILY AND MEDICAL LEAVE**

Family Medical Leave provides eligible faculty with up to 12 weeks of unpaid family or medical leave in a calendar year because of the birth of a child or the placement of a child with the employee for adoption or foster care, because the faculty member is needed to care for a family member (child, spouse, or parent) with a serious health condition or because the faculty member's own serious health makes him or her unable to perform the responsibilities of his/her position. This policy shall be administered in accordance with Department of Human Resource Management policies and procedures, however the following shall apply.

- a. Intermittent Leave: Intermittent leave must be taken on an hour-for-hour basis or planned as part of a reduced work load. For a reduced work load, the difference between a full load and a reduced load would be charged to Family/Medical leave. The reduction cannot exceed 12 workweeks or 480 hours. A medical certification is required. The work schedule must be approved by the division chair or other designated person.
- b. A community college may designate the use of accrued leave for absences covered by this policy as Family/Medical leave. Other leave policies have not changed as a result of this policy.

### **3.10.07 WORKERS' COMPENSATION LEAVE**

Workers' Compensation is the benefit provided to employees by the Virginia Workers' Compensation Act if they suffer work-related injury or disease. Claims and decisions will be made in accordance with the policies and procedures of the Department of Human Resource Management and the Division of Risk Management.

### **3.10.08 CIVIL AND WORK-RELATED LEAVE**

Civil and Work-Related Leave is provided with or without pay to employees who are performing certain civic duties, participating in the formal resolution of workplace conflicts and certain other work-related activities. Examples of civic related reasons include a summons to jury duty, subpoenas or summons requiring a court appearance, for an employee to accompany his/her minor child when the child is legally required to appear in court or for an employee who is a victim of a crime to be present at all criminal proceedings relating to a crime against that employee. Examples of work-related activities include interviewing for another state position, participating in the resolution of work related conflicts and to attend one session with the Employee Assistance Program per qualifying event. This policy may not be used for employees who have been placed on suspension pending the outcome of an investigation. Requests and approvals will be made in accordance with Department of Human Resource Management Policy 4.05.

### **3.10.09 LEAVE WITHOUT PAY**

Leave without pay may be granted at the discretion of the president for reasons such as but not limited to the following:

- a. Professional development related to one's discipline or occupational field;
- b. Educational leave in excess of such leave allowable with pay (not to exceed two years when combined with educational leave without pay);
- c. Full-time study;
- d. Foreign teaching assignments or exchange teaching;
- e. Serious health condition;
- f. Family or personal purposes;
- g. Military leave in excess of such leave allowable with pay.

Since granted leave involves reemployment, leave is not automatically given to any person who requests it. A leave of absence without pay shall not be granted for

more than 12 calendar months.

### **3.10.10 COMMUNITY SERVICE LEAVE**

Eligible faculty may receive sixteen (16) hours of paid leave per calendar year to participate in school activities or serve as a volunteer member of a community service organization.

- a. Eligibility: Full-time instructional and administrative faculty are covered by the provisions of this policy.
- b. Limitations: Leave may be used only with the prior approval of the faculty member's supervisor.
- c. Administration: This policy shall be administered in accordance with the Department of Human Resource Management policies and procedures.

### **3.10.11 MILITARY LEAVE**

Military leave is granted with or without pay to faculty and classified employees for active duty in the armed services of the United States or for employees who are former members of the armed services, or current members of the U.S. reserve forces or the Commonwealth militia, or the National Defense Executive Reserve. Requests and approvals will be made in accordance with the policies and procedures of the Department of Human Resource Management.

### **3.10.12 COMPENSATORY LEAVE**

Administrative, professional, and teaching faculty are not eligible for compensatory leave.

### **3.10.13 LEAVE TO DONATE BONE MARROW OR ORGANS**

Eligible faculty may be provided paid leave for the period that is medically necessary for the donation of bone marrow or organ and recuperation for up to 30 days in any calendar year.

- a. Eligibility: The provisions of this policy apply to full-time administrative and instructional faculty. Nine-month instructional faculty are eligible for the paid leave if the absence occurs during the August 16-May 15 contract period. Full time restricted employees are covered only to the extent that the funding source for their position has agreed in writing to assume all financial responsibility for this benefit

- b. Administration: This policy shall be administered in accordance with the Department of Human Resource Management Policy 4.37.

### **3.10.14 PUBLIC HEALTH EMERGENCY LEAVE**

The purpose of this policy is to protect the health of state employees and the public and to provide continuity of services to the citizens of the Commonwealth during times of pandemic illness. When a Communicable Disease Public Health condition has been declared by the State Health Commissioner and the Governor, full-time teaching and administrative faculty may be eligible for up to 80 hours of paid leave per year to attend to their medical needs or those of their immediate family members. Nine-month instructional faculty are eligible for this leave only during the August 16th-May 15th contract period. This policy will be administered in accordance with Department of Human Resource Management Policy 4.52.

### **3.10.15 HOLIDAYS**

- a. Holidays for twelve-month faculty and presidents shall be authorized in accordance with Department of Human Resource Management policies and procedures. Holidays shall be observed in accordance with the annual college calendar published by the college for the calendar year. Accordingly, colleges and the System Office may schedule the observance of a holiday on a day other than that which is prescribed by State policy.
- b. Nine-month administrative faculty shall be authorized only those holidays which fall within the nine-month appointment period as prescribed by State policy and observed in accordance with the annual college calendar.

### **3.10.16 EFFECT OF LEAVE WITH AND WITHOUT PAY FOR PERIODS EXCEEDING 14 CALENDAR DAYS**

Periods of leave with or without pay (except for the use of earned annual or sick leave, educational leave, sabbaticals, or military leave) of over 14 calendar days cause a discontinuity for a semester, disqualifying it from counting towards a full year of employment. A discontinuity is not a break in service. Since granted leave involves reemployment, leave is not automatically given to any person who requests it. A leave of absence with or without pay shall not be granted for more than 12 calendar months.

- a. Leave agreements: Leave agreements shall be developed and signed by both the college president and the faculty member. Agreements shall state the right and condition of reinstatement and must include an explanation of personnel policies that affect changes in salary, benefits, retirement and seniority. Faculty members

may be allowed to retain any applicable leave balance to their credit as part of the leave agreement. No leave without pay agreement shall exceed one fiscal year in length. Prior to signing, the faculty member shall be informed of the contents of the agreement. A copy of the agreement shall be placed in the faculty member's personnel file prior to the beginning of the leave. While leaves with and without pay are considered on an individual basis, the following will apply:

1. Merit Salary Award: Faculty returning from a leave that has prevented them from receiving an evaluation shall be awarded increases in accordance with guidelines developed by the college. These guidelines will be in writing. The merit salary award shall be applied to the salary in effect on the last contractual work date prior to the effective date of the leave.
2. Leave Accrual: For twelve-month faculty the leave accrual anniversary date for annual leave will be advanced according to the time the faculty member is on leave. During the time of the leave period, no leave will be earned. It will also not accrue after 60 consecutive workdays of leave with pay regardless of the type of leave to which the absence is charged.
3. Service Credit Toward Sick Leave Payout: Leave time is not credited as service toward the five years of continuous VCCS service which is required to receive a payment for sick leave balances upon separating from state service.
4. Retirement: Service credit is granted for any pay period in which qualifying compensation has been received by the faculty member. If a faculty member is on leave without pay for an entire pay period, no contributions will be made.
5. Benefits: For faculty on leave with pay or with partial pay, deductions for health insurance continue. For leave without pay, health insurance payments for the state portion must be paid by the first day of each month of coverage.
6. Multi-Year Appointments and Promotions: A year of full-time employment is comprised of two academic semesters (fall and spring), the salary for which is chargeable to a single fiscal year's budget. Leave resulting in employment less than this period shall not count toward the time eligibility period for a multi-year appointment or for promotion. Faculty holding three and five-year appointments who are granted educational leave of absence with partial pay and are not employed full-time during at least two academic semesters of the period August 16 - August 15 of the following year, shall have their current multi-year appointments extended for one year.
7. Return From Leave: A faculty member returning from a leave of absence without pay during or at the end of the period for which the leave was granted shall be entitled to reinstatement under the conditions of the leave agreement. Faculty members returning from leave without pay shall normally be reinstated to their former positions unless they sign an agreement releasing the college from this

commitment or unless college organizational changes require the reassignment of the faculty members.

8. Required Notice to President: Faculty members who have not notified the president in writing by February 1 of their intent to return will automatically be separated as employees of the college. Any other date must be agreed to by the president and the faculty member and be included in the leave agreement.

### **3.10.17 EXCEPTIONS**

- a. Educational Leave: For administrative and professional faculty on educational leave with half pay, the leave period will be counted as full-time employment when determining the rate of annual leave accrual rate. For all faculty, educational leave with or without pay shall not disqualify the leave period as counting towards a year of service for purposes of promotion or multi-year appointments. However, no more than two academic years may be exempted from the years of full-time service requirement because of educational leave.
- b. Sabbaticals: Faculty granted Sabbaticals will have the leave period regarded as a year of full-time employment, except that leave will not accrue. Upon returning from the sabbatical, a merit salary award shall be applied to the salary in effect on the last contractual workday prior to the effective date of the sabbatical. The faculty member shall be awarded increases in accordance with guidelines developed by the college. These guidelines will be in writing.
- c. Military Leave: A military leave of absence for a member of a reserve unit that is called to active duty, and who upon completion of his or her military obligation returns immediately to the college, shall have the active military duty period count towards a year of service for purposes of promotion or multi-year appointments. Leave will not accrue during the leave period.
- d. Family/Medical Leave: Designated and approved family/medical leave will be counted towards a year of service for purposes of promotion or multi-year appointments.

## **3.11 SWCC ADMINISTRATIVE POLICIES**

### **3.11.01 AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY**

- a. Southwest Virginia Community College subscribes to and endorses provisions of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Executive Order Number One (2002) of the Governor of the Commonwealth of Virginia. Specifically, no person shall, on the basis of race, color, national origin, religion, age, sex (except where age or sex is a bona fide

- occupational qualification), or political affiliation or against otherwise qualified persons with disabilities, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity of the College.
- b. An Affirmative Action Coordinator administers the College affirmative action plan and serves as an informal counselor with whom employees or students may discuss EEO matters.
  - c. The College Affirmative Action plan was developed in accordance with the timetable established by the Commonwealth of Virginia to the Virginia Community College System and is implemented through the administrative organizational structure.

### **3.11.02 SWCC CAMPUS SECURITY INFORMATION: 2014**

#### **3.11.02.01 EDUCATING IN A SAFE & SECURE ENVIRONMENT**

- a. In fulfillment of the U. S. Department of Education's regulations under the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics relating to the Student Right-to-Know and Campus Security Act (Public Law 101-542, amended by Public Law 102-26), [formerly the Campus Security Act], SWCC provides its students, faculty and staff with the following information.
- b. SWCC seeks to provide its students, faculty and staff with a safe place to learn and work. The College will prosecute violators of local, state and federal laws in appropriate state and federal courts.

#### **3.11.02.02 GETTING HELP AT SWCC**

In an emergency a student, faculty member or staff member should use any of the following means to get help:

- a. Call Campus Police by dialing HELP- (4357) on any Campus office phone or phone on any elevator. If you are outside a building, special HELP phones are located at:
  - 1. Buchanan Hall (back of building facing parking lot),
  - 2. Tazewell Hall (entrance facing Buchanan Hall),
  - 3. Dickenson Hall,
  - 4. Russell Hall (front entrance),

5. King Hall,
  6. Community Center,
  7. Physical Plant,
  8. Pavilion #4 near the Football Field
- b. Your call will put you in radio contact with a campus police officer. The Campus Police Office is located in the Physical Plant Building. Campus Police are on duty seven days a week, twenty-four hours a day.
  - c. Call 9-911 (for emergency, life-threatening situations) or call 988-5970, which connects you with the Tazewell County Sheriff's Office.
  - d. Call the Dean of Student Development Services at Ext. 286/287 during hours (8:30 am to 4:30 pm). The Dean of Students' office is located in Tazewell Hall (T- 103). SWCC Counselors are available, if you want to discuss your options.
  - e. OR, any uniformed Campus Police officer.
  - f. When a victim reports a crime to campus police officers, SWCC will seek to protect the victim's request for anonymity to the extent that this is possible and is permitted under law.

### **3.11.03 ACCESS AND SECURITY**

- a. During non-business hours, campus buildings are locked. Persons needing access during non-business hours may request access by using the HELP phones outside the buildings listed above. DIAL HELP- (4357), which provides direct radio contact with Campus Police.
- b. Persons who are not authorized to be on campus (for example people who disrupt College sponsored/sanctioned activities or loiter on campus) will be escorted to the edge of the College's property and informed of the Code of Virginia TRESPASS ORDINANCE" or they will be taken into custody if their behavior warrants an arrest.

### **3.11.04 CAMPUS POLICE AUTHORITY**

SWCC Campus Police Officers have:

- a. Full police authority within the jurisdiction of the SWCC campus and off-campus

locations leased for College sponsored events under Virginia law (Campus Police Act, Title 23, Chapter 17, Sections 23-232 through 23-238 of the Code of VA).

SWCC Campus Police Officers may:

- a. Stop and question persons suspected of an activity that violates college, state or federal laws.
- b. Make arrests and use appropriate force to uphold the law, preserve life and protect property.

SWCC students, faculty and staff are encouraged to report crimes and emergencies to Campus Police Officers and the Dean of Student Success by telephoning them at the above numbers or contacting them at the listed locations.

SWCC seeks to encourage prompt notifications so that its Campus Police may be proactive to prevent crime as well as reactive to incidents after they take place.

### **3.11.05 CRIME PREVENTION PROGRAMS**

The College encourages faculty and staff to provide campus security procedures to students in orientation classes and other suitable venues. The Dean for Student Success and the Human Resources Manager will see that information relating to the annual campus security and completion rate report is made available to all students, faculty and staff each year.

### **3.11.06 CAMPUS CRIME STATISTICS**

Campus crime statistics are on the college's webpage and can be accessed at: <https://sw.edu/annual-security-report/>

### **3.1107 MONITORING AND RECORDING OFF-CAMPUS CRIME**

- a. SWCC Campus Police Officers are in frequent contact with the Sheriff's Departments in Tazewell County and Russell County as well as the Virginia State Police office located in Claypool Hill. Illegal incidents involving SWCC students, faculty and staff are transmitted to the Campus Police Officers.
- b. SWCC Campus Police Officers have jurisdiction at off-campus student functions.

### **3.11.08 ARRESTS FOR DRUG ALCOHOL & WEAPONS VIOLATIONS**

SWCC Security Data is located on the college website at: <https://sw.edu/annual-security-report/>

### **3.11.09 RELEASE OF DATA**

The provisions of the Family Education Right to Privacy Act (Amended 1998) allows the College to report substance abuse violations to parents of students under 21, to disclose the results of College disciplinary proceedings in cases of violent crimes, and to release student records to the courts in the case of a parent/student lawsuit against the College.

### **3.11.10 SWCC ALCOHOL REGULATIONS**

Local, state and federal laws regulating the possession and use of alcohol on the SWCC campus are enforced by the SWCC Campus Police. SWCC does not permit the possession or consumption of alcoholic beverages on campus.

### **3.11.11 SWCC ILLEGAL DRUGS REGULATIONS**

Local, state and federal laws regulating the possession, distribution, sale and use of illegal drugs are enforced by the SWCC Campus Police. SWCC does not allow the possession, use, selling or distribution of narcotics, stimulants, depressants, mind expanding or other dangerous drugs, except as expressly permitted by federal and/or state law.

### **3.11.12 SWCC DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS**

- a. SWCC publishes information about the dangers of drug and alcohol abuse. The College has counselors available to discuss with students their abuse problems and concerns. Counselors have working relationships with off-campus private and public agencies, which deal with alcohol and drug abuse problems.
- b. The Human Resources Office has an ongoing relationship with outside agencies that provide employee assistance, mental health and substance abuse services for the College's faculty and staff.

### **3.11.13 POLICIES RELATING TO SEX OFFENSES**

- a. SWCC defines physical and psychological abuse as misconduct, which is subject

- to disciplinary action. Allegations of sexual harassment, rape, acquaintance rape and other forcible and non-forcible sex offenses are subject to disciplinary action.
- b. Students are given information about how to deal with sex offenses during their orientation program. The College Counselors are trained to help students deal with sexual concerns and offenses. SWCC's Human Resources Office has professionals outside the College who may help employees deal with sex related offenses.
  - c. The College encourages students to use its counselors and campus police officers when they are involved in a sex offense. The Campus Police are trained to inform victims of the importance of preserving evidence for the proof of a criminal offense.
  - d. State regulations require all SWCC employees to treat seriously any allegation of a sex offense reported to them or face possible disciplinary action by the college up to and including discharge.
  - e. If an incident occurs which is a violation of Virginia's criminal statutes, prosecution may be undertaken by the Commonwealth Attorney. Regardless of whether criminal justice authorities choose to prosecute, the College reserves the right to pursue disciplinary action.
  - f. When the College takes action:
    - 1.If a student is involved in an incident with another student the Dean of Student Success has jurisdiction over the incident.
    - 2.If the student is involved in an incident involving a member of the faculty, a counselor, or others who work for the College or if the incident involves two college employees, the President has jurisdiction over the incident. Appeals can be made to appropriate authorities.
  - g. Students found guilty of misconduct may be penalized with any of the sanctions described in the College Catalog and Student Handbook. College employees may face suspension or dismissal as described in the Faculty Handbook, Classified Handbook or the Commonwealth of Virginia's Standards of Conduct.
  - h. SWCC will change a victim's academic situation after an alleged sex offense occurs if the victim requests such changes and options are reasonably available.
  - i. During any College disciplinary proceeding both the accused and the accuser will have the same opportunity to have others present during any session or meeting. Both the accuser and accused shall be informed of the outcome of any proceeding in which a sex offense is alleged.

### **3.11.14 EXTERNAL CONTACT**

- a. If you desire to file a complaint alleging that SWCC is in noncompliance with the campus security regulations you should submit your complaint in writing to the U.S. Department of Education, Family Policy Compliance Office; 400 Maryland Avenue, SW; Washington, DC 20202-4605. Web Address is:  
<http://www.ed.gov/offices/OM/fpco/>

or

- b. If you want additional information contact the regional office: Region III - Philadelphia (215) 656-6010. Web Address is:  
<http://www.edu.gov/offices/OIIA/Regions/regioniii.html>

### **3.12 WORKPLACE VIOLENCE POLICY**

In accordance with Department of Human Resource Management (DHRM) Policy 1.80 Workplace Violence, it will be the policy of SWCC to follow the DHRM guidelines along with the steps outlined in the SWCC Emergency Plan developed by the Health & Safety Committee.

Workplace violence can be expressed in many ways, and it is the policy of SWCC to prohibit all such conduct. Any such conduct will not be tolerated, and perpetrators of this conduct will be subject to disciplinary action up to and including discharge and may be subject to criminal charges if circumstances warrant.

As part of the annual review of the SWCC Emergency Plan, the Health & Safety Committee will review occurrences of workplace violence. The annual review will include a treat assessment. The Emergency Plan includes as part of the post-incident analysis a review/evaluation of the incident by the Health & Safety Committee to make recommendations/ revisions/additions to the emergency plan. In addition, comments will be solicited from faculty, staff, and students.

The campus maintains a HELP line for faculty, staff, students, visitors, or others to notify Campus Police of an emergency. All incidents of Workplace Violence should be reported immediately to Campus Police. In case of a serious incident requiring campus wide action the Emergency Command Center will be activated. The following individuals are all involved in the Emergency Command Center: President, Vice-Presidents, Campus Police, Director of Facility Management, Information Technology Manager, Human Resources Manager, Health & Safety Committee, and any other employees as determined by the President.

### **3.13 ACADEMIC RANK PROMOTION POLICY**

Adopted 3/18/82 - Revised 2/18/83; 7/12/84; 5/88; 1/89; 12/90; 9/92

#### **3.13.01 PURPOSE**

To provide for the academic rank promotion of faculty members using the VCCS-29, Normal Minimum Criteria for Each Faculty Rank.

#### **3.13.02 DEFINITIONS**

##### **3.13.02.01 YEAR OF SERVICE**

For purposes of eligibility for promotion, a year of full-time employment for both nine-month and twelve-month faculty is full-time employment for two academic semesters (fall and spring), and the salary for which is chargeable to a single fiscal year's budget. Employment for less than this period shall not constitute a year of full-time employment and shall not count towards the time eligibility period for a promotion.

##### **3.13.02.02 FACULTY MEMBER**

For purposes of this policy, faculty members are those employees who hold faculty rank and teach or occupy an administrative, counselor or librarian position which is exempt from the classified service.

#### **3.13.03 ELIGIBILITY**

- a. Minimum Criteria: Qualifications for promotion to regular faculty ranks and Assistant Instructor are stated in the VCCS-29, Normal Minimum Criteria for Each Faculty Rank. Fulfillment of normal minimum criteria does not guarantee promotion to a given faculty rank.
- b. Crediting Experience: No more than one year of experience, teaching or related occupational, may be credited in a single twelve-month period. Therefore, no more than one year of experience credit may be given for a combination of teaching and related occupational experience in the same year.
  1. Experience Creditable Towards Time in VCCS: Only permanent P-3 Report of Appointment or Change of Status) employment with the VCCS can be counted towards time in the System.
  2. Creditable Teaching Experience: Creditable teaching experience shall be the sum of:
- c. Experience computed in accordance with the VCCS Procedure to Determine

Faculty Entry Level Salaries at the time of initial appointment and

- d. Teaching experience subsequent to initial appointment.
  - 1. Related Experience: A year of related occupational experience must contain twelve months and shall be computed in accordance with the VCCS Procedure to Determine Faculty Entry Level Salaries.
  - 2. Leave of Absence: A military leave of absence, for a member of a reserve unit who is called to active duty, and who, upon completion of her or his military obligation, returns immediately to the college, shall not disqualify the active military duty period as counting towards a year of service for purposes of promotion. An educational leave of absence, with or without pay, shall not disqualify the year of its occurrence as counting towards of service. No more than two academic years may be exempted from the years of full-time service requirement because of educational leave.
- e. Other periods of leave with or without pay (except for the use of earned annual or sick leave) of over 15 calendar days cause a discontinuity for a semester, disqualifying it from counting towards a full year of employment, unless specific arrangements have been made between the president and faculty member . The arrangements must be in writing and in the faculty member's personnel file prior to the beginning of the leave.

### **3.14 GENERAL PROVISIONS**

#### **3.14.01 AUTHORITY**

All promotions are granted by the State Board upon recommendation of the president of the college and the Chancellor.

#### **3.14.02 MULTI-CAMPUS INSTITUTIONS**

In a multi-campus college within the VCCS, the provisions of this policy shall apply to the institution as a whole.

#### **3.14.03 FACULTY RANK AND SALARY PROPOSALS**

Faculty rank and salary proposals shall be dated August 16 through May 15 or July 1 through June 30 as applicable.

#### **3.14.04 CONTINGENCY CONDITIONS FOR PROMOTION**

Administrative and teaching faculty must be fully qualified for promotion by the effective date of the Rank and Salary Proposal. Contingency conditions for promotion must be entered in the special conditions or assignments section of the rank and salary proposal.

#### **3.14.06 SUBSTITUTIONS**

Requirements for promotion may not be waived, however, certain substitutions for experience and education may be granted, as outlined in the VCCS-29.

#### **3.14.07 PROMOTION OF ASSISTANT INSTRUCTOR TO INSTRUCTOR**

The salary computation for persons promoted from Assistant Instructor to Instructor shall be handled in accordance with the VCCS Procedure to Determine Faculty Entry Level Salaries.

#### **3.14.08 COLLEGE PROMOTION PROCEDURE**

Each college shall have a written procedure for considering faculty personnel for promotion in rank. Each college has flexibility in determining the dollar amount for promotion in rank; however, the established amount may not be less than \$2,000. This amount may include the increase required to bring faculty to the minimum of the new rank.

# SOUTHWEST VIRGINIA COMMUNITY COLLEGE

## REQUEST FOR PROMOTION IN RANK FORM

(Submit in triplicate to Dean/Director/Department Chair)

Name \_\_\_\_

Present Rank \_

Division \_\_

I. I have met the minimum criteria for promotion as outlined in the appropriate column of Section 3.14 of the Faculty Handbook:

Column 2 \_\_\_\_\_ Column 4 \_\_\_\_\_ Column 6 \_\_\_\_\_

II. I have had a lapse of two academic years between initial appointment and a promotion in rank; and three academic years between subsequent promotions.

III. My job performance evaluations fully meet, or exceed, the requirements outlined on the VCCS 29 Normal Minimum Criteria for Each Faculty Rank.

IV. Number of years as full-time employee in the position of (instructor of \_\_\_\_\_, counselor, etc.) \_\_\_\_\_ in the VCCS: \_\_\_\_\_

V. Total number of years as full-time employee in this, and in similar positions in other, non-VCCS institutions, if different from above: \_\_\_\_\_.

VI. Total number years related occupational experience, if appropriate: \_\_\_\_\_. Include brief description in "Comments" section below.

VII. Comments \* (Continue on reverse if needed)

I have reviewed my records with the Office of Human Resources and have determined that I am eligible for promotion as requested.

Signature \_\_\_\_\_ Date \_\_\_\_\_ RECOMMENDED:

Director/Division Chair \_\_\_\_\_ Date \_\_\_\_\_

Dean \_\_\_\_\_ Date \_\_\_\_\_ APPROVED:

College President \_\_\_\_\_ Date \_\_\_\_\_

\*Note: Please note any special accomplishments along with the reasons you feel you should be recommended for promotion in rank.

### **3.15 SWCC GUIDELINES FOR FACULTY PROMOTION**

#### **3.15.01 RATIONALE**

It is recognized that while rank promotion has implications with regard to compensation, it also has importance as an acknowledgement of professional competence and achievement. Promotion is therefore to be desired as one means, among several, of achieving professional recognition and status.

#### **3.15.02 CRITERIA**

A faculty member should be eligible to be considered for promotion who has:

- a. Achieved the state minimum requirements for promotion as specified in the VCCS 29, Normal Minimum Criteria for each Faculty Rank of the VCCS Policy Manual, also found at Section 3.14 of this Handbook.
- b. Had a lapse of two academic years between initial appointment and promotion; and three academic years between subsequent promotions.
- c. Had evaluation ratings in accordance with VCCS 29 requirements for two years prior to initiating a promotion request.

#### **3.15.03 METHOD**

- a. A faculty member will have the responsibility for initiating in writing a request for promotion, documenting fulfillment of the state requirements and meeting the deadline for application for promotion as set forth in the SWCC Working Calendar, section faculty evaluation, reappointment, multi-year appointment and non-reappointment, and promotion. This request will be given to the faculty member's division chairman. Promotions become effective with the beginning of the academic year following approval of promotion.
- b. Within five (5) calendar days, the Dean shall meet with the faculty member desiring promotion to review his request for accuracy in meeting state and institutional requirements. Within five (5) calendar days after this meeting, the request shall be forwarded to the Vice President of Academic & Student Services by the Dean if the faculty member has requested it at the conference.
- c. The Vice President of Academic & Student Services shall review the promotion request and pass the request to the President with a written recommendation for granting or denying the request. The faculty member shall receive a copy of this recommendation.

- d. If a request is denied by the Dean, the faculty member may file a written appeal to the President within five (5) calendar days of receipt by the faculty member of the decision rendered by the Dean and may request the appointment of an ad hoc committee to hear the case and make appropriate recommendations to the President.

This shall be in accordance with the Faculty Grievance Procedure outlined in the VCCS Policy Manual, Section 3, Item 3.13 and Section 3.02.3 of this Handbook.

- e. This procedure recognizes that the final decision in matters of promotion rests with the President, who is charged with making such recommendations within the guidelines set down by the State Board for Community Colleges. This procedure also recognizes the right of a faculty member to be informed of the final determination of his request for promotion, with a written statement of reasons in cases where promotion is denied.

### **3.16 INTELLECTUAL PROPERTY POLICIES AND PROCEDURES**

Revision 9/03

The following policy determines ownership rights and responsibilities regarding intellectual property produced by a student and/or an employee of the VCCS. This policy is subject to applicable law and is consistent with the State Council of Higher Education for Virginia (SCHEV) Draft Guidelines for the Development of Patent and Copyright Policies and Procedures by State Supported Institutions of Higher Education of May 6, 1987. Although the VCCS might legally claim ownership of all intellectual property created by or for it, this policy exercises that right more narrowly in order to encourage creativity.

#### Intellectual Property Guidelines (SCHEV)

The 1986 session of the General Assembly amended the Code of Virginia by adding Sections 23-4.3, 23-4.4, and 23-9.10:4 which require that each board of a state-supported institution of higher education adopt formal intellectual property policies consistent with guidelines developed by SCHEV. The guidelines adopted by the State Council in June 1987 stipulate that a State institution must: define what kind of the intellectual property it wants to own, if any; establish procedures by which the institution shall be notified by the creator of intellectual property within the purview of this policy; implement procedures designed to protect and promote said property; when required, obtain from the Governor prior authorization to transfer ownership to said; and, submit an annual report including a quantitative listing of intellectual properties owned by the institution.

### **3.16.01 INTELLECTUAL PROPERTY DEFINITIONS**

#### **3.16.01.01 ASSIGNED DUTY**

A task or undertaking pursuant to a contractual obligation, specific assignment, or directive. Assigned duty is narrower than “scope of one’s employment.” A general obligation to develop curriculum materials, to do research even if it results in a specific end product such as a vaccine, published article, or a computer program, or to produce scholarly publications is not a specific request or direction and hence is not an assigned duty. In contrast, an obligation or specific direction to develop particular teaching materials, to write a particular article, or to produce a particular computer program is an assigned duty.

#### **3.16.01.02 CLAIM AN INTEREST**

A college may claim an interest in intellectual property when, pursuant to this policy, it asserts a right to ownership of the property or the right to a license for its use. A college may choose not to “claim an interest” in some forms of intellectual property that it does not want to own, even though it might legally be able to do so.

#### **3.16.01.03 COLLEGE INTELLECTUAL PROPERTY POLICY ADMINISTRATOR**

Each college president shall designate an appropriate college administrator to serve as the college intellectual property policy administrator.

#### **3.16.01.04 COPYRIGHT**

A copyright assigns to the owner of copyrightable intellectual property the following five exclusive rights:

- a. to reproduce the work;
- b. to prepare derivative works or adaptations;
- c. to distribute the work by sale, rent, license, lease, or lending;
- d. to perform the work, and;
- e. to display the work.

When the VCCS claims a license to use copyrightable intellectual property, the license shall include all of the above rights except as otherwise provided by separate written agreement or waiver that is executed by a duly authorized

officer of a college or the VCCS.

### **3.16.01.05 COPYRIGHTABLE MATERIAL**

Any original work of authorship that is fixed in print, digital file, magnetic tape, or other tangible medium of expression coming within the definition of the U. S. Library of Congress Copyright Office.

### **3.16.01.06 CREATOR**

Is either an inventor in the context of patentable inventions or an author in the context of copyrightable works. Creator may be assumed to be either singular or plural.

### **3.16.01.07 EMPLOYEES**

Are full- and part-time faculty; full and part-time classified employees, administrative staff; and students who are paid for specific work by the college. Students may be employees for some purposes and not for others. If they are paid as student assistants, for example, they are employees. Students receiving general scholarship funds would not normally be considered employees for the purposes of this policy.

### **3.16.01.08 INTELLECTUAL PROPERTY**

Includes but is not limited to any material defined within one or more of the following categories:

- a. A potentially patentable machine, Product, composition of matter, process, or improvement, in any of these;
- b. An issued patent;
- c. A legal right that part of a patent; or
- d. Anything that is copyrightable.

Some examples of copyrightable intellectual property include:

- a. Written Materials - literary, dramatic, and musical materials or works, published or unpublished;

- b. Courseware – lectures, printed materials, images and other items used in the delivery of a course, regardless of the physical medium of expression;
- c. Visual and/or Recorded Materials - sound, visual, audio-visual, and television films or tapes, video tapes, motion pictures or other recordings or transcriptions, published or unpublished; and
- d. Computer Related Materials - computer programs, procedures and other documents involved in the operation and maintenance of a data processing system, including program listings, compiler tapes, a library of sub-routines, user and programmer manuals, specifications and databases.

### **3.16.01.09 NET REVENUES**

Are gross receipts of anything of value including, but not limited to: cash payments, rents, royalties, dividends, earnings, gains and sales proceeds, less all original and ongoing costs and losses paid or incurred by the college and/or the employee, in connection with the creation, marketing, and/or copywriting or patenting of the intellectual property, including but not limited to: direct costs of obtaining and securing copyrights or patents, indirect costs as determined by the college, and all attorney's fees.

### **3.16.01.10 REPORTING PERIOD**

Is the period from July 1 of one year through June 30 of the following year.

### **3.16.01.11 ROYALTIES RECEIVED**

Are any values received during the reporting period, including cash payments as well as the market value of any property or services received, in consideration for a transfer or licensing of any intellectual property in which a college claims an interest.

### **3.16.01.12 USE OF COLLEGE RESOURCES**

- a. Incidental Use of College Resources involves the normal use of office space and facilities generally available to all college employees, such as libraries, computers, equipment, and support staff and does not 1) involve the procurement of special supplies, services, equipment, or other support by the College, 2) constitute more than ten percent (10%) of the normal duty time

of any administrator or classified employee in any semester, or 3) involve released or reassigned time, or 4) demand more than 20% of the normal work hours of assisting college employees in any semester. Incidental resources that are available to employees generally should not be counted in the assessment of the use of College resources or general funds.

- b. Substantial Use of College Resources involves 1) more than 10% of the normal duty time of any administrator or classified employee in any semester, 2) released or reassigned time from the creator's normal duties, 3) more than 20% of the work hours of assisting college employees in any semester, or 4) procurement of special supplies, services, equipment, or other support by the College. The total value of identifiable resources shall not exceed \$10,000 for a specific intellectual property. In cases where the intellectual property consists of several identifiable elements, the total resources used for all elements shall not exceed \$10,000. The value of released or reassigned time shall be based on the contract rate for adjunct faculty. The value of support staff dedicated to the creator's efforts shall be a pro rata share of their salary and benefits. The value of other resources dedicated to the creator's efforts, such as supplies, equipment and other support, shall be based on reasonable cost if an actual cost figure is not readily available. It is the responsibility of the creator to advise the college policy administrator when substantial college resources are involved in the creation of intellectual property.
- c. Significant Use of General Funds – involves \$10,000 or more of identifiable College resources in the development of a specific intellectual property. It is the responsibility of the creator to advise the intellectual property policy administrator when significant college resources are involved in the creation of intellectual property. This definition should be used for determining when a transfer of intellectual property must be approved by the Governor.

### **3.16.01.13 APPLICABILITY OF INTELLECTUAL PROPERTY POLICY**

The policy shall apply to employees and students of the VCCS.

### **3.16.01.14 OWNERSHIP OF INTELLECTUAL PROPERTY**

Nothing in this policy invests ownership or any other rights in any person who produces intellectual property as the result of an unauthorized use of college resources. VCCS claims ownership of intellectual property produced by any VCCS employee or student as follows:

- a. Assigned Duty. VCCS claims exclusive ownership of any intellectual property produced by a VCCS employee when produced as a result of an assigned duty except as otherwise provided by a separate written agreement

or waiver which is executed by a duly authorized officer of a college or the VCCS.

- b. **Incidental Use of College Resources.** VCCS does not claim an ownership interest or a license to use any intellectual property which was developed with only incidental use of college resources except as otherwise provided by separate written agreement or waiver which is executed by a duly authorized officer of a college or the VCCS. The creator shall own all dissertations, theses, and classroom instructional materials prepared at the creator's inspiration regardless of the physical medium of expression when such theses, dissertations or materials are produced as a result of routine teaching duties. Further, notwithstanding the foregoing, unless there is agreement otherwise with the creator, the creator shall also own all literary works (such as poems, plays, novels, essays, musical scores, etc.) prepared as a result of the creator's inspiration unless the creator was hired, assigned or directed to create the literary work in question. The scope of ownership, however, does not include elements in the work that are created as a result of an assigned duty of a VCCS employee, such as a computer programmer, that participates in the development of the intellectual property.
- c. **Substantial Use of College Resources.** VCCS claims a non-exclusive irrevocable, royalty-free license to use intellectual property which was developed with the substantial use of college resources except as otherwise provided by separate written agreement or waiver which is executed by a duly authorized officer of a college or the VCCS. The creator shall retain ownership of the intellectual property, but shall grant VCCS a non-exclusive license to use the intellectual property in accordance with this policy in perpetuity. The creator's scope of ownership, however, does not include elements in the work that are created as a result of an assigned duty of a VCCS employee, such as a computer programmer, that participates in the development of the intellectual property. The creator must advise the college's intellectual property policy administrator when the creation of intellectual property involves substantial use of college resources.
- d. **Significant Use of College Resources.** VCCS claims an exclusive ownership interest in any intellectual property which was developed with the significant use of college resources except as otherwise provided by separate written agreement or waiver which is executed by a duly authorized officer of a college or the VCCS. The creator must advise the college's Vice President of Academic & Student Services when the creation of intellectual property involves significant use of college resources.

### **3.16.01.15 STUDENT-DEVELOPED INTELLECTUAL PROPERTY MATERIALS**

Except as otherwise provided by separate written agreement or waiver that is executed by a duly authorized officer of the VCCS or a college, the VCCS:

- a. Does not claim an ownership interest in intellectual property produced by a student provided that the production of the intellectual property is not an assigned duty and it involves only incidental use of college resources. VCCS does, however, claim the right to use student intellectual property for its internal educational and administrative purposes.
- b. Claims a non-exclusive, irrevocable, royalty-free license to use intellectual property developed by a student with the substantial use of college resources.
- c. Claims an exclusive ownership interest in any intellectual property developed by a student with the significant use of college resources.

### **3.16.01.16 SPONSOR-SUPPORTED INTELLECTUAL PROPERTY EFFORTS**

Funds and facilities administered and controlled by a college which are provided by governmental, commercial, industrial, or other public or private organizations shall be considered, for the purpose of this policy, to be funds and facilities provided by or through the college unless otherwise agreed to by the intellectual property policy administrator.

A creator shall sign assignments, disclaimers, or other agreements as the college may require for such sponsored-supported intellectual property and shall not enter into any agreement directly with a sponsoring organization without the pre-approval of the appropriate college intellectual property policy administrator. The college reserves the sole right to make agreements with sponsoring organizations regarding the ownership and disposition of rights in intellectual properties as it deems to be in the interest of the college and the public.

### **3.16.01.17 INTELLECTUAL PROPERTY CONSULTING WORK**

VCCS does not claim an ownership interest or license to use intellectual property which is developed in the course of consulting work and involves only the incidental use of college resources. When substantial or significant college resources are involved, the provisions of paragraph “Ownership of Intellectual Property” apply.

When significant college resources are involved, a creator engaged in consulting work is prohibited from entering into any agreement with any organization covering ownership or other rights in any intellectual properties except as otherwise provided by separate written agreement or waiver which is executed by a duly authorized officer of a college or the VCCS.

### **3.16.01.18 ADMINISTRATION OF INTELLECTUAL PROPERTY POLICY**

Responsibility for administration of this policy is vested in the Chancellor. Each president is responsible for administration of this policy at the college level. The college intellectual property policy administrator, as appointed by the president, shall be assisted by an appropriate college committee in implementing the provisions of this policy. The college president shall designate the committee and its function.

### **3.16.01.19 INTELLECTUAL PROPERTY INTEREST NOTIFICATION**

When a creator creates intellectual property as an assigned duty or with the use of substantial or significant college resources, the employee shall provide the following information to the college intellectual property policy administrator as soon as possible.

- a. Title of creation;
- b. Name and position of creator;
- c. Name of sponsor (if applicable) including grant or contract identification, title of project, and principal investigator;
- d. Description of creation;
- e. Year in which creation was (or will be) completed;
- f. College employment status of creator/author;
- g. If more than one creator/author is involved, percent of interest recommended to be allocated to each creator/author; and
- h. College resources, including their value, used in the creation of the work.

### **3.16.01.20 PROTECTION OF INTELLECTUAL PROPERTY**

- a. Patents

The VCCS shall obtain the necessary approval from the Attorney General's Office when the assistance of a patent professional is needed for protection or commercialization of patentable intellectual property.

- b. Copyrights

Copyright protection applies to any original work of authorship as soon as

it is written or otherwise recorded. Registration of a copyright is not a condition of obtaining or protecting a copyright, but it is a prerequisite to an infringement suit. The owner of an original work of authorship may choose to register a copyright for the work with the U. S. Copyright Office. The instructions and forms for

registering different types of works are available on the U. S. Copyright Office web site.

- c. The creator of intellectual property which involves either incidental or substantial use of college resources may decide to register the property on a case-by-case basis as a cost-benefit decision, depending on the commercial value perceived for a work. For example, a major computer program might be registered immediately, although a newsletter might never be registered.
- d. The creator of intellectual property that involves significant use of college resources shall register the work with the U. S. Copyright Office when the work is completed. The creator shall advise the college intellectual property policy administrator when the work has been registered. The creator shall include in the work a copyright notice: a small “c” in a circle or the word “copyright” or the abbreviation “copr.”, the year of publication, and the Virginia Community College System as the name of the copyright owner.

See Section 12 of the VCCS Policy Manual for complete Policies and Procedures.

### **3.17 COPYRIGHT REGULATIONS**

The right to copyright a work, or to assign this right to a publisher or others, normally belongs to the author. However, when a faculty member is specifically commissioned by the College to compose a manuscript, it is normally the property of the College. (See Section 3.04 of the SWCC Faculty Handbook and Section 12 of the VCCS Policy Manual.) Consequently, if the faculty member expects any royalty or other compensation, the College and the faculty member shall agree in advance upon the same, including the copyright to the commissioned work.

Schools operated and supported by the Commonwealth of Virginia may be liable for copyright infringement pursuant to the provisions of the United States Copyright Act (17 U. S. C., Par. 101, et seq.) with respect to copyright protected works if they photocopy such works without the authority of the copyright owner unless such photo copying is permitted under the "fair use" provisions of copyright law. In this latter connection, the provisions of 17 U. S. C., Par. 107 apply.

Employees must also comply with copyright legislation pertaining to off-air recordings of audio and visual programming.

It is also the intent of SWCC to adhere to the provisions of copyright laws in the area of microcomputer programs. College employees will be expected to adhere to the provisions of Public Law 95-517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for the making of a back-up copy of computer programs. This states that "...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:

- a. that such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or
- b. that such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."

Additionally, the ethical and practical problems caused by software piracy will be reviewed in computer classes. When software is to be used on a disk sharing system, efforts will be made to secure this software from copying. Illegal copies of copyrighted programs may not be made or used on college equipment.

Copies of any and all software license agreements must be filed with the college's Data Services Manager. All college employees are responsible for heeding and enforcing this policy.

### **3.18 CONSULTING**

- a. A community college employee is encouraged to assist business, industry, governments, and other educational agencies. He may engage in consulting activities as long as such activities do not interfere with his regular responsibilities and duties for the college and so long as such activities are not in violation of the Comprehensive Conflict of Interest Act.
- b. Each employee should obtain the approval of the college president for any consulting activities that might take the employee away from the college during hours when he might normally be expected to be on campus, or at any other time that there may be a question regarding employee activities.

### **3.19 EMPLOYMENT OUTSIDE OF COLLEGE**

Revision 10/98

College employees may engage in outside employment so long as it does not interfere with their work performance, or professional responsibilities to the college or create a conflict of interest as specified in the State Conflict of Interest policy. For

communication and to enhance work relations, as a matter of protocol, SWCC requires that employees request, in writing, Presidential approval to engage in such outside employment.

### **3.20 PARKING**

Revision 8/14

- a. Reserved parking spaces are provided for the parking of faculty and staff. Official guests are permitted to park on the circle drive and in specially designated visitor parking.
- b. All personnel are subject to parking policies established by the College and will be assigned a reserved parking space when regular use of their personal vehicle(s) occurs. Reserved parking assigned around Tazewell and Buchanan Hall will be by seniority according to permanent (P-3) status appointment date at SWCC. The positions of president, the Vice President of Academic and Student Services, the Vice President of Institutional Advancement, the Vice President of Financial and Administrative Services, and respective Administrative Assistants will hold permanent parking positions regardless of employment date. Staff should register their vehicle(s) with Campus Security and display an assigned parking sticker on the rear bumper of the car.
- c. Neither the College nor the Governing Board shall be responsible for damage to automobiles or other vehicles while parked or operated on college property.

### **3.21 PUBLICITY AND NEWS RELEASES**

Revision 8/00

- a. The Public Relations Office shall be responsible for the coordination and dissemination of information and publications originating from all segments of the College. The Public Relations Office has primary responsibility for news releases and technical preparation of publications. Since the public image of SWCC is vital, personnel authorized by the President to release information to the media should have the necessary background information to assure accuracy.
- b. Offices writing own releases should forward original copy to the Public Relations Office so that proper coordination to avoid duplication may occur.
- c. The Public Relations Office is also available to work with the various offices in preparing brochures, flyers, and reports as needed which will assure a coordinated finished set of informational materials for dissemination to prospective students and area citizens.

## **3.22 SUBSTANCE ABUSE POLICY AND PROCEDURES**

Revision 9/03

### **3.22.01 OBJECTIVE AND INTENT**

Southwest Virginia Community College is committed to protecting the health, safety, and welfare of the citizens it serves by assuring that a drug-free workplace is maintained and that College employees perform their duties unimpaired by the effects of drugs or alcohol. In compliance with this commitment and the federal Drug-Free Workplace Act, SWCC establishes the following policy.

### **3.22.02 DEFINITIONS**

#### **3.22.02.01 CONTROLLED SUBSTANCE**

A drug or substance found in paragraph 54.1-3401 and Schedules I through VI of paragraphs 54.1-3446 through 3456 of the Code of Virginia, as amended, and Section 202 of the Controlled Substances Act (21 U. S. C. 812).

#### **3.22.02.02 ALCOHOL**

Any product as defined in "The Alcoholic Beverage Control Act," paragraph 4-2 of the Code of Virginia, as amended.

#### **3.22.02.03 CONVICTION**

A finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

#### **3.22.02.04 CRIMINAL DRUG STATUTE**

A criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.

### **3.22.02.05 DRUG**

Any controlled substance or prescribed or nonprescribed medication, taken into the body, other than alcohol, which may impair one's mental faculties and/or physical performance.

### **03.22.02.06 COLLEGE EMPLOYEE**

Classified and Non-classified, full-time and part-time, salaried and hourly persons employed by Southwest Virginia Community College.

### **03.22.02.07 WORKPLACE**

Any site where official duties are being performed by College employees.

### **3.22.03 CONTROLLED SUBSTANCES**

- a. The unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of controlled substances is prohibited at the workplace.
- b. Any College employee who is convicted of a criminal drug statute offense which occurred at the workplace must notify the President, or his designee, in writing, of such conviction no later than five (5) days after such conviction.
- c. Option 1: Any College employee who violates this policy may be subject to disciplinary action, including discharge, and/or referral to an assistance or rehabilitation program at the discretion of management. Any College employee who is referred to an assistance or rehabilitation program must satisfactorily participate in such program (satisfactory participation shall be determined by management after consultation with the individual or organization providing the assistance or rehabilitation and/or the State Employee Assistance Service).
- d. Option 2: Any College employee who violates this policy may be subject to disciplinary action, including discharge, and/or referral to an assistance or rehabilitation program at the discretion of management. Any College employee who is convicted of a criminal drug statute offense which occurred at the workplace and is referred to an assistance or rehabilitation program must satisfactorily participate in such program (satisfactory participation shall be determined by management after consultation with the individual or organization providing the assistance or rehabilitation and/or the State Employee Assistance Service).

### **3.22.04 ALCOHOL**

- a. The unlawful or unauthorized manufacture, distribution, dispensation, or use of alcohol is prohibited at the workplace.
- b. Any College employee who violates III.A may be subject to disciplinary action, including discharge, and/or referral to an assistance or rehabilitation program at the discretion of management.

### **3.22.05 FITNESS FOR WORK**

College employees are to perform their assigned duties unimpaired by the effects of drugs or alcohol.

- a. Any College employee whose performance is impaired by the effects of drugs or alcohol at the workplace may be subject to disciplinary action, including discharge, and/or referral to an assistance or rehabilitation program at the discretion of management.
- b. There are certain College employees who, because of the duties they perform, serve in positions where the safety of others is of paramount concern. Because the use of prescription and non-prescription medications may affect an employee's ability to perform his job duties and, thereby jeopardize the safety of others, the following provisions apply:
  1. The College may identify those College employees, by position classification, who because of the nature of their job duties, could endanger the safety of others due to impairment from the use of prescription or non-prescription medications. At SWCC such positions include: Campus Security; selected Physical Plant employees; instructors in technical lab or shop areas; instructors of Chemistry, Biology, and Health lab areas; Police Science instructors where firearms instruction is involved; the Crafts instructor; Food Services employees; Exercise Room staff; and other positions as deemed appropriate by the College on an annual review basis.
  2. College employees in these identified position classifications must notify their supervisor of the use of prescribed or non-prescribed medications when they have knowledge that the use of such medications may affect their ability to safely perform job duties. This information will be kept confidential and shall only be communicated to others on a need-to-know basis.
  3. The College shall make a determination of whether it is safe for the College employee to perform job duties while using the medication. In making this determination, the College must consider competent medical evidence as to the nature and effects of the medication in question. If the College determines that an employee is unable to perform the job safely, the

College employee may be temporarily reassigned or have the job temporarily restructured.

4. If the College determines that temporary reassignment or restructuring is not practical, and other reasonable accommodations cannot be made, a College employee may be placed on leave (leave without pay, if no leave balances are available) until such time as the employee is able to perform the job safely. College employees may be asked to present appropriate medical documentation where required.

### **3.22.06 EMPLOYEE RESPONSIBILITIES**

As a condition of employment, all College employees shall:

- a. Abide by the terms of Southwest Virginia Community College's Substance Abuse Policy, and
- b. Notify the President or his designee of any criminal drug statute conviction which occurred in the workplace no later than five days after such conviction is entered.

### **3.22.07 COLLEGE RESPONSIBILITIES**

- a. Southwest Virginia Community College will inform the federal contracting or granting agency within ten (10) days after receiving notice from a College employee of any criminal drug statute conviction for a violation occurring at the workplace or otherwise receiving actual notice of such conviction, as required by the Drug-Free Workplace Act of 1988.
- b. The College shall, within thirty (30) days of receiving notice of a College employee's conviction for a criminal drug statute offense occurring in the workplace, take appropriate disciplinary action against such employee and/or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program, as required by the Drug-Free Workplace Act of 1988.
- c. The College shall provide a copy of the Southwest Virginia Community College's Substance Abuse Policy to all supervisory personnel. Additionally, the College shall instruct supervisory personnel in the recognition of behaviors which may be indicative of alcohol or drug use or abuse and appropriate referral techniques and resources for drug or alcohol rehabilitation.
- d. Southwest Virginia Community College shall provide to College employees, on an on-going basis, a copy of this policy. Further-more, the College shall inform College employees of the dangers of drug abuse in the workplace, available drug and alcohol counseling, rehabilitation and employee assistance programs, the

- penalties that may be imposed on College employees for drug or alcohol use or abuse, and the College's policy of maintaining a drug-free workplace.
- e. The College will distribute a list of the position classifications which require notification under IV.C.1.
  - f. The College will ensure that disciplinary actions taken as a result of a violation of this policy are consistent, fairly applied, and not unduly harsh or punitive based on the severity and nature of the violation.

### **3.22.08 REHABILITATION PROGRAMS**

- a. College employees experiencing a problem with drug or alcohol abuse or dependency are encouraged to seek counseling assistance. Supervisors are encouraged to assist College employees seeking such assistance. Notwithstanding a College employee's voluntary participation in a drug or alcohol rehabilitation program, the College employee is expected to perform his duties according to developed job standards and expectations.
- b. The State Employee Assistance Service (SEAS) is available to all College employees for counseling and referral for drug and alcohol related problems as well as other personal problems.
- c. With respect to any violation of this policy, the following provisions apply:
  - 1. Supervisor should consult with SEAS or other state operated substance abuse programs prior to referring a College employee to a drug or alcohol assistance or rehabilitation program. Under current health care benefits, not all treatment programs are covered.
  - 2. Management is encouraged to consult with SEAS or other state operated substance abuse programs in determining whether a College employee referred to an assistance or rehabilitation program has satisfactorily participated in such program.
- d. Other agencies, such as the Department of Mental Health, Mental Retardation and Substance Abuse Services; the Department of Health; the Department of Rehabilitative Services; and the Department for the Rights of the Disabled may be contacted to provide assistance and referral information.
- e. College employees may be granted leaves of absence (leave without pay if no leave balances are available) to participate in rehabilitation programs for treatment of drug or alcohol abuse at the discretion of management.

### **3.22.09 COLLEGE SUBSTANCE ABUSE POLICIES**

Southwest Virginia Community College may promulgate additional substance abuse policies, as needed, in order to comply with federal or state law. Should Southwest Virginia Community College promulgate a substance abuse policy to augment this policy, Southwest Virginia Community College recognizes that it must submit the policy to the Department of Personnel and Training and the Office of the Attorney General for approval before implementation.

### **3.22.10 COVERAGE OF PERSONNEL**

This policy is applicable to all employees of Southwest Virginia Community College.

### **3.22.11 AUTHORITY**

Option 1: This policy is issued by the President of Southwest Virginia Community College pursuant to the authority vested in him by the Code of Virginia. This policy may be revised or eliminated as necessary.

### **3.22.12 INTERPRETATION**

The Human Resources Officer is responsible for official interpretation of this policy. Questions regarding the application of this policy should be directed to the Human Resources Office, Room 343 of Tazewell Hall.

#### **NOTICE TO ALL COLLEGE EMPLOYEES**

The federal Drug-Free Workplace Act requires that we inform you that the unlawful manufacture, distribution, possession, or use of a controlled substance is prohibited in the workplace. The workplace consists of any college-owned, controlled, or leased property, or the site where College work is performed. Any employee who violates this prohibition will be subject to disciplinary action, up to and including discharge, and/or required to satisfactorily participate in a drug abuse assistance or rehabilitation program at the discretion of management. As a condition of employment, each employee must abide by the terms of this prohibition and notify his supervisor of any criminal drug statute conviction occurring in the workplace no later than five (5) days after such conviction.

If you have any questions about this matter, please contact our Human Resources Office.

### **3.22.10 SWCC WEB SITE POLICY AND PROCEDURE**

Created 9/3/97; Revised 10/04

To manage and maintain the College's services as they pertain to home pages, creation of web pages, e-mail, etc., the following policy and procedure has been implemented.

Note: Obtain Internet Access or Mail Accounts

Review the SWCC Security Procedure for instructions on obtaining network access.

#### **3.22.13.01 WEB SERVER**

##### a. Creation and Maintenance

A web server is any computer containing software and connections enabling the serving of files on the Internet. While SWCC actively promotes and encourages the freedom of communication and positive results available through publication on the World Wide Web, guidelines must be followed so that the college's interests and policies are best served. The following are organizational policies to manage the growth and maintenance of SWCC's Web presence based on the following statements of purpose.

1. All World Wide Web publications created and served using SWCC resources: are to promote SWCC in general and its program offerings and services will provide service to SWCC employees, students and community members.
2. WWW publications will not be created to promote individual purposes, such as placement of personal pages or promotion of private business or enterprise on the web.
3. SWCC Employees or Students may not create and maintain a personal web server using state equipment. Any creation of web server capabilities must be under the direct approval and supervision of the appropriate department head, division dean and/or V.P.
- 4.

#### **3.22.13.02 SWCC PRIMARY WEB SERVER(S)**

##### a. Approval:

1. All content is to be maintained by the Webmaster with the supervision and approval of the Office of the President and the Vice President of Administration.

2. Identification and Purpose:

3. This is the server(s) physically located in the Information Technology Server Room maintained by the Webmaster, and is SWCC's official World Wide Web server. These server(s) will carry the domain designation of sw.edu.

b. Content and Responsibility:

1. These server(s) will contain pages related to College policy and procedure and other documentation specific to SWCC operations. These pages will be served and administered through the College's Intranet. SWCC's home page, general
2. information about the college and surrounding counties, course offerings and schedules, handbooks and other publications, and upper-level divisional information for the Administrative, Instructional and Student Support areas will be served through the Internet.

**3.22.13.03 SWCC DIVISION/DEPARTMENTAL SERVER(S):**

a. Approval:

The creation of this type of server must be approved by the Division Dean, the respective Vice President and the Office of the President. The SWCC Network Manager will provide DNS entry for the server once approvals have been made. The server(s) will be physically located in SWCC's server room so that all precautions for the physical security of the servers can be maintained unless specific approval and responsibility is taken by the appropriate Division Dean.

b. Identification and Purpose:

A division/department server(s) will carry the designation of the individual area (i.e. humanities (server for the Humanities Division) or DES (server for Distance Education pages in support of Internet course offerings, [ex. desweb.sw.edu.])). The SWCC Network Manager maintains on file a listing of all Division/Department Web Servers to include the DNS entries, IP addresses and server configuration.

**3.22.13.04 LINKS TO SWCC PRIMARY SERVER:**

Each department/division will provide the Webmaster with the URL for the default home page of their server to provide a link from the primary server, whenever materials published are to be generally available to the public.

a. Content and Responsibility:

Divisional/department servers may contain departmental pages for publications such as highlighting specific curricula, detailed information of departmental activities and on-line course instruction and materials. Publications placed on departmental server(s) initiated by the instructor of a course in support of course content do not require the approval process prior to publication.

Any information published from these departmental/division servers is the direct responsibility of the department vice president/division dean and/or his or her designate. A server listing will be maintained by the Webmaster providing:

- b.location of the server
- c.the person responsible for approval of web page content
- d.person responsible for configuration and maintenance of the server hardware and operating software capabilities
- e.and the person responsible for the creation and ongoing maintenance of the information contained in the web page(s).

The Webmaster will provide assistance in server setup, page creation and troubleshooting when needed. Content development and design of departmental/division pages is the responsibility of the respective department/division. This content should not be a duplication or a revision of information provided through SWCC's primary server. Content must be reviewed regularly and outdated, unnecessary information should be updated and/or removed.

### **3.22.13.05 WEB PUBLISHING**

Web publishers at SWCC are responsible for the content of the pages they create and are expected to abide by the highest standards of quality and responsibility. These responsibilities apply to all publishers, whether they represent divisions/departments, or student organizations. Publishers are also required to comply with all VCCS and SWCC System rules and policies, and state and federal laws concerning appropriate use of computers.

### **3.22.13.06 Web Page Creation**

- a.Authoring tools for creation of web pages are widely available. The SWCC Webmaster will assist any departmental/divisional or student organization contacts in obtaining the necessary software and skills to create web pages.

- b. Those who want to publish on the web but do not want to maintain their own server or learn to create html documents, submit publications in word processing format for review by the appropriate dean/division chair. Once approved, these documents will be maintained on SWCC's primary web server by the Webmaster with input from the page creator.
- c. Student Organization pages (pages developed by student organizations which are not class related) must be approved by the Student Advisor. While these pages may be created by the students, physical location and serving of this type of page must be through the SWCC Webmaster and physically located and served from the SWCC Primary web server. Assistance will be provided by the SWCC Webmaster in development of web authoring skills.
- d. Access to the site will be provided to the respective student advisor or club sponsor. No students will be given accounts for access to SWCC's primary web site.

### **3.22.13.07 MAINTENANCE OF ESTABLISHED WEB PAGES**

Every effort must be made to prevent the degeneration of page content published on the SWCC web site. If page links are no longer valid or are replaced, the old URL must be removed and the new URL provided. If the information content of a page or group of pages changes after publication on the web, it is the responsibility of the

person or group who requested publication and provided the original information to provide updates either directly or through a request to the Webmaster or person responsible for that page(s). The continued accuracy and validity of published web pages is the responsibility of the original author or his/her designate.

### **3.23 E-MAIL (ELECTRONIC MAIL) POLICY**

Electronic mail accounts are provided for SWCC Faculty and Staff with both on-campus mail and Internet mail privileges. Employees are encouraged to use electronic mail, or e-mail, for college related activities and to facilitate the efficient exchange of useful information. The following regulations must be observed in the responsible use of electronic mail. These regulations are in support of and in addition to the VCCS Information Technology Employee Ethics Agreement.

If you send electronic mail you need to know that:

- a. the messages you send are NOT private
- b. these messages contain information that may be used as evidence in court

- c. when you delete a message from the e-mail system, it may still be possible to retrieve and read that message.

As a responsible member of the SWCC community, you are expected to act in accord with the following general guidelines based on common sense, common decency, and civility applied to the networked computing environment.

Messages sent as electronic mail should meet the same standards for distribution or display as if they were tangible documents or instruments. Identify yourself clearly and accurately in all electronic communications. Concealing or misrepresenting your name or affiliation to dissociate yourself from responsibility for your actions is never appropriate. Alteration of the source of electronic mail, message or posting is unethical and possibly illegal.

All electronic mail files belong to somebody. They should be assumed to be private and confidential unless the owner has explicitly made them available to others. However, be aware that glitches do happen and that determined computer hackers can generally access most any site. Messages put on e-mail must be written with the thought that most anyone may have access. Don't write something you would not want seen by others.

Be sensitive to the inherent limitations of shared network resources. No computer security system can absolutely prevent a determined person from accessing stored information that they are not authorized to access. While SWCC has no interest in regulating the content of electronic mail, it cannot guarantee the privacy or confidentiality of electronic documents. Good judgment dictates the creation only of electronic documents that may become available to the public.

Respect the rights of others. Do not send abusive, threatening, or harassing materials. Civil discourse is at the heart of a college community free of intimidation and harassment and based upon a respect for individuals as well as a desire to learn from others. While debate on controversial issues is inevitable and essential, bear in mind that it is your responsibility to do so in a way that actually advances the cause of learning and mutual understanding.

You are expected to promote efficient use of network resources consistent with the instructional, research, public service and administrative goals of SWCC. Show consideration for others and refrain from engaging in any use that would interfere with their work or disrupt the intended use of network resources. You should especially avoid wasteful and disruptive practices, such as sending chain letters, broadcast messages or unwanted material. Specifically, the distribution account called "Public" is to be used for college business only. This address should not be used as a public forum for personal gain, expression of opinion, or sharing of data for any purpose other than to promote college business.

E-mail and other network resources may not be used for commercial purposes or for personal financial gain. This does not preclude the use of e-mail to assist in the investigation and support of vendors' products, such as the discussion of a product's

relative advantages and disadvantages by users of the product, the distribution of information or technical support material by request or vendor responses to questions about their products, as long as the responses are not in the nature of a solicitation.

The same standards of conduct expected of students, faculty and staff regarding the use of telephones, libraries, and other institutional resources apply to the use of e-mail. You will be held no less accountable for your actions in situations involving e-mail than you would be in dealing with other media. You are expected to abide by the security restrictions on all systems and information to which you have access. You should avoid any communication where the meaning of the message, or its transmission or distribution, would be illegal, unethical or irresponsible. Conduct which involves the use of information resources to violate a college policy or regulation, or to violate another's rights, is a serious abuse subject to limitation of your privileges and appropriate disciplinary action.

#### Procedure

##### Establish a WEB Server

- a. Document the purpose, location, content and responsibility of the proposed server.
- b. Obtain approvals.
- c. Once approved, SWCC's Network Administrator will assign a domain entry to the server.

##### Publish on an existing WEB Server

- a. Provide a description of proposed content of web publication.
- b. Obtain approvals where required.
- c. Coordinate with person responsible for web server maintenance in the publication of documents.

### **3.24 CURRENT EMERGENCY PREPAREDNESS INFORMATION**

#### **3.24.01 STORM SHELTERS**

Storm shelter signs have been placed across the campus to identify locations that meet one or more of the safety location requirements in the event of a tornado warning.

If the sign is located on or immediately next to a door, the safe location is on the other side of the door. If the sign is located on the wall, the safety location is in the area

around the sign.

A Tornado Safety Location is one that:

- Has no windows
- Is on the lowest possible floor of a building
- Has no exterior walls

(When all three of these criteria cannot be met in a building, the safety location is the place that best meets them.)

Upon notification of a tornado warning, all persons should proceed to a tornado safety location inside their buildings, assisting those that need assistance and ensuring that those under their jurisdiction also go to the safety location. Whenever possible, employees will maintain an approximate head count of the persons from their areas. All building occupants are to remain in the safety location until the Tornado Warning has expired or until notified that the danger has passed.

This list may not be complete; please look for the signage or best safety location as described above.

- Tazewell: T119 (Auditorium)
- Russell Hall: R 123 and 124
- Davis Hall: 121 and 123
- KCC: Conference Rooms
- Dickenson: Lobby
- Buchanan: 121 and 123
- LRC: Studio and computer lab on lower floor
- Music Building: vacate or get under a desk
- Facility Building: Central bathrooms
- New Facility Building: Storage room

### **3.24.02 REPORTING AN EMERGENCY OR A THREATENING SITUATION-HOW TO GET HELP?**

Contact Information: The emergency personnel should be contacted in the following order depending upon the severity and urgency of the emergency and the time that

the emergency occurs. These personnel are the first points of contact for many campus emergencies including but not limited to auto accidents, fire, bomb threats, disturbances, chemical spills or threats, or general campus disturbances or emergencies.

As always, personal judgment must be exercised to assess the urgency of the situation and the appropriate personnel to contact.

- a. Dial 4357 (HELP) from any campus phone OR use the Emergency call boxes located at each building and parking lot.
- b. Call 8-911 (for emergency, life-threatening situations) or call 9-988-5970 which connects you with the Tazewell County Sheriff's Office See 911 Physical Address Listing
- c. Call the VP of Academic & Student Services at Ext. 7366 during hours (7:45 a.m. to 4:30 p.m.). The VP of Academic & Student Services is located in Tazewell Hall (T- 345). SWCC Counselors are available, if you want to discuss your options. The Threat Assessment and Management Team is also available for non-emergency assistance.
- d. Or contact any uniformed campus police officer.

### **3.24.03 EMERGENCY REFERENCE GUIDE**

All College personnel and students should be prepared to take proper action should an emergency of any type occur.

This Quick Reference section contains reference notes for emergencies taken from the full College Emergency Plan.

The SWCC Emergency Plan was developed to help provide protection for the students, faculty, and staff of Southwest Virginia Community College and contains all emergency information in detail.

Familiarize yourself with this quick reference as well as the College's full emergency plan.

#### Notifications

In the event of an emergency on campus, you will be notified through the following methods:

- a. An emergency text alert to your cell number/email if signed up through SWCC Alert (<http://alert.sw.edu>)
- b. Each office/classroom phone will broadcast through audio and text the

warning message for the type of emergency event.

- c. The campus video feeds will broadcast an appropriate warning message.
- d. SWCC's homepage banner will display the appropriate warning message and link to information on your required protective response.
- e. Lockdown situations can only be lifted by an "ALL CLEAR" message being delivered over the SWCC Alert System or verbally by familiar law enforcement personnel or Building Wardens.

In the event of an emergency on campus requiring a campus lockdown:

- a. Close and lock the classroom/office door. (If in hallway, go to the nearest area with a door)
- b. Turn off the lights and silence your cell phone.
- c. Move everyone in the room quietly to a location that is out of the line of sight of the door.
- d. Remain quiet, await further instructions.
- e. Do not leave the room unless an "ALL CLEAR" message is delivered over the SWCC Alert System or verbally by familiar law enforcement personnel or Building Wardens.\*
- f. Do not evacuate the building if the fire alarm is sounded; remain in lockdown mode until an "ALL CLEAR" message is received.
- g. If you are caught in an open area such as a hallway, or if you are outside and the threat is occurring on campus grounds, you must decide quickly what you are going to do. The next few moments are crucial and may very well mean life or death.

*Lockdown does not ensure absolute safety indoors or safety of surrounding areas. This is a process to secure rooms and prevent the potential danger from spreading across the campus.*

During a lockdown, vehicular travel in and out of campus will be restricted to police and emergency responders ONLY.

### **3.24.04 RESPONDING TO ON-CAMPUS HEALTH / SAFETY / CRIME EMERGENCIES**

Whenever anyone witnesses an accident, crime, or serious illness Campus Police is

notified– 4357 (HELP) and/or 9-911 immediately and provide information concerning:

- a. Location of accident / crime / illness
- b. Nature of emergency
- c. Description of any injuries

Should an emergency occur in which local authorities respond, **DO NOT ASSUME THEY KNOW YOU ARE NOT AT FAULT.** Follow ALL directions of the authorities/responding official(s), as they must quickly identify and contain any emergency situation.

In a medical emergency do no more than your qualification and experience allow. Give aid, but do not cause harm. First aid kits are located in certain offices, laboratories and with Campus Police. Faculty and staff should be familiar with the location of such kits. Generally, the College is not equipped to provide emergency medical treatment. This will be coordinated with outside professionals

### **3.24.05 BUILDING EVACUATION PLAN**

The internal fire alarm system will be used to sound evacuation alarms. Do not try to guess whether it has been accidentally set off or whether it is a “false” alarm, minor disturbance, or an inappropriate telephone call. Each time the alarm sounds, you should react immediately to evacuate all buildings according to the following plan. Follow the instructions of your building warden for evacuation. See listing of Building Wardens and refer to the Emergency Plan for detailed information.

- a. When the alarm sounds, all students, faculty and staff should immediately proceed from building by nearest EXIT
- b. Instructors should check their respective classrooms before leaving building to insure that everyone has evacuated. Lights should be left on in the classrooms and classroom doors closed as they Exit. Remember – LIGHTS ON! DOORS CLOSED!
- c. Building and grounds personnel will proceed to previously designated areas.
- d. All students, faculty, and staff will move to the dispersal areas, which are those areas in parking lots and open spaces located at a safe distance from buildings. Designated fire / safety wardens will provide direction as needed.

### **3.24.06 DESIGNATED ASSEMBLY AREAS**

Tazewell Hall – Flagpole between Tazewell and Buchanan Halls  
Russell Hall – Sidewalk across the street from main steps

Davis Hall – Parking Lot  
Buchanan Hall – Parking Lot

Dellinger/ Buchanan Hall – Parking Lot  
Dickenson Hall – Employee/Student Parking  
Lot Armory – Parking Lot

King Community Center – Parking Lot

Other areas may have to be identified depending upon specific incident. Please verify with your building warden or emergency designate if assembly areas are still safe due to various types of emergencies which may occur and follow their direction.

### **3.24.07 PERSONS WITH DISABILITIES**

- a. Be familiar with evacuation options.
- b. Seek evacuation assistants who are willing to assist in case of an emergency.
- c. Ask supervisors, instructions, or Campus Police about evacuation plans.

*You must evacuate to the nearest exit. Persons with disabilities should become familiar with basic evacuation options.*

- a. Stairway evacuation: using steps to reach ground level exits from the building.
- b. Stay in Place: unless danger is imminent, remaining in a room with an exterior window, a telephone, and a solid or fire-resistant door. With this approach, the person may keep in contact with emergency services by dialing 9-911 and reporting his or her location directly. Emergency services will immediately relay this location to on-site emergency personnel, who will determine the necessity for evacuation. If the phone lines fail, the individual can signal from the window by waving a cloth or other visible object.

*The Stay in Place approach may be more appropriate for sprinkler protected buildings or buildings where an “area of refuge” is not nearby or available. It may also be more appropriate for an occupant who is alone when the alarm sounds.*

Areas of Refuge: with an evacuation assistant, go to an area of refuge away from obvious danger. The evacuation assistant will then go to the building evacuation assembly point and notify the on-site emergency personnel of the location of the person with a disability. Emergency personnel will determine if further evacuation is necessary.

### **3.24.08 FIRE EMERGENCIES**

When reporting or extinguishing a fire, cautionary judgment and common sense should serve as the best guides. The following procedures should be followed if possible:

#### **3.24.08.01 SMALL CONTROLLABLE FIRES:**

Use appropriate available extinguishing methods

- a. Dial Campus Police Emergency Number – HELP (4357)
- b. Even though the fire may appear to be completely extinguished, the incident must be reported to the Campus Police since the underlying cause for the fire may still be remaining.

#### **3.24.08.02 MAJOR, UNCONTROLLABLE FIRES**

- a. Pull the nearest fire alarm pull station.
- b. If able, pull Campus Police button on outside of building.
- c. Help evacuate students, employees, and visitors.
- d. Emergency fire drills shall be conducted for each building at least once per year.

#### **3.24.08.03 FIRE EVACUATION RULES**

- a. NEVER use elevators to evacuate a burning building.
- b. Note the posted Evacuation Routes and follow to the nearest exit.
- c. Go immediately to the designated assembly area and wait for further instructions.
- d. Stay clear of emergency response personnel and equipment.

### **3.24.09 ACCIDENTS INVOLVING STUDENTS IN CLASSROOMS, LABORATORIES AND SHOPS**

The Laboratory Chemical Hygiene Plan contains safety procedures to be followed for students working in laboratories where hazardous chemical are used. Only those employees with proper training should attempt to administer first aid. First aid kits are located in certain offices, laboratories, shops and with Campus Police. Employees should become familiar with the location of such kits.

SWCC's Chemical Hygiene Plan is designed to bring the chemical laboratory in compliance with current knowledge and regulations. It is the responsibility of the Chemistry instructors and the maintenance supervisor to review and update this plan annually and report all incidents promptly. The Human Resources Department will maintain copies of all Accident/Incident Reports involving the Science Department personnel.

#### **3.24.10 EMERGENCY OR INCLEMENT WEATHER CLOSING POLICY**

When the decision is made to close the college or operate on late schedule, the decision will be communicated to employees and the public per the methods listed on the Inclement Weather Closing or Delay Status page.

#### **3.24.11 BUILDING WARDENS**

Buchanan Hall: Dr. Mike Henry,  
Tazewell Hall: Randy Rose  
Dellinger Hall: Dr. Teresa  
Yearout Russell Hall: Dr. Brian  
Wright Community Center: Jason  
Vencill Physical Plant: Edna  
Sizemore Davis Hall: James Dye  
Dickenson Hall: Dr. Joey Trivette

#### **3.24.12 WHEN A BOMB THREAT IS RECEIVED**

- a. Treat the call seriously
- b. Recorded Data: Date, Time: a.m. or p.m., Duration of call, Exact Wording of Threat, Identifying Characteristics of Callers: Sex, Estimated Age, Accent (English, French, etc.), Voice (loud, soft, etc.), Speech (fast, slow, etc.), Diction (good, nasal, lisp, etc.),  
  
Manner (calm, emotional, vulgar, etc.), Background Noises
- c. Was the caller's voice familiar to you? If yes, specify.
- d. Did it appear that the caller was familiar with the College and / or area? If yes, specify.
- e. Remain calm. Call Campus Police 4357 immediately advising you have just received a bomb threat. Advise where you are and how you can be reached.
- f. Listen, do not hang up, be calm and courteous, Do not interrupt the caller, Obtain as much information as you can, engage the caller for as long as possible to

allow the call to be traced. Note any background noises, caller accents, tone or mannerisms and the exact wording of the threat

- g. Questions to Ask: What time will the bomb explode? Where is it? What does it look like? Why did you place the bomb? Where are you calling from? What is your name?

Threat Recipient's Particulars:

Name Department Person to contact Telephone Number

### **3.24.13 AUTOMOBILE ACCIDENTS – STATE VEHICLE**

An automobile self-insured plan has been established for vehicles owned by the Commonwealth.

If an employee of SWCC is involved in an accident while on College business, the employee should do the following:

- a. Call the state police
- b. Obtain names, addresses, phone numbers, and license numbers of all personnel involved in the accident
- c. Obtain name, address, and phone number of any person who claims to be injured
- d. Note all property damage
- e. Note the number of people who were in the other cars
- f. Obtain the names, addresses, and phone numbers of witnesses who saw the accident occur
- g. Advise your supervisor as soon as possible
- h. Do not comment on whether or not the accident was your fault
- i. Call Campus Police at 276.964.7503

### **3.24.14 EMERGENCY PHONES**

If an emergency should occur and you need assistance, Emergency Call Boxes have been strategically placed at each building/parking area on campus. These phones will connect you directly to a security who will respond to your emergency.

To use an Emergency Telephone:

- a. Press the call button and wait. You will hear silence and then a few beeps before the call is answered.
- b. Give your name, describe the emergency and your location.
- c. No other number can be dialed from the emergency call box.

HELP phones are located at: Armory (back door), Buchanan Hall (back of building facing parking lot), Buchanan Hall (middle of the parking lot), Charles R. King Community Center (entrance to weight room) Dickenson Hall (front entrance), Dickenson Hall Parking Lot (middle of lot on student side of lot), Davis Hall (front entrance), Davis Hall Parking Lot (middle of lot), Pavilion #4 near the Football Field, Physical Plant (front entrance) Russell Hall (front entrance), Tazewell Hall (entrance facing Buchanan Hall)

### **3.24.15 911 PHYSICAL ADDRESSES ON CAMPUS**

*Note: All addresses are Cedar Bluff, VA 24609*

Buchanan Hall – 669 Community College Road; Davis Hall – 1073 Community College Road; Dickenson Hall – 541 Community College Road; Head Start – 757 Community College Road; King Community Center – 295 Community College Road; Modular Building – 671 Community College Road; National Guard Armory – 180 Essayon Drive; Russell Hall – 599 Community College Road; Tazewell Hall – 635 Community College Road; Learning Resources Center – 965 Community College Road; Physical Plant – 724 Community College Road

**SECTION 4: ADMINISTRATION AND FINANCE (GENERAL FISCAL AFFAIRS)**

## **4.0 CONTRACTUAL AGREEMENTS: DELEGATION OF SIGNATURE AUTHORITY**

### **4.0.0 PURPOSE**

This policy describes the responsibilities of the State Board for Community Colleges, the Chancellor, Community College Presidents, the Shared Services Center and System Counsel for the execution of all contractual agreements entered into by, for, or on behalf of the Virginia Community College System and its component colleges (the System).

### **4.0.1 SCOPE OF POLICY**

This policy will apply to procurement documents and contracts entered into by the Shared Services Center on behalf of the colleges, System Office, and the Shared Services Center and all other contractual agreements entered into by the System Office or any college, division, department, office, or activity whatsoever in the name of the Virginia Community College System or of any of its component colleges including but not limited to the following: Deeds, Leases, Certificates, Receipts, Deeds of Trust, Promissory Notes, Bonds, Checks, Tax Returns and Reports, Claims for Refund, Releases, Waivers, Bills of Sale, Stock Certificates, Proxies, Security Agreements, Financing Statements, Licenses, Facilities Use and Occupancy Agreements, Clinical Agreements, Grant Applications and assignment of sub awards, and Surplus Property forms.

This policy does not however, apply to any personnel actions regarding faculty or staff.

### **4.0.2 DELEGATION OF SIGNATURE AUTHORITY FOR PROCUREMENT DOCUMENTS AND CONTRACT ADMINISTRATION**

The Chancellor shall designate authority for Procurement activities and Contract Administration provided by the Shared Services Center on behalf of the community colleges, System Office, and the Shared Services Center. Contract administration officers and designated staff shall be responsible in accordance with all relevant State, Federal, and System regulations, for all aspects of contract administration for the respective entities.

Contract administration will include (but not limited to) preparation and review of all solicitation for goods and services, review and execution of all contractual agreements (as outlined in this policy), legal liaison where necessary, maintaining centralized files of all contracts entered into by the entity, preparing any required reports, and all other such duties as may be necessary.

#### **4.0.3 DELEGATION OF SIGNATURE AUTHORITY FOR CONTRACTUAL AGREEMENTS OTHER THAN PROCUREMENT DOCUMENTS AND CONTRACTS**

The Chancellor and each community college president are hereby authorized to delegate their signatory authority as defined herein to any System or college official provided that:

Such delegation shall be operative only during the fiscal year in which the delegation is made.

Such delegation shall specify which type of documents may be executed, including a dollar limitation if applicable. 4.0.4 Conformance to Law

All procurement of property, equipment, goods, supplies, and services of all types shall be made in conformance with the Commonwealth of Virginia's Public Procurement Act and the regulations promulgated by the Department of General Services, Division of Purchases and Supply (and all other cognizant State and Federal Agencies) or Subchapter 3 of the Restricted Higher Education Financial and Administrative Operations Act, § 23-38.88 et seq. of the Code of Virginia and Chapters 824 and 829, Acts of Assembly, 2008 and as re-codified by § 23.1-1000 et seq. of the Code of Virginia and Chapters 588, Acts of Assembly 2016. The solicitation and selection of all contractors shall be performed in accordance with said regulations.

#### **4.0.5 LEGAL REVIEW**

The System will endeavor to use standard contract formats approved by System Counsel for all contractual agreements.

#### **4.0.6 CONSTRUCTION PROCUREMENTS**

All leases, real property acquisitions and dispositions, contracts for construction-related professional services shall be procured in accordance with Section 10 of the Policy Manual and the VCCS Construction and Professional Services Manual (CPSM).

#### **4.0.7 eSIGNATURE - ACCEPTANCE OF ELECTRONIC SIGNATURES**

The VCCS, including its constituent colleges, the System Office, and the Shared Services Center, are authorized to utilize electronic signatures for conducting business and educational matters, in accordance with the Virginia Uniform Electronic Transactions Act, Code of Virginia §59.1-479, et seq., to the extent such usage is permitted under and subject to the terms and conditions of the Act. Prior to the utilization of electronic signatures, the above entities must have developed and approved procedures and guidelines governing such usage.

#### **4.1 PAYROLL INFORMATION**

All employees of the VCCS (full-time and part-time) must be paid on State payrolls regardless of the source of funds. Any payroll actions are subject to prior approval by the State Division of Personnel.

#### **4.2 ACCOUNTING AND FISCAL MANAGEMENT**

SCHEV developed the Chart of Accounts by direction of the Governor in consultation with the Division of the Budget, the Auditor of Public Accounts, and the Department of Accounts. Amendments and revisions are made, when required.

The Chart of Accounts developed exclusively for the VCCS conforms with the requirements established by SCHEV. In general, this Chart of Accounts is also compatible with the system recommended by the National Association of College and University Business Officers in its publication entitled College and University Business Administration (Administrative Service), which is in use by a majority of the institutions of higher education throughout the United States.

A current VCCS Chart of Accounts can be obtained from the System Accounting Office.

##### **4.2.0 ACCOUNTING PROCEDURES FOR COMMUNITY SERVICE ACTIVITIES**

- a. All revenues derived from non-credit community service activities shall be deposited with the Treasurer of Virginia, Community Service Income.
- b. Individual colleges shall have the authority to establish charges as appropriate for the various community service offerings in accordance with State Board Policy. (Reference Section 5.0.1.1).
- c. All related expenditures shall be charged to the appropriate program/sub-program code.
- d. All lecturers and seminar leaders who meet the test of independent contractor shall be paid on a contractual service basis.
- e. All lecturers and seminar leaders who do not meet the test of independent contractor must be paid by the State payroll.
- f. Supplies and materials needed for community service courses shall be obtained through normal purchasing procedures.
- g. Other related costs such as rentals, special luncheons, and awards shall be paid by State invoice.

## **4.2.1 DISBURSEMENT AND DEPOSIT PROCEDURES**

### **4.2.1.0 CASH RECEIPTS**

Cash receipts shall be handled in the following manner.

- a. Tuition and other State revenues shall be coded according to State revenue classification code and deposited to the credit of the Treasurer of Virginia in an approved bank.
- b. Local fund revenues shall be established in a separate fund and bank account and subject to State audit.
- c. It shall be the responsibility of each college to maintain detailed records on cash overages and shortages including written explanations.
- d. A subsidiary account must be established within the vending commission local funds to reflect cash overages and shortages on a cumulative basis. This account must be used to make up any shortages on deposits to State funds. Any overages shall be retained in the account to offset shortages.

### **4.2.1.1 EXPENDITURES**

No expenditure shall exceed the amount appropriated and approved by the State Board. Should a college need to exceed its budgetary appropriation, application shall be made by the college to the Vice Chancellor for Administrative and Fiscal Affairs for a transfer of funds.

## **4.2.2 LOCAL COMMUNITY COLLEGE FUNDS**

- a. Local funds may be established by the colleges and the System Office of the VCCS. These funds shall derive their revenue from enterprise activities, contributions of local political sub-divisions, contributions of educational foundations, student activity fees, other direct contributions to the community college or the System Office, and from interest earned on the investment of these funds. Funds held by the VCCS in a fiduciary capacity (e.g., student clubs) shall be held locally but are classified as agency funds. All activity for local and agency funds shall be accounted within the VCCS' Administrative Information System (AIS).
- b. Expenditures of local funds may be made for the benefit of the college's operation, development and construction of facilities. Local funds are public funds and subject to all laws, rules, and policies appropriate to public funds including the requirement that public funds outlined in the Code of Virginia and the Virginia Public Procurement Act.

- c. Local funds of more than \$25,000 per fiscal-year may not be disbursed or transferred to college foundations for any purpose with the following exceptions:
1. Annual college donations to the Virginia Foundation for Community College Education to support the Chancellor's discretionary fund.
  2. Lease payments made to the college's foundation (colleges shall follow lease policies within Section 10 of the VCCS Policy Manual and the VCCS Operation and Income Lease Policy Manual)
  3. Private or third-party grants, donations and gifts to the college that are expressly identified or intended by the grantor for deposit with, investment by, or use by the colleges affiliated Foundation, after approval by the Chancellor or their designee. All gifts shall adhere to the provisions of Section 4.5 of the Policy Manual- "Acceptance of Gifts, Grants, and Contracts". e. Procurement of goods or services with local funds, including contributions from supporting foundations, shall be made in accordance with the Virginia Public Procurement Act and the rules and regulations applicable to the type of procurement as follows:
- d. Except in support of lease payments per 4.2.2.c.2 above, local funds derived from mandatory fees charged to students shall not be transferred to affiliated foundations for any purpose.
- e. Procurement of goods or services with local funds, including contributions from supporting foundations, shall be made in accordance with the Virginia Public Procurement Act and the rules and regulations applicable to the type of procurement as follows:
- Local capital funded projects shall follow DGS' Construction and Professional Services Manual (as adopted by the VCCS)
  - IT purchases shall follow the VCCS Guidelines and Procedures for the Purchase of Information Technology Goods and Services.
  - General goods and services purchases shall follow the Virginia Department of General Services (DGS) Agency Procurement and Surplus Property Manual (APSPM).
- f. College local fund disbursements associated with revenues received from localities, student fees, self-operated auxiliaries (bookstores, food services, parking, and student centers) shall follow the "Improper Expenditure" and "Advance Payment" disbursement guidelines in Commonwealth Accounting Policies and Procedures (CAPP) manual section 20310. In addition, college disbursements from these local fund sources shall follow the travel reimbursement guidelines outlined in CAPP manual section 20335. The local fund policies in this paragraph do not apply to

commission revenues (including bookstore and food services), vending revenues, private gift income, investment income, or agency funds (see definition in paragraph 4.2.2a) including student fees disbursed from funds in support of student clubs or student activities.

- g. The State Board may establish for the Chancellor, and the College Board may establish for its President a discretionary local funds account to support the activities and obligations of those respective offices. The sources of discretionary funds shall be those not subject to the CAPP Manual policies in item e above.
- h. Management of the local funds shall be the responsibility of the local board and the college administration in the case of the colleges, and of the State Board and the System Office administration in the case of the System Office. All activities within the local funds, including discretionary funds accounts, shall be within the limits set through budgets prepared by the college administration and approved by the local board, or by the System Office administration and approved by the State Board in the case of the System Office local funds. Contributions by political sub-divisions shall be based on a formula agreed to by the Local College Board and the political sub- divisions. Local funds budget expenditures shall be reviewed at least annually by the respective board.
- i. Full financial reports and other reports as deemed necessary shall be prepared in accordance with the regulations promulgated by the Chancellor, and these reports and other such reports as required from time to time shall be submitted to the VCCS Comptroller's Office as requested. The VCCS Comptroller's Office shall combine these reports and make an annual report to the State Board. Colleges shall provide an annual local funds financial report to their local college board. All activities of the local funds shall be subject to audit by the VCCS Internal Auditor and the Auditor of Public Accounts (State Auditor). The State Board reserves the right to approve or disapprove of any local fund activity.
- j. Fund accounting principles shall be applied to set forth results of operations and ensure contributions and revenues generated are administered in accordance with the conditions in which they were given or generated.
- k. Local bank accounts shall be established to transact the business of the local funds. These accounts shall be in the name of the college or the VCCS, and not the State Treasurer. Individual funds should be combined into single bank account to the greatest extent allowable given the college's requirements for convenience of deposit and other functions related to banking, with the exception of federal government financial aid and other grant funds which shall be deposited in accordance with federal regulations. Funds deposited in the local bank account(s) shall be in compliance with the requirements of the Virginia Security for Public Deposits Act, Chapter 23 of the Code of Virginia.

1. Investment of idle local funds is encouraged. Amounts available for investment from various local funds may be pooled in order to maximize investment return. Interest earned on pooled principle may be prorated, as earned, to the individual fund based on the relative ratio of individual funds contribution amount to the total pooled amount. Interest earned by the various funds may be transferred, as approved in the local funds budget, to other local funds for scholarships, general use, student activities, etc., so long as it benefits the operation of the colleges as defined by this Section.

Each college shall develop and implement an investment policy covering, as a minimum, the institutional objectives, authorized investments and credit quality, diversification, maturity limitations, divestiture, and safekeeping policies; and is encouraged to use as a guideline the policies set forth in the Local Government Investment Pool Investment Circular and any successor publication issued by the Commonwealth of Virginia Department of the Treasury. Investment vehicles are limited to those allowed under Chapter 45, Sections 2.2-4500 and 2.2-4501 of the Code of Virginia.

- m. Enterprise fund activities shall be self-supporting. Auxiliary enterprises shall be charged for services rendered by the Educational and General Programs.
- n. Student activities supported in whole or in part by local funds or student activity fees must be subject to the same controls as other local fund operations. Campus organizations recognized by the college which are not supported in whole or in part by local funds or student activity fees, but which collect and disburse funds on a continuing basis, shall be required to conduct those transactions within the local agency funds if the college administration deems it in the best interest of the college and/or the individuals of the organization.

### **4.2.3 CHECKS**

#### **4.2.3.0 POLICY FOR ACCEPTANCE OF PERSONAL CHECKS**

Checks shall be accepted subject to collection for authorized charges only. Cashing of checks is discouraged. However, at the discretion of the chief business officer or designee, and when circumstances warrant, checks may be cashed although they are made payable for more than the amount of tuition and fees. Sound business practices and procedures should govern the acceptance and cashing of checks.

#### **4.2.3.1 PROCEDURES REGARDING BAD CHECKS**

- a. When a bad check for State funds is returned to the college from the bank for any reason, it shall be necessary to take the amount of the check from petty cash and deliver it to the bank for restitution. This is not done by use of a Certificate of

Deposit.

The college is to retain the bad check with petty cash as receipt for disbursement. Diligent efforts must be made by the college's business office through letters, phone calls, etc., to obtain payment from the party issuing the check. If the college has not succeeded in making collection after diligent efforts, then the bad check along with copies of collection letters and memoranda in regard to telephone calls should be attached to a [State voucher Form No. DA 02-181 Revenue Refund Voucher](#) requesting reimbursement to the petty cash fund. The voucher shall be charged as a "Revenue Refund" to the revenue code to which the bad check was originally deposited.

- b. When a bad check on local funds is returned to the college, it shall be necessary to draw a check for the same amount from the fund in which original deposit was made. This is delivered to the bank for restitution.

The college is to retain the bad check as a receipt. Diligent efforts must then be made by the college business office to obtain payment from the party issuing the check.

- c. The college must assess a \$35 service charge for handling returned checks or dishonored credit card or debit card payments for accounts not in past due collection status.

The college must assess a \$50 service charge for handling returned checks or dishonored credit card or debit card payments when the account is in past-due collection status.

Collection of returned check charges shall be deposited to State or local funds depending on the fund source of the bad check

## **4.3 STUDENT CHARGES**

### **4.3.0(A) TUITION**

VCCS tuition and fee rates are reviewed and approved annually by the State Board for Community Colleges. The detail tuition and fee rates are published at the following: <https://www.vccs.edu/application-information/#tuition-fees>

The e-Rate is applicable to designated distance learning courses delivered entirely over the Internet. The e-Rate only for out-of-state students includes an indirect cost fee which accrues to the System Office to defray related expenses.

Eligibility for the in-state tuition is provided for in [Section 23.1- 502, Chapter 5 of the Virginia Code](#) and implementing SCHEV guidelines.

A technology fee shall be charged for all credit courses including those delivered by distance learning.

A capital fee shall be charged to all out-of-state students for all credit courses with the following exceptions:

1. Out-of-state dual enrolled students who meet the requirements in section 4.3.0.1 of the VCCS Policy Manual.
2. Out-of-state students deemed to be either domiciled in Virginia or counted as in-state students for purposes of eligibility for in-state tuition and fees by specific language in the Code of Virginia. This includes dependents of active-duty military personnel (VCCS Policy section 4.3.0.4) and reciprocal students (VCCS Policy section 4.3.0.5).

Unless otherwise permitted by law, colleges have no authority to waive credit hour tuition or fees that have been established by the State Board for Community Colleges within Section 4.3.0 of the VCCS Policy Manual, nor do colleges have authority to charge tuition and fees above the State Board approved rates for credit courses.

Colleges with a valid contract with a local school division, school board, or high school to provide dual enrollment instruction at a high school in accordance with the “Governing Principles for Dual Enrollment Between Virginia’s Public Schools and the Virginia Community College System” and the “VCCS Dual Enrollment Financial Model,” both as modified and properly enacted between the VCCS and the proper parties, are authorized to invoice the local school division, school board, or high school the “net tuition” for dual enrollment courses reflecting the net amount of the tuition revenue to be retained by the college..”

#### **4.3.0(B) DIFFERENTIAL TUITION POLICY**

Effective with the Fall 2009 term, VCCS colleges are authorized to implement the following differential tuition policies:

1. Local Tuition Differential

With approval of the State Board for Community Colleges, individual colleges in the VCCS may assess a local tuition differential to students taking credit courses. The purpose of the tuition differential is to increase capacity in order to improve service to college communities and to address access issues for expanding student populations. The following criteria apply to the local tuition differential:

- a. The local tuition differential must be approved by the Local College Board prior to

submission to the State Board for Community Colleges.

- b. The college must submit a request to the VCCS Chancellor and the State Board for Community Colleges for approval to assess the local tuition differential. The request must include:
  - i. Detail justification of the tuition differential including specific plans of how additional revenues will be used to increase capacity to better serve the needs of the community.
  - 1. The amount of the local tuition differential per credit hour (the differential must be assessed on a per credit hour basis.)
  - 2. Detail justification for the tuition differential relative to the student's ability to pay (measured by disposable income of the area and other factors, market conditions, cost of living, etc.)
  - ii. Provisions to sustain and/or improve access to need based financial aid relative to the increase (through foundations, unfunded scholarships, etc.)
  - iii. Evidence of local board approval of the tuition differential.
  - iv. Colleges assessing a tuition differential may collect and retain all differential tuition revenue with the following stipulations:
    - v. Colleges with an efficiency factor equal to or less than 1.0 in the Resource Distribution Model will contribute an amount of funding equivalent to 20% of the differential collected into a fund for distribution to colleges for purposes as determined and approved annually by the Chancellor and State Board for Community Colleges.
    - vi. Colleges with an efficiency factor greater than 1.0 in the Resource Distribution Model will contribute an amount to the fund equivalent to 20% of the differential collected above the amount needed to recover the efficiency factor contribution required in the Resource Distribution Model.
  - vii. Should a college be funded above the Base Budget Adequacy guideline amount for the college, an amount equivalent to 30% of the differential will be contributed to the fund.
- c. Differential tuition rates approved by the State Board for Community Colleges remain in effect at the applicable college in subsequent fiscal years. However, subsequent increases or decreases to the approved differential tuition rate must be approved by the Local College Board, the VCCS Chancellor, and the State Board for Community Colleges using applicable criteria within this Differential Tuition policy.
- d. Colleges with approved differential tuition rates must provide the State Board for Community Colleges an annual report on the continued use and justification of the differential tuition by March 1.

- e. The local tuition differential revenues must be deposited to state educational and general funds. The college assessing this tuition differential will retain all revenues.
- f. Eligibility to receive the funding will be determined by the State Board for Community Colleges, including such factors as size, stability of college enrollment base, constrained resources, and opportunities to undertake cost effective initiatives.

## 2. Weekend Tuition Discounts

Colleges wishing to offer tuition discounts for weekend (Saturday and Sunday) credit courses to better utilize facilities may do so with approval of the Local College Board, the VCCS Chancellor, and the State Board for Community Colleges. A detailed plan must be submitted to the Chancellor that justifies the cost and the benefit of the college's proposal. Subsequent changes to approved weekend tuition discounts must be approved by the Local College Board, the VCCS Chancellor, and the State Board for Community Colleges.

## 3. Reduced Tuition and Fees

Colleges may reduce State Board approved tuition and fee rates for courses taken for credit. Credit tuition rates are published in section 4.3.0(a) of the VCCS Policy Manual. Prior to reducing tuition rates, colleges must submit a request detailing the proposal to the Chancellor. The reduced tuition proposal must be approved by the Local College Board, the VCCS Chancellor, and the State Board for Community Colleges. Subsequent changes to approved 'reduced' tuition and fee rates must be approved by the Local College Board, the VCCS Chancellor, and the State Board for Community Colleges.

### **4.3.0.0 WAIVED TUITIONS - CHILDREN OF CERTAIN VETERANS**

[Section 23.1 - 608, Chapter 6 of the Code of Virginia](#) (Note: See Part C of Section 23.1-608) provides that free tuition shall be granted to children of permanently disabled or deceased veterans of the armed forces of the United States to State-supported institutions of secondary grade or college level.

Eligibility of dependents shall be determined by the Commissioner of Veterans Services, who shall certify that tuition, for eligible dependents, should be waived in accordance with the provisions of [Section 23.1-608](#).

### **4.3.0.1 WAIVED TUITION - STUDENTS IN CERTAIN DUAL ENROLLMENT COURSES**

Tuition and required fees will be charged at the Virginia in-state rate for any high school student, not otherwise qualified for in-state tuition, who is enrolled in dual enrollment course under a dual enrollment contract pursuant to [Section 23.1- 506, Chapter 5 of the Code of Virginia](#).

#### **4.3.0.2 SENIOR CITIZENS HIGHER EDUCATION ACT OF 1974**

As Amended 1976, 1977, 1982, 1988, 1999, 2003, and 2015

Subject to SCHEV regulations and any legislative revisions, the Act gives senior citizens certain rights.

- a. "Senior citizen" shall mean any person who, before the beginning of any semester in which such person claims entitlement to senior citizen benefits, (1) has reached sixty years of age, and (2) has had his legal domicile in Virginia for one year.
- b. A senior citizen shall be entitled:
  1. To register for and enroll in courses as a full-time or part-time student for academic credit if such senior citizen had a taxable individual income not exceeding \$23,850 for Virginia income tax purposes for the year preceding the year in which enrollment is sought;
  2. To register for and audit courses offered for academic credit regardless of income level; and
  3. To register for and enroll in courses not offered for academic credit regardless of income level.
- c. Such senior citizen shall pay no tuition or fees for courses offered for academic credit or for courses not offered for academic credit, except fees established for the purpose of paying for course materials, such as laboratory fees, subject to a determination by the institution of its ability to offer the course or courses for which the senior citizen registers. The Council of Higher Education shall establish procedures to ensure that tuition-paying students are accommodated in courses before senior citizens participating in this program are enrolled. However, the state institutions of higher education may make individual exceptions to these procedures when the senior citizen has completed seventy-five percent of the requirements for a degree.

#### **4.3.0.3 CONTRACTED INSTRUCTION FOR FEDERAL INSTALLATIONS AND VIRGINIA EMPLOYERS**

Contract instruction for employees of Federal Installations and Virginia Employers shall comply with [Section 23.1-508, Chapter 5 of the Code of Virginia](#) pertaining to eligibility for in-state tuition. For credit instruction, the contract shall stipulate that the tuition charge for out-of-state students shall be at the VCCS contract rate established annually by the State Board. Further, each contract shall stipulate that those persons eligible for instruction under the contract shall be designated by the Federal installation or company.

#### **4.3.0.4 IN-STATE TUITION – DEPENDENTS OF ACTIVE DUTY MILITARY PERSONNEL**

[Section 23.1 - 505, Chapter 5 of the Code of Virginia](#) provides that all dependents, as defined by [37 U.S.C. Section 401](#), of active duty military personnel, or activated or temporarily mobilized reservists or guard members, (i) assigned to a permanent duty station or workplace geographically located in Virginia, or in a state contiguous to Virginia or the District of Columbia, who reside in Virginia; or (ii) assigned unaccompanied orders and immediately prior to receiving such unaccompanied orders were assigned to a permanent duty station or workplace geographically located in Virginia; or (iii) assigned unaccompanied orders with Virginia listed as the designated place move shall be deemed to be domiciled in Virginia for purposes of eligibility for in-state tuition and shall be eligible to receive in-state tuition in Virginia. All such dependents shall be afforded the same educational benefits as any other individual receiving in-state tuition pursuant to this section as long as they are continuously enrolled or are transferring between Virginia institutions of higher education. Temporarily mobilized means activated for service for six months or more.

#### **4.3.0.5 IN-STATE TUITION – RECIPROCAL ARRANGEMENTS**

[Section 23.1 - 506, Chapter 5 of the Code of Virginia](#) provides that the governing board of the Virginia Community College System shall charge in-state tuition to any person enrolled in one of the System's institutions who lives within a 30-mile radius of a Virginia institution, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in any state which is contiguous to Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.

#### **4.3.0.6 IN-STATE TUITION – ACTIVE DUTY MILITARY PERSONNEL**

[Section 23.1- 506, Chapter 5 of the Code of Virginia](#) (Note: See part 3 of Section 23.1 - 506) provides that any active duty members, activated guard or reserve members, or guard or members mobilized or on temporary active orders for 180 days or more, who reside in the Commonwealth, shall be eligible for in-state tuition pursuant to this subsection shall be counted as in-state students for the purposes of determining college admissions, enrollment, and tuition and fee revenue policies.

#### **4.3.0.7 IN STATE TUITION – MILITARY VETERANS**

[Section 23.1-506, Chapter 5 of the Code of Virginia](#) (part A4) provides that notwithstanding Section 23.1-502 or any other provision of law, veterans residing within the Commonwealth shall be eligible for in-state tuition charges. Any students granted in-state tuition pursuant to this subsection shall be counted as in-state students for the purposes of determining college admissions, enrollment, and tuition and fee

revenue policies.

#### **4.3.1 OTHER FEES, CHARGES, AND FINES**

The VCCS mission includes the concepts of economic and geographic accessibility. Consistent with this commitment, efforts are made to set the tuition rate at a level that shall provide for economic accessibility and generate the non-general funds portion of the budget as required by action of the General Assembly.

Graduation diplomas shall not be issued, nor shall a student be permitted to register, unless provided for in Section 4.3.3, until all accounts due to the college have been paid in full. However, an exception may be granted if a student's debts to the college have been discharged in bankruptcy. The withholding of a student's transcript by the college for failure to pay an outstanding debt is not allowed.

Each college requesting an increase in a mandatory non-educational and general program fee will prepare appropriate documentation to demonstrate the required cost justification for the fee increase and submit the fee increase request to the Chancellor for consideration by the State Board for Community Colleges. Mandatory non-educational and general program fees are defined as those that are assessed to a student for services provided (e.g., auxiliary parking fees and student activity fees) and are not deposited and retained in state educational and general operating funds. All mandatory non-educational and general fee increases are subject to dollar limits outlined in the Appropriations Act, Section 4-2.00 Revenues.

Except for auxiliary enterprise fees, student activity fees, and local bad checks, all fees must be deposited to and remain in the State Treasury (i.e., not transferred to the colleges' local funds). While student activity fees should be initially deposited to the State Treasury, they may be refunded to local funds and utilized by the college to support student activity programs.

##### **4.3.1.0 COMMUNITY EDUCATION/PUBLIC SERVICE FEES**

Fees shall be established for Community Education and Community Service offerings appropriated in the Education and General Program such that revenues generated in the aggregate shall be equal to or greater than the direct cost of such offerings plus thirty percent for administrative overhead support. See section 4.3.1.7.b for a definition of direct costs.

##### **4.3.1.1 FEES PAID TO A THIRD PARTY**

Costs of educational programs shall generally be borne by the general and non-general fund appropriations of the General Assembly. Only the specific exceptions to this general principle provided herein shall be authorized.

- a. Physical Education Facilities and Personal Equipment Rental Fees

College presidents may require students to pay facilities use and equipment rental fees for physical education instruction held in specialized facilities and/or requiring special personal equipment. Examples of such fees are bowling lane fees and shoe rental for a bowling class held at a local bowling alley.

b. Field Trip Expenses

College presidents may require students to pay transportation, admissions, and other similar charges associated with field trips that are included in the syllabus of a course.

c. Applied Music Private Lesson Fees

College president may require students to pay the cost of private music instruction included in applied music programs.

d. Other Fees Paid to a Third Party

Contractual arrangements with third parties to provide instruction or services requiring students to pay a fee beyond regular tuition charges not specifically authorized in Sections 4.3.1.1 a., b., and c., above, require the prior approval of the State Board.

e. General

(1) Fees authorized by this section shall either be paid by the students directly to the provider of the facility, equipment, or service or to the college for reimbursement of payments to the third party provider. The fees must be no more than the normal fees charged the general public for the same services.

(2) The nature of each fee authorized by this section shall be described in course schedules.

(3) All fees authorized by this section shall be reported to the VCCS System Office annually.

#### **4.3.1.2 STANDARDIZED PLACEMENT TEST FEES**

College presidents may require students to pay the processing charge levied by outside testing agencies for the administration of standardized placement tests. A standardized placement test is an examination used to test a student's academic ability or progress in

a certain field (prior to enrolling in a course) so that the student may either be placed in or allowed to take the appropriate course(s). Colleges should deposit such fees for administration of standardized placement tests as revenue in a state educational and general revenue account. Payments to outside testing agencies should be processed as refunds against the same revenue account.

Colleges do not have the authority to charge fees for college costs to administer standardized placement tests that are bought from external testing entities and administered by the college.

Colleges are not authorized to charge testing fees (administered by the college or a third party) for assessment, program review, or certification when such testing is required for successful completion of a credit course.

#### **4.3.1.3 MISCELLANEOUS EDUCATION AND GENERAL PROGRAM FEES**

College presidents may establish fees and fines as a means of improving efficiency, effectiveness, economy of operation, and encouraging compliance with rules and regulations. For example, a transcript fee may be established to discourage excessive student requests for transcripts or a late registration fee may be charged to encourage compliance with certain registration deadlines. Policies concerning these fees and fines shall be printed in appropriate college publications. All fees collected under these provisions shall be retained by the college generating the revenue.

Revenues generated from the use of college owned facilities for instructional and community service-based activities that make higher education more accessible to and benefit the constituency of the college service area and the Commonwealth of Virginia, in general, may be retained by the college generating the revenue. Revenues will be from sources such as, casual rental of college owned facilities to community groups and organizations for the use of general classrooms, Commonwealth classrooms, meeting rooms or auditoriums, long-term rental agreements for Teletechnet programs, business and industry partnerships for economic development initiatives and incubator programs.

Revenues generated from activities that are not instructional or community service-based, such as the lease of college owned property and/or land for the housing of microwave towers and the lease of office space or general facility use to outside entities, may be retained by the college generating the revenue provided that these activities are approved in writing by the VCCS Chancellor.

#### **4.3.1.4 STUDENT ACTIVITY FEES**

- a. Co-curricular and extra-curricular student activities are viewed as a valid part of the community college educational experience. Such activities are intended to provide an environment in which students may experience democratic decision-making through participating in college and civic governance processes; participate in social, recreational, and leisure time activities; become involved in community and campus political and social activities; and pursue cultural, educational, and vocational interests.
- b. Student activity fees may be established by the college boards to help fund such activities, subject to approval of the State Board for Community Colleges in accordance with Section 4.3.0 of the VCCS Policy Manual. Fees are to be collected and administered in accordance with regulations pertaining to the administration of local community college funds. Student activity fees may not be used for site construction, repair, or maintenance unless approved by the College Board and the State Board for Community Colleges.

#### **4.3.1.5 PARKING AND OTHER AUXILIARY SERVICE FEES**

- a. Reasonable fees may be established by college boards for the support of selected auxiliary enterprises associated with the mission of the college. Such charges may include parking permit fees and fines, tennis court fees, etc. The collection and retention of such fees in local fund accounts shall be contingent upon the existence of a clearly defined auxiliary enterprise subject to the provisions of Section 4.2.2 of the VCCS Policy Manual. Establishment of parking fees and subsequent increases must be approved by the State Board for Community Colleges in accordance with Section 4.3.0 of the VCCS Policy Manual.
- b. A clearly defined auxiliary enterprise has a separate set of accounts to which fees and revenues are deposited and to which all expenses (direct and indirect) are charged. Fees for individual auxiliary enterprises shall be directly related, although not necessarily equal, to the cost of the service. Auxiliary enterprises of the college are required, in the aggregate, to be self-supporting.
- c. It is a general policy of the Commonwealth that parking is to be operated as an auxiliary enterprise; therefore, State funds shall not be used to construct, maintain or operate parking lots. Colleges shall establish a capital outlay plan for parking and a reserve fund from auxiliary enterprise revenues and/or contributions from local government jurisdictions to provide for the construction, repair, and maintenance of college parking facilities approved by the College Board, which shall be submitted to the Chancellor by July 1 of each new biennium.
- d. Auxiliary enterprise funds may be used for site improvements other than for construction, repair, and maintenance of parking facilities when approved by specific action of the College Board for projects with a total project budget of up to

\$25,000, and additionally, approved by the State Board for Community Colleges when the project budget exceeds \$25,000.

#### **4.3.1.6 VIDEO BRIDGE “ASSOCIATION FEE”**

The Virginia Community College System has Video Bridges that connect three or more video classrooms so participants can see and hear each other. VCCS colleges may schedule video sessions with each other, high schools, universities or other organizations. Some organizations, like high schools and universities, desire to schedule the use of the Video Bridges without the VCCS colleges being involved.

A Video Bridge “Association Fee” of \$7,500 per year may be assessed non-VCCS organizations that wish to independently schedule the Video Bridges. The annual fee permits an organization to schedule events without a guarantee of times and dates. VCCS colleges are automatically included in the “association”, however, other organizations within Virginia may voluntarily join the “association” by paying the annual fee.

Proceeds of the fee will be used to defray technology expenses for equipment and services like maintenance, technical support, etc.

#### **4.3.1.7 NONCREDIT WORKFORCE TRAINING PROGRAMS**

- a. Sufficient revenue must be generated from fees, gifts, grants, donations or state funds dedicated solely for noncredit workforce training programs to support all of the programs’ direct costs. Such revenues and costs shall be measured in the aggregate for each fiscal year. Colleges may determine how revenues generated by these programs in excess of direct costs are used including, but not limited to, reinvesting in workforce programs or being used to offset indirect costs.
- b. Direct costs are expenses attributable to a specific class, service, or series which would not be present if the class, service, or series did not exist. Examples of direct costs include:
  - Instruction:
    - Instructor/Facilitator compensation and benefits
    - Third-party vendor fees
    - Curriculum development expenses
  - Marketing:
    - Advertising expenses when directly associated with a specific class, service, or series of classes
    - Market studies directly associated with a specific class or series of classes
  - Materials/Incidentals:

- Handouts, books, and other costs to provide the learners with learning materials
- Instructional consumables such as food for a culinary class or wires and cables for an electrical class
- Space rental for non-college owned facilities such as a conference center
- Hospitality expenses such as food and drink
- Give-aways such as name badges, pads, and pencils

c. Indirect costs are expenses not directly attributable to a specific class, service, or series and which would be present even if a specific class, service, or series did not exist. Examples of indirect costs include:

- Staffing (salary and benefits) for individuals not directly instructing/facilitating learning
  - Administrative/Managerial such as dean and vice-president
  - Coordination staff such as program developers and managers
  - Clerical staff such as customer service, registration, record maintenance, and support staff
  - Professional development
- Marketing
  - General marketing not directly attributable to a specific class, service, or series
- Physical Plant
  - Office space
  - Instructional space owned by the college or the division/department and regularly used for programming and perhaps other functions
  - Common areas such as lobbies, waiting areas, convenience centers like kitchens or vending areas, restrooms, conference rooms
  - Maintenance and upkeep of spaces
  - Utilities
  - Office equipment
  - Instructional equipment (including software and license fees) not specific to a particular class, service, or series

#### **4.3.1.8 BOOKSTORE PROVIDER EMBEDDED COURSE FEE OPTION**

When allowed to do so by state and/or federal law and established guidelines, colleges are authorized to charge a flat, per-credit hour course fee for physical or digital textbooks and course materials offered by a contracted bookstore provider, provided the cost for the textbooks and course materials has been demonstrated to deliver on average savings to students, and that provided course materials are available to the student at start of classes. Any student shall have the option to “op-out” of the bookstore program and not incur the additional charge to their student account; students opting out would

then be responsible for obtaining required course materials on their own. The State Board delegates approval of program parameters and course fees to the Chancellor and delegated staff. Any changes to state and/or federal law and established guidelines prohibiting imposition of embedded textbook course fees nullifies this policy.

### **4.3.2 TUITION REFUNDS**

Students are eligible for a refund for those credit hours dropped during the add/drop period. After the add/drop period has passed, there shall be no refunds, except as provided in subsections 4.3.2.2, 4.3.2.3, and 4.3.2.4.

#### **4.3.2.0 TUITION REFUND ELIGIBILITY**

To be eligible for refund under any of the circumstances set forth in the foregoing paragraph, a student must either execute an official drop form at the college or drop classes on the internet using the VCCS Student Information System (SIS) by refund dates published by academic term. Official withdrawal for a student shall become effective on the date that written notification of intent to withdrawal is received by the Office of Admissions and Records or the date the student drops the course(s) on the internet using the VCCS SIS.

All services shall be withheld from a student who owes money to the college for any reason or who has books or materials outstanding from the college.

#### **4.3.2.1 TUITION REFUND PROCEDURES**

Revenue refunds are generally generated automatically from the Student Information System (SIS) from which a general State warrant shall be issued. The revenue refund is prepared payable to the student or third party.

Exception: at the discretion of the chief business officer, a total refund of tuition may be made from petty cash in cases where courses are cancelled by the college and the student has no election in the action. This procedure should be exercised only under extraordinary circumstances.

For refunds generated automatically from the SIS, colleges should maintain the appropriate detail documentation that reconciles to and supports the revenue refunds. The documentation should include the listing of students receiving the refunds from the SIS, daily accounting system activity reports, and the Commonwealth Accounting and Reporting System (CARS) daily transmittals.

In awarding tuition refunds, the college must maintain accurate student records in

compliance with section 5.6.2, Withdrawal from a Course. Students' courses should not be administratively removed except in cases where students either never attend or stop attending during the course add/drop period.

#### **4.3.2.2 POLICY ON TUITION REFUNDS IN EXCEPTIONAL CASES**

The college is authorized to issue a tuition refund based on the following: (1) administrative error, (2) documented extenuating circumstances (e.g., major medical emergency, extreme financial hardship, death of an immediate family member, etc.); or (3) a national emergency or mobilization declared by the President of the United States and in accordance with [Section 23-9.6.2 of the Code of Virginia](#). In the latter case, there will be a full refund. If a tuition refund is required as a result of actions of the college, the student may be granted a tuition refund notwithstanding earlier provisions of the section. In addition, if a tuition refund is required due to a highly unusual emergency or extenuating circumstance, any such refund must be approved in writing by the president or his/her designee.

##### **a. Student Records**

Should a student defined in subsection 4.3.2.2 be approved to withdraw from the college with a tuition refund after the add/drop period is passed, the student will be assigned a grade of "W." Under no circumstances shall a student's course(s) be deleted after the add/drop period is passed.

##### **b. Federal Student Financial Aid Recipients**

Tuition refunds for students defined in subsection 4.3.2.3 who are recipients of Federal Student Financial Aid must be awarded in compliance with subsection 4.3.2.4.

#### **4.3.2.3 POLICY ON REFUNDS, CREDITS, AND REINSTATEMENT AS A RESULT OF MILITARY SERVICE**

Each community college shall have a policy statement providing for the tuition relief, refund, and reinstatement of military students in the event that military requires their sudden withdrawal or prolonged absence from their enrollment. For purposes of this section, military services is defined as service (whether voluntary or involuntary) on active duty in the Armed Forces, including such service by a member of the National Guard or Reserve, when mobilized or deployed for a period of more than 30 days. Dependents of military members may also be given consideration under this policy. Dependents are defined as any civilian qualifying as a military dependent under 37 USC 401 currently or as otherwise amended. Each community college shall provide the following:

##### **a. Tuition and Required Fees**

Should a military or military-dependent student defined in Section 4.3.2.3 requests

to be withdrawn from the college after the census date, the student will be awarded a full refund and assigned a grade of "W", except for the refund requirements per Section 4.3.2.4 where active duty military students receive federal financial aid.

Each community college shall have a policy statement regarding the granting of refunds of Miscellaneous Education, General Program, Auxiliary Services and Student Activity fees to students.

The college shall provide, at the option of the student, for such refunds to be retained and to be applicable to tuition and fees charged in the semester or term in which the student returns to study.

b. Deposits

Each community college shall have a policy statement regarding the granting of refunds of deposits to military or military-dependent students.

c. Textbooks

Each community college shall process refunds for textbooks for military or military-dependent students according to contractual arrangement with bookstore vendors.

d. Academic Credits and Grades

Military or military-dependent students as defined in Section 4.3.2.3 should have the opportunity to receive an incomplete grade ("I") instead of receiving a tuition refund and a grade of "W" (withdrew). For a grade of "I", all course requirements shall be completed within one year from the date of release from active duty or mobilization.

Students may be given the option of taking their examinations prior to regularly scheduled exams.

e. Reinstatement

Military or military-dependent students as defined in Section 4.3.2.3 shall be assured a reasonable opportunity to be reinstated in the same programs of study without having to re-apply for admission if they return to the same community college after a cumulative absence of not more than five years so long as the student provides notice of intent to return to the institution not later than three years after the completion of the period of service.

f. Dissemination of Information

Community college officials should make every effort to ensure that the aforementioned VCCS policies relative to tuition relief, refund, academic credit and reinstatement for military and military-dependent students are well disseminated and carefully explained in accordance with the requirements of the [Code of Virginia, Section 23-9.6:2](#), and the [Virginia Tuition Relief, Refund, and Reinstatement Guidelines](#) in the appropriate college publications. Moreover, the college shall designate an administrative unit to ensure that these policies are

properly disseminated and administered.

#### **4.3.2.4 TUITION REFUND POLICY FOR CERTAIN FEDERAL STUDENT FINANCIAL AID RECIPIENTS**

The Higher Education Amendments of 1992 (Public Law 102-325) require all institutions participating in federal Title IV financial aid programs to have fair and equitable refund policies for all students receiving Title IV funds. An institution's refund policy is considered to be fair and equitable if the policy provides for a refund of at least the larger of the amount provided under:

- a. The requirements of the applicable state law.
- b. The specific refund standards established by the institution's nationally recognized accrediting agency, if those standards are approved by the U. S. Secretary of Education.
- c. The pro-rata refund calculation for any student attending the institution for the first time who withdraws completely during the first 60 percent of the period of enrollment, or drops out without notice to the institution. In the latter case, the refund date is the last day of attendance documented in the institution's records.
- d. If the pro-rata refund calculation does not apply, and if there is no refund policy mandated by applicable state law, or accrediting agency standard, then the larger of the following will apply:
  1. The refund standards contained in 34 CFR Part 668 of the Federal Regulations.
  2. The institution's refund policy.

As of the date of implementation of this policy, the Commonwealth of Virginia does not have an applicable refund law, and the Southern Association of Colleges and Schools does not have an applicable refund standard. The Virginia Community College System will adhere to the policies as provided in guidance memoranda from the System Office.

- e. Under no circumstances should a tuition refund be processed prior to a Return to Title IV Funds (R2T4) calculation. In addition, a tuition refund generally should not result in a credit balance on the account of a financial aid recipient whose tuition and fees were paid by gift aid. Tuition refunds should be calculated as the amount of tuition and required fees less any gift aid. At the discretion of the college, the full amount of tuition and required fees may be refunded to the student regardless of how tuition and required fees were paid. To the greatest extent possible, students who have borrowed student loans should be encouraged to permit the college to return any credit balance to the lender.

**4.3.2.5 POLICY ON RETURN OF UNEARNED TA FUNDS FOR ACTIVE DUTY MILITARY STUDENTS COVERED BY U.S. DEPARTMENT OF DEFENSE MILITARY TUITION ASSISTANCE PROGRAM**

Each community college shall have a policy statement providing for the return of any unearned TA funds on a proportional basis through at least the 60 percent portion of the period for which the funds were provided for the service member in accordance with the terms and conditions of the “DoD Voluntary Education Partnership Memorandum of Understanding (MOU)”. In instances when a Service member stops attending due to a military service obligation, the educational institution will work with the affected Service member to identify solutions that will not result in a student debt for the returned portion.

**4.3.3 STUDENT PAYMENT OF TUITION AND FEES**

An enrolled student’s tuition and fees must be (1) paid, (2) charged to a third-party sponsor, (3) covered under a signed tuition payment plan agreement, or (4) as required by the [Code of Virginia, §2.2-4800, et seq](#) (the Virginia Debt Collection Act), in the case of incurring a past due balance during the semester or term, be covered by a past-due repayment plan or agreement, offered by the college, to pay the balance over the semester, term, academic year or, at the discretion of the college, beyond the currently enrolled academic-year. A student that remains current on a past-due payment plan is not subject to collection actions and shall be allowed to re-enroll.

Should an enrolled student with a current or prior semester/term past-due repayment plan or agreement fail to make payment by the dates established in the past-due repayment plan or agreement, enrollment for that student may be dropped for the current term and the student shall be blocked from re-enrollment. The collections process shall be resumed in accordance with the provisions of the Virginia Debt Collection Act.

Payment plans must be made available to all students.

Other limited exceptions approved by the President, on a case-by-case basis, may be allowed with appropriate documented justification.

**4.3.4 SUSPENSION OF STUDENTS FOR NON-PAYMENT OF TUITION AND FEES, COLLEGE LOANS, COLLEGE FINES, OR OTHER DEBTS OWED THE COLLEGE**

- a. A student’s continued attendance at the college is dependent upon proper settlement of all debts owed to the institution. Should the student fail to satisfy all due and payable amounts for tuition and fees, college loans, college fines, or other debts owed the college, the student may be suspended. No student shall be allowed to register in any succeeding semester until all current debts owed to the college have been satisfied or arrangements

made through any of the options provided in Section 4.3.3. An exception to this policy will be granted when a debt owing student registers under a third-party contract arrangement. If the third-party is responsible for the tuition payment under the contract, the named students on the contract may register even if individual debts to the college are outstanding.

- b. Students who owe \$500 or more to any individual college in the VCCS will not be allowed to register at another college in the VCCS until their debt is satisfied. A cross-college financial hold must be placed by the college on a student's account in the Student Information System when the student's past due debt is equal to or greater than \$500. The hold will automatically block registration at another college in the VCCS until the debt is satisfied by the student and the hold is cleared by the hold-setting college. An exception to this policy is allowed under the following circumstances:
- c. When a debt owing student makes arrangement for payment of a past-due amount per Section 4.3.3 or who registers under a third-party contract arrangement. If the third-party is responsible for the tuition payment under the contract, the named students on the contract may register even if individual debts to any college in the VCCS are outstanding.
- d. Allowing enrollment of an incarcerated justice impacted student that owes a balance to another college incurred prior to incarceration, provided that tuition payment for the to be enrolled term is covered by the student, financial aid, or some other third-party contract arrangement. Allowing enrollment does not relieve the incarcerated student of their responsibility for paying all outstanding debts owed to any individual college within the VCCS.

#### **4.3.5 ACTIONS RELATED TO FRAUDULENT ENROLLMENT**

Enrollment(s) resulting from fraudulent actions of third-party actors shall not be considered a valid enrollment in any community college class, course, or program. An individual listed as enrolled in a community college due to a fraudulent action by a third party and unknown to the individual, and confirmed by the college to be fraudulent, and who has not actively participated in a community college class, course, or program in-person or virtually shall not be liable for making payment to that community college and shall be dropped from enrollment at the earliest opportunity. Colleges shall not institute past-due payment actions for confirmed fraudulent enrollments.

#### **4.4 LIBRARY – FISCAL PROCEDURES**

##### **4.05.01 LIBRARY FINES**

Each college may charge fines for overdue books and materials consistent with the policy contained in Section 4.3.1. If a college chooses to charge library fines, it shall

develop a policy relating the amount of charges and conditions under which fines shall be charged and shall publish this policy in the college catalog. A college charging library fines shall be audited on the basis of its published policy upon generally accepted procedures for handling State funds.

SWCC's policy includes a \$5.00 replacement charge for lost ID cards.

#### **4.05.02 DISPOSAL OF SURPLUS LIBRARY BOOKS AND PERIODICALS**

In the case of library books and periodicals that are surplus to the needs of an institution, since this type of item is quite difficult to sell or transfer through our normal surplus procedures, disposition should be made to the best interest of the Commonwealth in one of the following approved ways:

- a. Exchange with other State-supported institutions;
- b. Exchange with other non-supported State institutions;  
Dispose of through the "Duplicate Exchange League;"
- c. Dispose of through the "U.S. Book Exchange" in Washington, D.C.;
- d. Sell locally intact or as wastepaper, depositing any monies to the State Treasurer, giving credit to the institution's surplus property code. This would require reporting dollar amount received and certificate of deposit number to the System Office Purchasing Division;
- e. Donate, only after the above methods have been explored and with written authority from the System Office Purchasing Division, since the Code of Virginia requires donations to be reported by us to the Auditor of Public Accounts; or
- f. Dispose of all other library items through the normal surplus property procedure as set forth in the Code of Virginia

#### **4.5 ACCEPTANCE OF GIFTS, GRANTS, AND CONTRACTS**

Gifts, grants, and contracts are important revenue sources, and the solicitation and acceptance of them is encouraged insofar as they enhance the accomplishment of the mission of the system and its colleges.

#### **4.5.0 DEFINITIONS**

Gifts, grants, and contracts include amounts accepted from governmental agencies, individuals and non-governmental organizations, including college foundations. They may be in the form of cash; provision of gifts of services, generally referred to as in-

kind gifts; real property; tangible personal property; or intangible property. Accountability to the grantor or donor of use and/or disposition may or may not be required depending upon the terms and conditions of the gift or grant instrument. They are further defined as follows.

Unrestricted gifts, grants, and donations include all resources received for which no stipulation was made by the grantor or donor as to the purpose for which they should be expended or used.

Restricted gifts, grants and contracts include all those resources received for which the grantor or donor has stipulated a specific use or disposition or requires the college to furnish goods and/or services of an instructional or public service nature, this latter type being generally referred to as Sponsored Programs. They are generally conferred by a written grant or gift instrument which constitutes a contract between the grantor and the college. They may be revocable upon certain actions or events, such as disallowed use or discontinuance of use.

#### **4.5.1 AUTHORITY AND RESPONSIBILITIES**

The State Board is authorized to accept and the Chancellor is authorized to receive gifts, grants, and contracts (see Section 2A.IX. A.3.c. of this Manual, [§23-230 of the Code of Virginia](#), and pursuant to §4-02.1a of the Appropriations Act.).

The Chancellor is granted the authority to accept gifts and grants in the name of and for the benefit of the State Board.

The Chancellor is delegated the authority and has the responsibility to establish such policy and procedure deemed necessary to ensure sound fiscal management of the receipt and disposition of gifts, grants, and contracts.

#### **4.5.2 GENERAL PROVISIONS**

The president of each college shall develop and implement guidelines for the acceptance of gifts, grants, and contracts; to include the level and type of gifts, grants and contracts to be pursued and both fiscal and program administrative procedures. The latter shall identify as a minimum, the functions, including the responsible college official, procedures for proposal preparation and review for both program and budget content, conduct of negotiations, preparation and submission of technical and financial reports, and compliance with the terms and conditions of the agreement or other conditions imposed by the grantor through federal and state law.

Such procedures shall use as a guide, College and University Business Administration, Chapter 18, Research and Sponsored Programs; and shall be submitted to the Chancellor for approval as developed and as periodically modified.

#### **4.5.3 GIFTS REQUIRING THE APPROVAL OF CHANCELLOR OR STATE BOARD**

- a. Offers of gifts of data processing, word processing and telecommunications products, software, or services must be submitted to the Chancellor for approval.
- b. Other than noted in 4.5.3 a. above, gifts of tangible personal property with a value of \$25,000 or more, must be approved by the Chancellor prior to acceptance.
- c. Gifts of real estate must be approved by the State Board for Community Colleges and the Governor prior to acceptance.
- d. Adhering to the basic standards in designing, implementing and monitoring internal controls, which include, but are not limited to: documentation, recording of transactions, execution of transactions, segregation of duties, supervision, access to resources, competent personnel and reasonable assurances;
- e. Maintaining current and effective accounting, administrative and program control system;
- f. Periodically performing a risk assessment to determine the vulnerability of each assessable unit;
- g. Identifying any weaknesses or high risk areas and developing corrective actions; and
- h. Assessing its internal control environment annually and providing the Chancellor a statement regarding the status of the college internal control program. Such a statement shall be signed by the president and included with the year-end financial statement.

#### **4.5.4 DONATIONS, GIFTS OR OTHER PRIVATE PHILANTHROPIC SUPPORT THAT DIRECTS ACADEMIC DECISION-MAKING, OR IS IN THE AMOUNT OF \$1,000,000 OR MORE (WITHIN A SUCCESSIVE 12-MONTH PERIOD) AND IMPOSES ANY NEW OBLIGATIONS ON THE VIRGINIA COMMUNITY COLLEGE SYSTEM, EXCLUDING SCHOLARSHIPS OR OTHER FINANCIAL AID.**

For the Virginia Foundation for Community College Education, a gift review committee shall be established and composed of the following individuals: Vice Chancellor for Institutional Advancement, Senior Vice Chancellor for Academic and Workforce Programs, Senior Vice Chancellor for Administration, Technology, and Finance, and Director or Head (s) of the relevant senior management area(s), if applicable.

For the educational foundations that have been established for each community college, a gift review committee shall be established by the President of the college in coordination with the

Chair of the college's educational foundation, to include but is not limited to, the President, the Chair of the educational foundation, and a representative from the department or academic area which will be the beneficiary of the donation, gift, or other private philanthropic support.

- a. The gift review committee shall review all terms and conditions associated with the provisions of the gift to confirm that such terms and conditions do not violate existing VCCS policies or are inconsistent with the Virginia Community College System's mission of access and affordability.
- b. The gift review committee will make a recommendation to the Chancellor regarding the acceptance of the terms and conditions. The Chancellor may accept the committee recommendation or not. The Chancellor's decision will be final; however, if the Chancellor does not accept the committee's recommendation, the Chancellor will explain his decision in writing.
- c. The Office of Institutional Advancement will maintain a copy of all terms and conditions for accepted donations, gifts, and other private philanthropic support to the Virginia Foundation for Community College Education under this policy. The educational foundation at each college will maintain a copy of all terms and conditions for accepted donations, gifts, and other private philanthropic support that is applicable to the college. A copy of said documentation for either the Virginia Foundation for Community College Education or the college's foundation shall be subject to public review, if requested, in accordance with the provisions of the Virginia Freedom of Information Act.
- d. The memorandum of understanding currently in existence between each college and its educational foundation shall be modified to incorporate this policy.

#### **4.6 ESTABLISHMENT AND OPERATION OF EDUCATIONAL AND GENERAL (E&G) RESERVE FUND**

In accordance with the General Provisions of the Appropriation Act (Section 4-1.05 Reversion of Appropriations and Re-appropriations), public higher education institutions are authorized to establish institutional reserve funds supported by any unexpended education and general (E&G) appropriations of the institution at the end of the fiscal year.

The establishment of such a fund is designed to foster more long-term planning, promote efficient resource utilization and reduce the need for substantial year-to-year increases in tuition, thereby increasing affordability for Virginians. Independent of the provisions of [Code of Virginia § 23.1-1001](#), institutions are authorized to carry over E&G unexpended balances to establish and maintain a reserve fund as allowed by established provisions of the Appropriation Act.

#### **4.6.1 AUTHORITY AND RESPONSIBILITIES**

The State Board is responsible for establishing policy on how each VCCS institution shall use the reserve fund.

The State Board delegates to the Chancellor the responsibility to establish procedures deemed necessary to ensure sound fiscal management of the reserve, and to report details of the planned use of the reserve fund to the Board, the Governor, the Secretary of Education, the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees. Any reserve fund shall be subject to the provisions of [Code of Virginia § 23.1-1303. Governing boards; duties.](#)

The State Board authorizes each VCCS Community College, the System Office, and the Shared Services Center (institutions) to establish and maintain an E&G institutional reserve fund account in accordance with general provisions detailed within this section of policy.

#### **4.6.2 AUTHORIZED USE OF FUNDS**

VCCS institutions are hereby authorized to use E&G reserve fund balances as follows:

- a. Offset fiscal year impact of mandatory general fund budget reductions to E&G programs;
- b. Offset fiscal year impact of non-general fund revenue loss due to declines in enrollment and/or other non-general fund E&G revenue sources;
- c. Provide initial seed funding for new E&G programs and initiatives;
- d. Support and leverage capacity building for E&G strategic initiatives;
- e. Support multi-year enrollment management and student success initiatives;
- f. Support multi-year planning and implementation of major technology initiatives;
- g. Support facility and capital infrastructure investment;
- h. Provide funding for emergencies and non-recurring funding for unanticipated contingencies that negatively affect the continuity of institutional operations and program delivery.

#### **4.6.3 GENERAL PROVISIONS**

- a. The reserve balance for each institution shall not exceed the threshold established by provisions of the Appropriation Act;
- b. To ensure financial viability of the reserve, as a best practice, within a five-year period of establishing its E&G reserve account, institutions are encouraged to accumulate a net

floor threshold balance valued at 1% of an institution's maximum account limit or \$10,000, whichever is greater.

- c. Reserve funds shall support E&G program activity only;
- d. Reserve funds shall remain on deposit in state bank accounts;
- e. At the close of each fiscal year, each institution shall review prior year balances to determine amounts (if any) to be deposited in its institutional reserve account and shall report reserve activity and planned uses to the Chancellor by September 1 each year. The System Office may not process appropriation/allotment of carry-forward balances or subsequent reserve cash without a submitted plan. Institutions may revise their plans throughout the year reflecting unanticipated contingencies or need for the emergency use of the reserve.
- f. The System Office shall report all prior year activity and current year planned fund-use to the State Board each November.

#### **4.7 ENTERPRISE PORTFOLIO MANAGEMENT POLICY**

Virginia Community College System has established the Enterprise Portfolio Investment Council (EPIC) to manage the portfolio of initiatives and projects that impact enterprise systems and/or multiple colleges. EPIC is composed of Presidents and Vice Chancellors and it has been delegated the authority by the Chancellor to determine which initiatives and projects fall under the scope of enterprise project management. VCCS Colleges and the System Office are required to follow the procedures approved by the EPIC and managed by the Enterprise Portfolio Management Office (EPMO) for any project or initiative that is deemed by EPIC to be in-scope.

## **SECTION 5: ACADEMIC INFORMATION**

## **5.0 TYPES OF PROGRAMS (SEE ALSO, SECTION 2-A)**

In determining the curricula and programs to be offered in each college under the jurisdiction of the State Board, the State Board shall take cognizance of the varying needs of the communities served through the Virginia Community College System and the substantiated requests of interested local governing bodies, employers, and individuals. These programs shall include, but not be limited to, the following:

### **5.01.01 CAREER/TECHNICAL EDUCATION**

Career/technical education programs shall be designed to meet the increasing demand for technicians, semiprofessional workers, apprentices, and skilled crafts persons for employment in industry, business, the professions, and government. These programs normally require two years or less of training beyond high school. They may include preparation for agricultural, business, engineering, health and medical, industrial, service, and other technical and occupational fields. The curricula shall be planned primarily to meet the needs for workers in the region being served by the community college, but the State Board may designate certain community colleges as centers to serve larger areas of the state in offering expensive and highly specialized occupational and technical education programs. See Section 5.1.0 for types of career/technical curricula.

#### **5.0.0.1 G3 PROGRAM**

Pursuant to § 23.1-2911.2, the G3 Program provides financial assistance from the Get Skilled, Get a Job, Give Back Fund to low-income and middle-income Virginia students who are enrolled in an educational program that leads to an occupation in a high-demand field. The System shall consult with the Virginia Board of Workforce Development, SCHEV, and Senate and House staffs to make recommendations for additions to or deletions of approved “high-demand fields.”

G3 programs may be at the career studies certificate, certificate, diploma, or AAS degree level or may be workforce programs that do not award credit. Colleges should, whenever feasible, deliver programs as short-term certificates that are stackable into associate of applied science degree programs. State Board approval is required for a college to offer a program as G3 eligible.

The System in consultation with each VCCS college shall submit to SCHEV a report with data from the previous fiscal year on student participation in and completion of G3 programs no later than September 1.

#### College Transfer Education

College transfer programs shall include courses the first two years of a baccalaureate program in arts and sciences and pre-professional programs meeting standards acceptable for transfer to baccalaureate degree programs. These programs shall be of equal content and quality to those provided in the four-year, degree-granting institutions to facilitate the transfer of students from the

community college to four-year colleges and universities.

See Section 5.1.0 for types of college transfer curricula.

## 5.0.2 General Education

### 5.0.2.0

Associate degree programs provide a coherent, shared experience for students to develop the general education core competencies expected of them as college-educated individuals. General education, as an integrated and cohesive whole, provides the educational foundation necessary to promote intellectual and personal development. Upon completion of the associate degree, graduates of Virginia's Community Colleges will demonstrate competency in student learning outcomes (SLOs) determined and assessed by each college in 1) civic engagement, 2) critical thinking, 3) professional readiness, 4) quantitative literacy, 5) scientific literacy, and 6) written communication.

Collectively, these general education core competencies distinguish graduates of Virginia's Community Colleges as individuals with a breadth of knowledge, skills, and abilities needed to pursue further education and their careers, continue to develop as learners, and contribute to the well-being of their communities. The six competencies are defined in policy with aspirational statements of learning goals for graduates. Each community college will determine and assess specific learning outcomes based on the definitions and aspirational statements.

### 5.0.2.1

The associate degree programs within the Virginia's Community College System support a collegiate experience that meets the general education requirements of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and the State Council of Higher Education for Virginia (SCHEV). The following general education core competencies shall be included in the catalog of each college.

**Civic Engagement** is the ability to contribute to the civic life and well-being of local, national, and global communities as both as social responsibility and a life-long learning process. Degree graduates will demonstrate the knowledge and civic values necessary to become informed and contributing participants in a democratic society.

**Critical Thinking** is the ability to use information, ideas and arguments from relevant perspectives to make sense of complex issues and solve problems. Degree graduates will locate, evaluate, interpret, and combine information to reach well-reasoned conclusions or solutions.

**Professional Readiness** is the ability to work well with others and display situationally and culturally appropriate demeanor and behavior. Degree graduates will demonstrate skills important for successful transition into the workplace and pursuit of further education.

**Quantitative Literacy** is the ability to perform accurate calculations, interpret quantitative information, apply and analyze relevant numerical data, and use results to support conclusions. Degree graduates will calculate, interpret, and use numerical and quantitative information in a variety of settings.

**Scientific Literacy** is the ability to apply the scientific method and related concepts and principles to make informed decisions and engage with issues related to the natural, physical, and social world. Degree graduates will recognize and know how to use the scientific method, and to evaluate empirical information.

**Written Communication** is the ability to develop, convey, and exchange ideas in writing, as appropriate to a given context and audience. Degree graduates will express themselves effectively in a variety of written forms.

#### **5.0.2.2**

Each college with the Virginia Community College System will be responsible for identifying appropriate learning outcomes relative to each of the six general education core competencies defined above, and for assessing those outcomes in accordance with SACSCOC accreditation standards and SCHEV policy.

### **5.0.3 DEVELOPMENTAL PROGRAMS**

Developmental or preparatory programs shall be offered to prepare individuals for admission to the college transfer programs and the career/technical programs in the community college. These developmental programs shall be designed to develop the basic skills and understandings necessary to succeed in other community college programs. Colleges shall not enroll public or private high school students or homeschooled students in developmental courses.

### **5.0.4 CONTINUING ADULT EDUCATION**

Adult education programs shall be offered to enable adults to continue their learning experiences. This may include both credit and non-credit work.

### **5.0.5 COMMUNITY SERVICES**

Community services include various programs and activities that provide public service to the citizens and organizations of the region. This service includes programs such as cultural

events, workshops, meetings, lectures, conferences, seminars, and special community projects which are designed to provide needed cultural and educational opportunities for the citizens of the region.

## **Part I: Academic Programs**

### **5.1 CURRICULA**

#### **5.1.0 CURRICULAR DESIGN FOR DEGREES**

The State Board shall establish minimum standards and shall authorize community colleges to award appropriate associate degrees, to individuals who satisfactorily complete course and program requirements. The VCCS defines five types of degrees. Degrees may include one or more 'Majors,' or 'Specializations.' The minimum requirements for associate degrees are outlined in Table 5-1 below. The degrees are organized into those primarily designed for college transfer or immediate career/technical employment.

##### College Transfer Education

Associate of Arts (AA)

Associate of Fine Arts (AFA)

Associate of Science (AS)

Associate of Arts and Sciences (AA&S) Since this degree is being phased out, no new students will be placed in any AA&S degree as of Fall 2025.

##### Career/Technical Education

Associate of Applied Arts (AAA)

Associate of Applied Science (AAS)

**Table 5-1**  
**Minimum Requirements for**  
**Associate Degrees in the VCCS**

	<b>Minimum Number of Semester Hour Credits</b>			
	<b>(1) <u>AA</u></b>	<b>(2) <u>AS</u></b>	<b>(3) <u>AFA</u></b>	<b>(4) <u>AAA /</u> <u>AAS</u></b>
<b>General Education:</b>				
Communication	6 <sup>(a)</sup>	6 <sup>(a)</sup>	6	3-6
Humanities/Fine Arts/Literature	6	6	3-9 <sup>(b)</sup>	3-6
Social/Behavioral Sciences	6 <sup>(d)</sup>	6 <sup>(d)</sup>	3-9	3-6
Natural Sciences	4	4-8	4	0-6 <sup>(e)</sup>
Mathematics	3	3-6	3	0-6 <sup>(e)</sup>
Institutional Specific General Education Courses	5-6	5-6	0	0

Total for General Education =	30-31	30-38	19-28	15 <sup>(g)</sup>
<b>Other Requirements for Associate Degrees:</b>				
Student Development	1-2	1-2	1-2	1-2
Transfer Core <sup>(f)</sup> (columns 1-3) Career/technical courses (column 4)	27-32	20-32	34-43	43-53
<b>Total for Degree =</b>				
	<b>60-63</b>	<b>60-63<sup>(h)</sup></b>	<b>60-63</b>	<b>60-69<sup>(h)</sup></b>

Notes:

(a) Each of the courses in communication must be in written communication.

(b) One course in humanities/fine arts for the Fine Arts major must be a literature course.

Each of the two courses cannot be from the same discipline area (e.g. humanities).

(d) One course in social/behavioral sciences must be a history course and the second required course cannot be history.

(e) A total of 3-6 semester hours is required in either natural sciences and/or mathematics for the AAA and AAS.

(f) Transfer core includes additional general education and/or major courses.

(g) As specified above, degree programs must contain a minimum of 15 semester hours of general education as defined by SACSCOC.

<sup>(h)</sup> See Policy 5.1.0.0.4.6 for exceptions to the total credits allowed.

#### **5.1.0.0.0 DEGREE PROGRAM**

A degree program is a coherent curriculum comprised of 100- and 200-level courses leading to the award of an associate degree; is identified by a six-digit CIP code used for reporting purposes to external agencies and in the SCHEV Degree and Certificate inventory; and is listed on the student's diploma and academic record. CIP Codes are assigned by the System Office and are consistent for a given degree program offered at any VCCS college.

#### **5.1.0.0.1 MAJOR**

A major is a grouping of 100 and 200-level courses that define a discipline or interdisciplinary specialty within a degree program; listed under a common CIP code of the parent degree; and identified by a VCCS curriculum code. All curricula under a CIP code share a common core of courses, defined as a minimum of 25% of total credits required for the degree (15-18 credits), excluding the general education core.

#### **5.1.0.0.2 SPECIALIZATION**

A specialization is an area of concentration within an approved AAA or AAS degree, varying from the parent major by 9-15 credit hours.

#### **5.1.0.0.3 COMMON CURRICULA**

A common curriculum is a set of courses leading to a degree or certificate that has been developed by a statewide faculty group. (See Section 5.2 for policy on development of common curricula.) Such curricula may be established for transfer or career-technical programs. If a common curriculum exists, it will be posted to the VCCS intranet maintained by Academic and Workforce Programs Unit, VCCS System Office, and followed by all colleges that offer the program.

#### **5.1.0.0.4 REQUIREMENTS FOR ASSOCIATE DEGREE PROGRAMS**

##### **5.1.0.0.4.1 GENERAL EDUCATION**

The VCCS Policy Manual Section 2.4 C defines general education within the VCCS. Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Principles of Accreditation specify general education requirements. Colleges must address all SACSCOC requirements, the *State Council of Higher Education for Virginia Core Competencies* and the *general education core competencies* listed in the VCCS Policy Manual. (Table 5-1. Minimum Requirements for Degree Programs)

##### **5.1.0.0.4.2 FACULTY PREPARATION**

Faculty teaching general education and college transfer courses must meet collegiate level academic preparation as defined by SACSCOC Principles of Accreditation.

##### **5.1.0.0.4.3 WRITTEN COMMUNICATION REQUIREMENT**

All associate degree programs must include at least one course in English composition.

##### **5.1.0.0.4.4 STUDENT DEVELOPMENT REQUIREMENT**

Degree programs must include at least one student development course.

##### **5.1.0.0.4.5 PREREQUISITES**

All college-level course prerequisites must be included in the total credits required for each program.

##### **5.1.0.0.4.6 CREDIT RANGES FOR DEGREE PROGRAMS**

The credit range for AA, AFA, and AS degrees is normally 60-63 semester credit hour credits. However, the credit range for engineering programs is 60-72 semester hour credits. The credit range for AAA and AAS programs, including nursing, is 60-69, credits. For other programs in the Health Sciences, the credit range is 60-72

semester hour credits.

### **5.1.0.1 COMPUTER COMPETENCY REQUIREMENTS**

Each college must ensure that students are able to demonstrate college entry-level computer skills necessary for academic success and discipline-specific skills necessary for successful transfer or employment.

### **5.1.0.0.5 TECHNICAL STUDIES**

The AAS in Technical Studies provides flexible alternatives for meeting student and employer needs and features a flexible curriculum design to meet specific educational and employment goals. The curriculum will be approved by the Chief Academic Officer or designee to ensure a coherent plan of study.

### **5.1.1 CURRICULAR DESIGN FOR DIPLOMA AND CERTIFICATE PROGRAMS**

The State Board shall establish minimum standards and shall authorize community colleges to award appropriate diplomas and certificates to individuals who satisfactorily complete course and program requirements. The diploma and certificate curricula shall differ from associate degree curricula in that they may be presented at a different educational level. These credentials are recognized as College Transfer and Career/Technical programs.

#### College Transfer Education

Uniform Certificate of General Studies (UCGS)

#### Career/Technical Education

Diploma

Certificate

Career Studies Certificate

### **5.1.1.0 UNIFORM CERTIFICATE OF GENERAL STUDIES (UCGS)**

The Uniform Certificate of General Studies is a one-year curriculum of study that consists of 30-32 semester hours where all courses shall be transferable and satisfy a lower-division general education requirement at any public institution of higher learning, except as approved by the State Council of Higher Education for Virginia. The courses in the UCGS may satisfy the general education requirement without having a specific course equivalent at the receiving institution. All colleges must offer the UCGS. Each VCCS college shall offer at least one course in each category of each block of the UCGS, chosen from the UCGS Course Roster posted to the State Council of Higher Education for Virginia (SCHEV) website. Only courses completed with a “C” or better after May 2020 may be applied to the UCGS.

#### **5.1.1.0.1 PASSPORT**

The Passport, a milestone within the UCGS, is a subset of courses consisting of 16 semester hours. All colleges must offer the Passport. Each VCCS college shall offer at least one course in each block of the Passport, chosen from the Passport Course Roster posted to the SCHEV website. Only courses completed with a “C” or better after May 2020 (copied from the 12.6.21 Passport course roster posted to SCHEV Policy) or later may be applied to the Passport.

#### **5.1.1.1 DIPLOMA**

A diploma program is defined as a two-year curriculum of study that consists of a minimum of 60 and a maximum of 72 semester hours with an emphasis in a career/technical area. Exceptions to credit hour limits must be justified on the basis of documented business and industry requirements or standards. Diploma curricula may include any appropriate courses numbered 10-299. A minimum of fifteen percent (15%) of a diploma’s credit hour requirement shall be in general education (for general education goal areas see 5.0.2.2). The general education requirements must include one (1) three (3) credit hour English class. Existing programs (as of 2009) that exceed the 72 semester hour maximum are grandfathered in at their current length.

#### **5.1.1.2 CERTIFICATE**

A certificate program is defined as a curriculum of study less than two years in length that consists of a minimum of 30 and a maximum of 59 semester credit hours. Certificate curricula may include any appropriate courses numbered 10-299. A minimum of fifteen percent (15%) of a certificate’s credit hour requirement shall be in general education (for general education goal areas see 5.0.2.2). The general education

requirements must include one (1) three (3) credit hour English class.

**5.1.1.3 CAREER STUDIES CERTIFICATE**

A career studies certificate program is defined as a program of study of not less than 9 nor more than 29 semester credit hours which may include courses numbered 10-299. Career studies certificate programs are not required to include general education.

**Table 5-2  
Minimum Requirements for  
Diplomas, Certificates, and Career Studies Certificates**

	<b>Diploma</b>	<b>Certificate</b>	<b>Career Studies Certificate</b>
<b>Definition</b>	A two-year curriculum with an emphasis in a career/technical area	A curriculum that consists of a minimum of 30 semester credit hours	A program of study of not less than 9 nor more than 29 semester credit hours
<b>Course Requirements</b>	May include any appropriate courses numbered 10-299	May include any appropriate courses numbered 10-299	May include any appropriate courses numbered 10-299
<b>General Education Requirements</b>	A minimum of fifteen percent (15%) of credit hour requirements shall be in general education, including 1 three-credit English course.	A minimum of fifteen percent (15%) of credit hour requirements shall be in general education, including 1 three-credit English course.	There are no general education requirements.
<b>Graduation Requirements</b>	Policy 5.1.2 <ul style="list-style-type: none"> <li>• 25% of credit hours must be</li> </ul>	Policy 5.1.2 <ul style="list-style-type: none"> <li>• 25% of credit hours must be</li> </ul>	Policy 5.1.2 <ul style="list-style-type: none"> <li>• 25% of credit hours must be</li> </ul>

	<p>taken at home institution.</p> <ul style="list-style-type: none"> <li>• 2.0 GPA</li> <li>• Graduation honors eligible</li> </ul>	<p>taken at home institution.</p> <ul style="list-style-type: none"> <li>• 2.0 GPA</li> <li>• Graduation honors eligible</li> </ul>	<p>taken at home institution.</p> <ul style="list-style-type: none"> <li>• 2.0 GPA</li> <li>• Not eligible for graduation honors</li> </ul>
<b>Approval</b>	State Board for Community Colleges	Chancellor	Local College Board

**5.1.2 GRADUATION REQUIREMENTS**

Each college shall ensure that students who receive associate degrees, diplomas, certificates or career studies certificates have completed the established graduation requirements.

To be eligible for graduation with an associate degree, diploma, certificate, or career studies certificate from a Virginia community college, students must:

- a. Fulfill all of the course and credit-hour requirements of the curriculum with at least 25% of credit semester hours acquired at the college granting the award;
- b. Be certified by an appropriate college official for graduation;
- c. Earn a grade point average of at least 2.0 in all studies attempted which are applicable toward graduation in their curricula;
- d. Meet any other competency requirements established by the local college; and
- e. Resolve all financial obligations to the college and return all library and college materials.

**5.1.2.0 CREDITS APPLICABLE TO SECOND DEGREE, DIPLOMA, OR CERTIFICATE**

In awarding students an additional degree, diploma, certificate, or career studies certificate, the college may grant credit for all completed applicable courses which are requirements of the additional degree, diploma, certificate, or career studies

certificate. However, the awards must differ from one another by at least 25% of the credits.

### **5.1.3 GRADUATION HONORS**

Students who have fulfilled the requirements of degree, diploma, or certificate programs (with the exception of career studies certificates), are eligible for graduation honors.

Appropriate honors based upon scholastic achievements are recorded on the student's permanent record as listed below:

<u>Minimum Cumulative Grade Point Average</u>	<u>Honor</u>
3.2	Cum laude (with honor)
3.5	Magna cum laude (with high honor)
3.8	Summa cum laude (with highest honor)

### **5.1.4 SIGNATURES ON AWARDS**

The signatures of the Chancellor of the VCCS, the President of the College, the Chair of the State Board, and the Chair of the College Board shall appear on the degrees, diplomas, certificates, and career studies certificates awarded to students in the VCCS.

### **5.1.5 REISSUANCE OF DIPLOMAS**

VCCS colleges have the authority to issue replacement degrees, diplomas, certificates, and career studies certificates previously awarded to students. Signatures of current college officials may be used on reissued diplomas.

### **5.1.5.1**

Diplomas will be reissued upon the graduate's request provided the graduate does not have any outstanding debt to the college, in which case, no diplomas will be re-issued until the debt is fully satisfied. However, if a bankruptcy court has issued an automatic stay preventing the collection of pre-bankruptcy petition debts at that time, or has discharged a student loan that the graduate had, then the outstanding debt may not be used as a basis for denying the request for a diploma reissuance. (Colleges may wish to consult with System Counsel if confronted with a bankruptcy issue.) The policies and procedures for requesting a reissued diploma shall be clearly stated on each college's website. Colleges may charge a fee for reissuing diplomas.

### **5.1.6 HONORARY DEGREES**

The State Board authorizes the individual colleges to award honorary associate degrees of humane letters to individuals who have contributed significantly to the awarding college or the VCCS. Individuals are not eligible for this award if they are currently employed by the college, serving on the local College Board, or serving on the State Board for Community Colleges at any time between the date of the local College Board approval and the actual receipt of this award. A separation from such employment or service of at least one month is a prerequisite for eligibility. Recommendations for such honorary degrees shall be made to the Chancellor and to the State Board and approval granted by the Chancellor and State Board prior to the award being made.

### **5.1.7 POSTHUMOUS AWARDS**

The State Board authorizes individual colleges to confer posthumous awards, including degrees, diplomas and certificates, for students. Criteria for these awards shall be determined by individual institutions.

## **5.2 DEVELOPMENT OF PROGRAMS AND COURSES**

Curricula generally shall be originated by the colleges. There must be ample justification for the creation of new curricula based upon the needs and opportunities of the state or region served by the college. In determining the curricula to be offered in the VCCS, the State Board shall take cognizance of the varying needs of the communities served throughout the Commonwealth of Virginia and the substantiated requests of interested local governing bodies, employers, and individuals.

### **5.2.0 REVIEW AND APPROVAL PROCEDURES FOR NEW PROGRAMS**

A new or modified degree program that includes content in a discipline or field not currently offered by the institution requires approval as a new degree program with a separate CIP

code. Curriculum changes that result in a degree program that shares fewer than 25% of its courses (excluding the general education core) with an existing program require approval of a new degree program. VCCS approval is not required for new or modified specializations. Procedures for the review and approval of degrees, majors, specializations, diplomas, certificates, career studies certificates, and courses are outlined in Table 5-3. These procedures are to be followed by all colleges in the VCCS.

**5.2.0.0 REVIEW AND APPROVAL OF TRANSFER PROGRAMS**

Any VCCS college with full-time faculty in the primary discipline may offer any of the programs on the roster of AA and AS degree programs and CIP codes approved by the State Council of Higher Education for Virginia. Colleges shall use a modified process for State Board approval of these programs but will not be required to seek State Council approval.

If a college wishes to offer a new degree program or major in an area for which there is a Transfer Virginia common curriculum, the new program shall align with the Transfer Virginia curriculum.

If a college with full-time faculty in the primary discipline wishes to offer a new AA or AS degree program that does not correspond to one of the approved CIP codes, the college must complete a comprehensive program proposal for State Council approval.

Colleges must complete a full program proposal to offer an Associate of Fine Arts program even if the program has been approved for another VCCS college. Colleges must use the format provided on the VCCS intranet maintained by Academic and Workforce Programs Unit, VCCS System Office.

**Table 5-3**

Key	Action		
R = Review/Recommend A = Approve N = Notification/Reported To	AA or AS Program	AFA	Majors

	New to the College but on SCHEV List of Approved AA and AS Programs	Not on SCHEV List of Approved AA and AS Programs		
<b>Local Level</b>				
College Curriculum Committee	R	R		R
College Administration	A	A		A
College Board	A	A		A
<b>State Level</b>				
VCCS AWP Staff	R	R		R
Academic, Workforce Development, and Student Affairs Committee of the State Board	R	R		R
State Board for Community Colleges	A	A		A
SCHEV Staff	R	R		-
State Council	N	A		-
<b>Regional Accreditation</b>				
SACCOC	A/N <sup>1</sup>	A/N <sup>1</sup>		A/N <sup>1</sup>
<sup>1</sup> Colleges should adhere to current SACSCOC guidelines for substantive change.				

**Review & Approval of Transfer Degree Programs and Majors**

**5.2.0.1 REVIEW AND APPROVAL OF CAREER/TECHNICAL PROGRAMS**

Colleges that wish to offer a new career/technical program must complete a program proposal using the format provided on the VCCS intranet maintained by the Academic and Workforce Programs Unit, VCCS System Office.

**Table 5-4**

**Review & Approval of Career/Technical Programs**

Key	Action					
R = Review/Recommend A = Approve N = Notification/Reported To	Degree (AAA, AAS)	Major	Specialization	Diploma		
<b>Local Level</b>						
Curriculum Advisory Committee	R	R	R	R	R	R
College Curriculum Committee	R	R	R	R	R	R
College Administration	A	A	A	A	A	A
College Board	A	A	A	A	A	A
<b>State Level</b>						
VCCS AWP Staff	R	R	N	R	A	N

Chancellor					2	
Academic, Workforce Development, and Student Affairs Committee of the State Board	R	R	-	R	R	-
State Board for Community Colleges	A	A	-	A	2	-
SCHEV Staff	R	-	-	R	R	-
State Council	A	-	-	N	N	-
<b>Regional Accreditation</b>						
SACSCOC	A/N <sup>1</sup>	<sup>1</sup>		A/N <sup>1</sup>	N <sup>1</sup>	
<sup>1</sup> Colleges should adhere to current SACSCOC guidelines for substantive change. <sup>2</sup> Original requests must be approved; additional colleges' requests need only be reported.						

### **5.2.1 DISCONTINUANCE OF PROGRAMS**

Procedures for the discontinuance of degrees, majors, specializations, diplomas, certificates, career studies certificates, and courses are outlined in Tables 5-5 and 5-6. These procedures are to be followed by all colleges in the VCCS and information on their implementation is available from the Academic and Workforce Programs Unit, VCCS System Office.

**Table 5-5**

**Discontinuance of Transfer Degree Programs and Majors**

Key	Action	
R = Review/Recommend A = Approve N = Notification/Reported To	Degrees (AA,AS,AFA)	Majors
<b>Local Level</b>		
College Curriculum Committee	R	R
College Administration	A	A
College Board	A	A
<b>State Level</b>		
VCCS AWP Staff	R	R
Academic, Workforce Development, and Student Affairs Committee of the State Board	R	R
State Board for Community Colleges	A	A
SCHEV Staff	N	-
State Council	N	-

<b>Regional Accreditation</b>		
SACSOC	A/N	A/N

**Table 5-6**  
**Program Discontinuance of Career/Technical Programs**

Key	Action					
R = Review/Recommend A = Approve N = Notification/Reported To	Degree (AAA, AAS)	Major	Specialization			
<b>Local Level</b>						
Curriculum Advisory Committee	R	R	R	R	R	R
College Curriculum Committee	R	R	R	R	R	R
College Administration	A	A	A	A	A	A
College Board	A	A	A	A	A	A
<b>State Level</b>						
VCCS AWP Staff	R	R	N	R	R	N
Academic, Workforce Development, and Student Affairs Committee of the State Board	R	R	-	R	-	-

State Board for Community Colleges	A	A	-	N	N	-
SCHEV	N	-	-	N	N	-
State Council	N	-	-	N	N	-
<b>Regional Accreditation</b>						
SACSOC	A/N	A/N	A/N	A/N	A/N	A/N

**5.2.2 REVIEW OF PROGRAMS**

Institutions must review academic programs on a regular basis, as outlined in Section 8.2.1.0.

Student learning outcomes in all degree programs and majors must be assessed systematically.

**5.2.3 COURSE LISTING IN MASTER COURSE FILE**

All courses approved for the VCCS shall be listed in the Master Course File. Colleges must use the approved course title, credits, and description listed in the Master Course File.

**Table 5-7**

**Review and Approval of Course Revisions and New Courses**

Key	Action
R = Review/Recommend A = Approve N = Notify/Report to	
<b>Local Level</b>	
Curriculum Advisory Committee	R <sup>1</sup>
College Curriculum Committee	R
College Administration	A
College Board	-
<b>State Level</b>	
Colleges offering the Course to be Revised or with the Discipline for New Course	R <sup>2</sup>
Deans' Course Review Committee	R

VCCS AWP Staff	A
<sup>1</sup> Required for CTE courses only.	
<sup>2</sup> Required only for course development through a statewide standardization process such as Transfer Virginia	

Courses shall be inactivated in the Master Course File when they have not been offered in the System for a three-year period, or for other justifiable causes.

The System Office will generate a list of potential course inactivation every two years during the summer, and will notify colleges of intended inactivation to occur on year thereafter.

#### **5.2.4 LOCAL CURRICULUM ADVISORY COMMITTEES**

Local advisory committees must be consulted for the establishment and review of all career/technical degree and stand-alone certificate programs. These committees shall be appointed by the community college president with the approval of the local college board. (See Section 2-A, IX.E., this Manual.)

#### **5.2.5 CURRICULAR OFFERINGS**

Approved curricular offerings shall be included in the college catalog and contain, as a minimum, the following elements of information:

##### Curriculum Description

- a. Curriculum title (as approved by VCCS);
- b. Type of award (degree, diploma, certificate, career studies certificates);
- c. Normal length of the curriculum (number of semesters/terms);
- d. Purpose and curricular objectives;
- e. Admission requirements;
- f. Special program or graduation requirements;
- g. Listing of required courses; and
- h. Total minimum credits.

### **5.2.6 DEVELOPMENT OF COMMON CURRICULA IN CAREER/TECHNICAL EDUCATION PROGRAMS**

The Common Curricular framework provides faculty in the VCCS with the opportunity to work in partnership to develop new curricular content in career/technical education, which includes the career studies certificate, certificate, diploma, associate of applied arts, and the associate of applied science.

A Common Curriculum Committee shall be established by the VCCS Senior Vice Chancellor for Academic and Workforce Programs when there is interest in developing a common curriculum in a career/technical education program. The membership of the Committee shall include, whenever possible, one full-time faculty member representing each college offering or desiring to offer the curriculum, two academic vice presidents, and two academic deans. When appropriate, the VCCS Senior Vice Chancellor for Academic and Workforce Programs may appoint external representatives to serve on the committee.

The Common Curriculum Committee shall develop career/technical education programs in a manner that is responsive to the core needs of the Commonwealth of Virginia, while allowing for flexibility to meet the varying needs of the communities served. The committee may elect to designate all of a curriculum as common but may also elect to create options within a curriculum to allow for flexibility to meet local workforce needs.

The plan of study developed by the Common Curriculum Committee shall be implemented by community colleges offering or desiring to offer the program. Each college shall follow procedures outlined in Table 5-3 for adoption and implementation of the curriculum. Content created through a Common Curriculum Committee shall be designated as such in college catalogs.

### **5.2.7 MAINTENANCE OF COMMON CURRICULA IN CAREER/TECHNICAL EDUCATION PROGRAMS**

Common curricula in career/technical education shall be supported by a Common Curriculum Standing Committee, which is responsible for ensuring the currency and viability of the curriculum. The membership of the committee shall include, whenever possible, one full-time faculty member representing each college offering the program, two academic vice presidents, and two academic deans. The committee will revise the curriculum as needed and will consider as applicable changes to the curriculum to allow for flexibility to meet local workforce needs. Participating colleges shall present the committee's curricular revisions for approval in conjunction with the institution's local curriculum approval process. The Common Curriculum Standing Committee shall meet as needed and convened by the VCCS Director of Academic Programs and Policies.

### **5.2.8 DEVELOPMENT OF COMMON CURRICULA TRANSFER PROGRAMS**

The Common Curricular framework provides faculty in the VCCS with the opportunity to work in partnership with faculty in Virginia's four-year public institutions to develop curricular content in college transfer education, which includes the associate of arts, associate of science, and the associate of fine arts. The curriculum is designed to transfer to Virginia four-year institutions that offer the target baccalaureate program.

A Common Curriculum Committee shall be established by the VCCS Senior Vice Chancellor for Academic and Workforce Programs or designee when there is interest in developing a common curriculum in a transfer education program. The membership of the Committee shall include, whenever possible, one full-time faculty member within a given transfer discipline representing each college offering or desiring to offer the curriculum. The Committee shall confer with four-year discipline faculty on the proposed curriculum to ensure that the curricular content aligns with the first two years of the baccalaureate program.

The plan of study developed by the Common Curriculum Committee shall be implemented by community colleges offering or desiring to offer the program within 18 months. Each college shall follow procedures outlined in Table 5-3 for adoption and implementation of the curriculum. Content created through a Common Curriculum Committee shall be designated as such in college catalogs only when offered as a degree or a major.

### **5.2.9 MAINTENANCE OF COMMON CURRICULA IN TRANSFER PROGRAMS**

Common curricula in college transfer education shall be supported by a Common Curriculum Committee for each transfer program, which is responsible for ensuring the currency and viability of the curriculum. The membership of the Committee shall include, whenever possible, one full-time faculty member within a given transfer discipline representing each college offering or desiring to offer the curriculum. The Committee shall confer with four-year discipline faculty on revising the curriculum to ensure that changes to the curricular content are warranted and appropriate. Participating colleges shall present the committee's curricular revisions for approval in conjunction with the institution's local curriculum approval process. The Committee shall meet every three years to review course learning outcomes, program curriculum, and transfer student preparation. The Committee will be convened by the VCCS Director of Transfer.

**5.2.10 REVIEW AND APPROVAL OF PROGRAM TITLE AND CIP CODE CHANGES**

Colleges wishing to revise existing program titles for degrees, certificates, and diplomas or propose a CIP code change for one of these credentials must justify the change in accordance with Table 5-8. Colleges cannot request degree title changes or CIP code changes for transfer programs featured on the roster of AA and AS degree programs approved by the State Council of Higher Education for Virginia.

**Table 5-8**

**Review and Approval of Program Title and CIP Code Changes**

Key	Action
R = Review/Recommend	
A = Approve	
N = Notify/Report to	
<b>Local Level</b>	
Curriculum Advisory Committee	R <sup>1</sup>
College Curriculum Committee	R
College Administration	A
College Board	A
<b>State Level</b>	
VCCS AWP Staff	R
Academic and Student Development Committee of the State Board	R

State Board for Community Colleges	A
SCHEV Staff	A
State Council	N
<b>Regional Accreditation</b>	
SACSCOC	N
<sup>1</sup> <i>Required for CTE programs only.</i>	

### **5.03 MASTER COURSE FILE AND COLLEGE CATALOGS**

The Master Course File is maintained by the Academic Services and Research Division of the VCCS.

#### **5.3.0 COURSES**

The Master Course File shall include the following information for each course approved for the VCCS:

- a. Course prefix and number;
- b. Course title;
- c. Course credits;
- d. Course prerequisites and corequisites;
- e. Course description;
- f. Course lecture, laboratory, and total contact hours per week.
- g. Classification of course as a Passport Transfer course or Uniform Certificate of General Studies (UCGS) Transfer course if applicable; and
- h. Course outcomes and required topics if course has been developed through Transfer Virginia or other statewide process.

Colleges shall use the course information included in the course description and, if provided, the course content summary posted to the Master Course File. Where appropriate, and as approved by the VCCS, courses may be cross listed in two or more prefixes. Course titles should indicate a clear relationship to the prefix or discipline. Course titles should not be duplicated except in sequenced courses. Abbreviations that are not universally understood, references to specific software packages, and references to licensure or certification should be avoided as part of the Master Course File. Course descriptions shall be written for system-wide use and shall contain minimum standards for content and competencies taught in the course. Colleges may supplement a course description by adding a final sentence to a course description for publication in the college's catalog and related materials to clarify content or licensures/certifications for which students are prepared. When this option is exercised, the additional sentence must align with the Master Course File course description and must be applied to all course sections at the college. Colleges may set additional prerequisites.

### **5.3.0.0 COURSE NUMBERING SYSTEM**

A uniform course numbering system shall be maintained by the Academic and Workforce Programs Unit of the VCCS for all courses approved for the VCCS. The following system shall be used:

- 1-9 Developmental courses. Credits earned in these courses are not applicable toward associate degree programs; however, upon approval by the Chief Academic Officer, some developmental courses may provide credit appropriate for diploma or certificate programs.
- 10-99 Basic non-degree courses for diplomas and certificate programs. Credits earned in these courses are applicable toward diploma and certificate programs, but will not be applicable toward an associate degree. ESL courses may also be numbered 10-99.
- 100-199 Freshman-level courses applicable toward associate degree, diploma, and certificate programs.
- 200-299 Sophomore-level courses applicable toward associate degree, diploma, and certificate programs.

### **5.3.0.1 COURSE HOURS**

The teaching and application of theoretical concepts in lectures, seminars, discussions, and other similar activities are identified as "Lecture," and the application of principles through practical training in laboratories, clinical training, supervised work experiences and other similar classes is identified as "Laboratory."

The number of lecture hours in class each week (including lecture, seminar, discussion, and other similar activities) and/or the number of laboratory, supervised study, coordinated internship, and other similar activities are indicated for each course in the course description. The numbers of lecture and laboratory hours required each week are called "contact" hours.

Distance learning courses must include the same content and deliver the same student outcomes as do the same courses taught in the classroom. Although contact hours for distance learning courses may not refer to seat time, they do still indicate the amount of course time devoted to lecture and laboratory instruction.

### **5.3.0.2 COURSE CREDITS**

The credit for each course must be indicated after the title in the course description. One credit is equivalent to one collegiate semester-hour credit.

Each semester hour of credit given for a course is based on the "academic hour," which is 50 minutes of formalized, structured instructional time in a particular course weekly for fifteen weeks. This is a total of 750 minutes of instruction. In addition to this instructional time, appropriate evaluation will be required. If this evaluation is a final examination, a minimum of 50 minutes of evaluation time shall be scheduled for each course, not to exceed a total of 150 minutes per course. Any exception must have prior approval by the requestor's Chief Academic Officer or designee. Credits may be assigned to the activities as follows:

- a. Lecture – One academic hour of lecture (including lecture, seminar, discussion, or other similar activities) per week, generally for 15 weeks, plus the evaluation or examination period, equals one collegiate semester-hour credit.
- b. Laboratory – Two to five academic hours, depending on the discipline, of laboratory, clinical training, supervised work experience, coordinated internship, or other similar activities per week, generally for 15 weeks, plus the evaluation or examination period, equals one collegiate semester-hour credit.
- c. Asynchronous Distance Learning Courses – In the case of asynchronous distance learning course offerings or hybrid courses that employ a mix of traditional contact hours and learning activities with students and faculty separated by time and place, colleges must demonstrate through faculty peer review that content and competency coverage and student outcomes are equivalent to those of traditional sections of the same class. In the event the only section of the course being taught in the VCCS is an asynchronous or hybrid course, faculty peer review will be employed to confirm that content and competency coverage and student outcomes are appropriate for the course credits awarded.
- d. General Usage Courses – Variable academic hours from one to five credits are required for general usage courses.
- e. Variable Credits – A college may request that a course vary from the existing credit value, but by no more than one credit. Existing variable credit ranges may not be extended. Credit variability will not be approved for purposes of deleting laboratory hours or of making laboratory hours optional. General usage courses and courses numbered 1-99 are exempt from this policy.

### **5.3.0.3 GENERAL USAGE COURSES**

General usage courses apply to multiple curricula and to all disciplines. The college catalog shall include course information (number, title, credits and description) as listed in the Master Course File. More specific titles, credits and course descriptions may be substituted in published class schedules to clarify topics and content covered in a given semester.

General usage courses may be repeated for credit, and may include lecture, laboratory, out-of-class study, or a combination thereof.

#### **90, 190, 290 Coordinated Internship (discipline) (1-5 Cr.)**

Supervises on-the-job training in selected business, industrial or service firms coordinated by the college. Credit/practice ratio not to exceed 1:5 hours. May be repeated for credit. Variable hours per week.

#### **93, 193, 293 Studies In (discipline) (1-5 Cr.)**

Covers new content not covered in existing courses in the discipline. Allows instructor to explore content and instructional methods to assess the course's viability as a permanent offering. A "Studies in" course is intended as an experimental course to test its viability as a permanent offering. Each offering of the course must be approved by the Chief Academic Officer or designee. An experimental course may be offered twice, after which the course must be approved under the appropriate discipline according to VCCS processes for adding new courses to the Master Course File. Variable hours per week.

#### **95, 195, 295 Topics In (discipline) (1-5 Cr.)**

Provides an opportunity to explore topic areas of an evolving nature or of short-term importance in the discipline. Variable hours per week. A "Topics in" course is intended to cover topics of an evolving nature or of short-term importance in the discipline. The course shall be approved by the academic VP or designee for a period up to two years. The Chief Academic Officer or designee may approve an extension of another two-year period, after which the course must be approved under the appropriate discipline according to VCCS processes for adding new courses to the Master Course File.

#### **96, 196, 296 On-Site Training (discipline) (1-5 Cr.)**

Offers opportunities for career orientation and training without pay in selected businesses and industry. Supervised and coordinated by the college. Credit/work ratio not to exceed 1:5 hours. Variable hours per week.

#### **97, 197, 297 Cooperative Education In (discipline)(1-5 Cr.)**

Provides on-the-job training for pay in approved business, industrial and service firms. Applies to all career-technical curricula at the discretion of the college. Credit/work ratio not to exceed 1:5 hours. Variable hours per week.

**98, 198, 298 Seminar and Project In (discipline) (1-5 Cr.)**

Requires completion of a project or research report related to the student's occupational objective and a study of approaches to the selection and pursuit of career opportunities in the field. Variable hours per week.

**99, 199, 299 Supervised Study In (discipline) (1-5 Cr.)**

Assigns problems for independent study outside the normal classroom setting under the guidance and direction of an instructor. Incorporates prior experience and instruction in the discipline. Variable hours per week.

Exceptions to the credit limit may be granted by the Chief Academic Officer.

**5.04 ARTICULATION**

The State Board encourages articulation between the VCCS and other institutions of higher education and will adhere to the policies established by the General Assembly and coordinated by the State Council of Higher Education.

**5.04.01 COMMUNITY COLLEGE COURSES FOR TEACHER CERTIFICATION PROGRAMS**

(per Agreement with the Director of the Division of Teacher Education and Certification for the Virginia Department of Education, February 23, 1968)

Institutions may provide courses requested by the Virginia Department of Education. (Individual students needing courses for certification should be advised to consult with local superintendents for prior approval.)

**5.05 ON-CAMPUS/OFF CAMPUS DEFINITIONS**

“Off-campus” sites are those more than 25 miles from the campus administering them.

**5.06 ACADEMIC POLICIES**

**5.06.01 GRADING SYSTEM FOR CREDIT CLASSES**

In order to receive any letter grade, a student must have attended a minimum of one

class meeting or the equivalent in the case of a distance learning course. In a distance learning course, initial student attendance is determined by course participation as measured by accessing and using course materials, completion of a class assignment, participation in a course discussion, or other evidence of participation. Students who enroll in a course but do not attend a minimum of one class meeting or the distance learning

A - Excellent 4 grade points per credit

B - Good 3 grade points per credit

C - Average 2 grade points per credit

D - Poor 1 grade point per credit

F - Failure 0 grade points per credit

I - Incomplete No grade point credit. The "I" grade is to be used only for verifiable unavoidable reasons that a student is unable to complete a course within the normal course time. To be eligible to receive an "I" grade, the student must (1) have satisfactorily completed more than 60% of the course requirements and attendance and (2) must request the faculty member to assign the "I" grade and indicate why it is warranted. The faculty member has the discretion to decide whether the "I" grade will be awarded. Since the "incomplete" extends enrollment in the course, requirements for satisfactory completion shall be established through consultation between the faculty member and the student. In assigning the "I" grade, the faculty member must complete documentation that (1) states the reason for assigning the grade; (2) specifies the work to be completed and indicates its percentage in relation to the total work of the course; (3) specifies the date by which the work must be completed; and (4) identifies the default (B, C, D, F, P, R, or U) based upon course work already completed. Completion dates may not be set beyond the last day of the subsequent semester (to include summer term) without written approval of the chief academic officer of the campus. The student will be provided a copy of the documentation. Colleges will establish procedures to ensure that all "I" grades that have not been changed by the faculty member through the normal grade change processes are subsequently changed to the default grade assigned by the faculty member. An "I" grade will be changed to a "W" only under documented mitigating

circumstances which must be approved by the Chief Academic Officer of the campus.

P -  
Pa  
ss

No grade point credit; applies only to non-developmental studies courses. Stipulations for application of the "P" grade are outlined in Section 5.6.0.0

R - Re-Enroll

No grade point credit; the "R" grade may be used as a grade option, in developmental and ESL courses only, to indicate satisfactory progress toward meeting course objectives. In order to complete course objectives, students receiving an "R" grade must re-enroll in the course and pay the specified tuition.

S -  
Satisfactor  
y

No grade point credit. Used only for satisfactory completion of developmental studies courses and ESL courses. See Section 5.6.0.1

U -  
Unsatisf  
actory

No grade point credit. Stipulations for application of the "U" grade are outlined in Sections 5.6.0.0, 5.6.0.1, and 5.6.0.2.

W - Withdrawal

No grade point credit. A grade of "W" is awarded to students who withdraw or are withdrawn from a course after the add/drop period but prior to the completion of 60% of the session. After that time, the students shall receive a grade of "F" except under mitigating circumstances which must be documented and a copy of the documentation must be placed in the students' academic files.

For purposes of enrollment reporting, the following

procedures shall apply:

- a. If a student withdraws from a class prior to the termination of the add/drop period for the session, the student is removed from the class roster and no grade is awarded.
- b. After the add/drop period, but prior to completion of 60% of a session, a student who withdraws or is withdrawn from a course shall be assigned a grade of "W".
- c. After that time, if a student withdraws or is withdrawn from a course, a grade of "F" shall be assigned. Exceptions to this policy may be made under mitigating circumstances; such circumstances must be documented and a copy of the documentation placed in the student's academic file. Only the chief academic officer of the campus or his/her designee can approve an exception to this policy under mitigating circumstances.

X - Audit      Students desiring to attend a course without taking the examination or receiving credit for the course may do so by registering to audit through the usual registration process and paying the normal tuition. Permission of the division dean or another appropriate academic administrator is required to audit a course.

Audited courses carry no credit and do not count as a part of the student's course load. Students desiring to change status in a course from audit to credit or from credit to audit must do so within the add/drop period for the course.

Students who desire to earn credit for a previously audited course must re-enroll in the course for credit and pay normal tuition to earn a grade other than "X." Advanced standing credit should not be awarded for a previously audited course.

#### **5.6.0.0 PASS/UNSATISFACTORY GRADING OPTION**

Grades available under the Pass/Unsatisfactory option are 'P' and 'U.' A student under this option receives one or the other of these two grades, except where an 'R,' 'I,' or 'W' is appropriate, according to the conditions for these grades noted in 5.6.0. The pass/unsatisfactory grading option is used for non-punitive purposes. The use of this option requires the approval of the division dean responsible for the course or other designated academic administrator.

The P/U grading option may be used for an entire section of any course, but not for a single individual within a course. Pass grades are not included within GPA calculations.

#### **5.6.0.1 GRADING - DEVELOPMENTAL STUDIES**

A grade of 'S' (Satisfactory) shall be assigned for satisfactory completion of developmental studies courses numbered 1-9 and ESL courses. 'S' grades are not included in grade point average calculations.

Students making satisfactory progress but not completing all of the instructional objectives for a developmental studies course (numbered 1-9) or an ESL course shall be graded with an 'R' (Re-enroll). To complete the course a student must re-enroll.

Students not making satisfactory progress in a developmental studies course or an ESL course shall be graded 'U' (Unsatisfactory). Counselors shall recommend consultation with the instructor to determine the subsequent sequence of courses for the student who

receives a grade of 'U.'

The 'I' and 'W' grades may be utilized according to conditions noted in Section 5.6.0.

#### **5.6.0.2 GRADING – STUDENT DEVELOPMENT COURSES**

The method of grading in Student Development courses shall be a matter of local option, i.e., 'P' or 'U,' or the other letter grades.

#### **5.6.0.3 GRADE POINT AVERAGE**

The grade point average (GPA) is determined by dividing the total number of grade points earned in courses by the total number of credits attempted.

##### **5.6.0.3.0 SEMESTER GRADE POINT AVERAGE**

Semester GPA is determined by dividing the total number of grade points earned in courses attempted for the semester by the total number of credits attempted.

##### **5.6.0.3.1 CUMULATIVE GRADE POINT AVERAGE**

Cumulative GPA, which includes all courses attempted, is computed each semester and is maintained on a continuing basis as a record of the student's academic standing. When students repeat a course, only the highest grade earned is counted in the computation of the cumulative GPA and for satisfying curricular requirements unless the course is designated repeatable for credit in the Master Course File or is a General Usage course. In instances of courses designated as repeatable for credit or General Usage courses, all grades/credits are counted in the computation of the cumulative grade point average. Grades of “S,” “P,” “U,” “W,” “X,” and “I” shall not count as first or subsequent attempts when calculating cumulative GPA. Courses that do not generate grade points are not included in credits attempted.

##### **5.6.0.3.2 CURRICULUM GRADE POINT AVERAGE**

A curriculum GPA, which includes only those courses applicable to the student's curriculum, is computed in order to ensure that the student satisfies the graduation requirement for that curriculum. When students repeat a course, only the highest grade earned is counted in the computation of the curriculum GPA.

### **5.6.0.3.3 GRADES FROM VCCS COLLEGES**

GPA calculations only include grades earned at the home institution, unless specifically noted in an articulation agreement.

### **5.6.0.4 ACADEMIC RENEWAL POLICY**

Students who return to the college after a separation of three (3) years, or more, may petition for academic renewal. The request must be in writing and submitted to the Admissions and Records Office.

If a student is determined to be eligible for academic renewal, “D” and “F” grades earned prior to reenrollment will be deleted from the cumulative and curriculum grade point average (GPA), subject to the following conditions:

- a. Prior to petitioning for academic renewal the student must demonstrate a renewed academic interest and effort by earning at least a 2.0 GPA in the first twelve (12) semester hours completed after reenrollment.
- b. All grades received at the college will be a part of the student's official transcript.
- c. Students will receive degree credit only for courses in which grades of “C” or better were earned prior to academic renewal, providing that such courses meet current curriculum requirements.
- d. Total hours for graduation will be based on all course work taken at the college after readmission, as well as former course work for which a grade of “C” or better was earned, and credits transferred from other colleges or universities.
- e. The academic renewal policy may be used only once and cannot be revoked once approved.

### **5.6.0.5 GRADES**

Final grades are available to students via the student information system. These final grades are a part of students’ permanent record for credit activities.

Mid-semester grade reports (optional) are informational in nature and are not recorded on official transcripts.

#### **5.6.0.6 GRADE PROCESSING**

The timely, accurate, and secure recording and maintenance of students' grades are essential elements of an academic records system. All colleges have the responsibility to ensure that the processes for the initial recording of grades and any subsequent grade changes provide for integrity and confidentiality in the handling of student grades.

Each college shall develop and maintain a detailed "Grades Plan" for reporting and recording initial grades and for changing existing grades. The "Grades Plan" shall address the key control points in the process, including office responsibilities, maintenance and security of any forms, and computer security.

The "Grades Plan" for each college shall minimally include statements concerning the following procedures:

- a. When initial grades and grade changes are entered on the SIS by college personnel other than the instructor of record, the grades shall be verified by an individual other than the party who entered the grade initially, to ensure that they are as assigned by the faculty on the original data entry documents. Each college shall have a transaction document or access to appropriate on-line verification that will apprise the faculty of grade changes and provide an opportunity to verify their authenticity. Each college shall utilize available SIS audit trail support to monitor appropriateness of grade change transactions.
- b. Authorization to access SIS screens that allow for the initial recording of grades and grade changes shall be limited to those with an essential need to maintain the student academic record. Approval of SIS screen access shall be by the appropriate dean with responsibility for student records.
- c. Adequate controls shall exist regarding the maintenance and security of any forms used in the grade assignment process to ensure that only appropriate personnel have access throughout the process of grade entry and change.
- d. Grade changes (i.e., A, B, C, D, F, P, R, S, and U) initiated by college personnel other than the original faculty member, and grade changes for classes taken that are over one year old shall be reviewed and approved by a Chief Academic Officer. Colleges should follow VCCS Policy Manual, Section 5.6.0. (Grading System) in regard to grades of W and I.
- e. The college shall provide for periodic internal written reviews of the "Grades Plan" to ensure compliance with the plan and to determine if any revisions should be made to the plan.

#### **5.6.1 EXAMINATIONS**

Students shall be expected to take examinations at the regularly scheduled times. No exceptions shall be made without the permission of the Chief Academic Officer, or another

appropriate academic administrator, and the instructor of the course.

### **5.6.2 WITHDRAWAL FROM A COURSE**

A student may withdraw from a course without academic penalty during the first 60% of a session. For purposes of enrollment reporting, the following procedures shall apply:

- a. If a student withdraws from a class prior to the termination of the add/drop period for the session, the student is removed from the class roll and no grade is awarded.
- b. After the add/drop period, but prior to completion of 60% of a session, a student who withdraws or is withdrawn from a course shall be assigned a grade of 'W'.
- c. After that time, if a student withdraws or is withdrawn from a course, a grade of 'F' shall be assigned. Exceptions to this policy may be made under mitigating circumstances; such circumstances must be documented and a copy of the documentation placed in the student's academic file.

A grade of withdrawal implies that the student was making satisfactory progress in the course at the time of withdrawal, or that the withdrawal was officially made before the deadline date published in the college calendar, or that the student was administratively transferred to a different program.

### **5.6.3 REPEATING A COURSE**

Credit courses that are designated as repeatable for credit in the Master Course File or are identified as General Usage courses in the Master Course File may be repeated for credit. (General Usage courses: 90-190-290; 93-193-293; 95-195-295; 96-196-296; 97-197-297; 98-198-298; 99-199-299.) Other than the general usage courses, only those courses designed to develop and maintain proficiency in the visual and performing arts, or to meet requirements for certification or re-certification in allied health or applied technology fields, may be designated as repeatable for credit. Students should be limited to 10 credits earned through multiple enrollments in the same course.

A student should normally be limited to two (2) enrollments in a credit course that is not designated as repeatable for credit or is not a General Usage course. Should a college wish to make an exception to this policy on a student-by-student basis, the need should be documented and approved by the college's chief academic officer or designee.

### **5.6.4 ACADEMIC LOAD**

The normal academic course load for students is 15-17 credits. The minimum full-time load is 12 credits and the normal maximum full-time load is 18 credits excluding Student Development (SDV 100, 101, or 108). Students wishing to carry an academic load of more than 18 credits must have the approval of the Chief Academic Officer or designee. Students placed on academic warning or academic probation may be required to take less than the

normal course load. No curriculum may officially list in any publication more than 18 credits per semester plus Orientation.

### **5.6.5 WAIVER OF REQUIREMENTS**

Students having reason to believe that previous educational studies, training programs, or work experience may entitle them to an adjustment in the required courses in a particular curriculum should contact the Division Deans or Counselors at the college to determine procedures before registering for classes. Through subsequent interviews and tests, students may qualify for waiver of curriculum admission requirements, of course prerequisites, and of courses in a curriculum upon the recommendations of the counselor and the instructional division concerned.

Students may substitute equivalent or more sophisticated courses in the same field in any approved curriculum with the approval of the instructional division and the Chief Academic Officer or designee provided they can, by previous educational accomplishment or college administered examination, demonstrate the capability for success in the courses requested.

In addition, if students can demonstrate that previous educational study, training, work experience, or college administered examination results may entitle them to advancement in the courses required for a particular curriculum, upon request and with the approval of the instructional division and the Chief Academic Officer, they may receive advance placement and credit in the course or curriculum for which advancement was requested.

If requirements are waived, students must successfully complete other courses to compensate for the credit hours.

#### **5.6.5.0 WAIVER OF CURRICULUM REQUIREMENTS**

Curriculum requirements waived are those normally required course credits for a particular program which are administratively exempted. Credits waived require election of additional credit courses to compensate for the credits waived.

##### **5.6.5.0.0 PHYSICAL EDUCATION REQUIREMENT FOR VETERANS**

In accordance with Policy 5.6.5.1.e, the physical education requirements for the degree, diploma and certificate programs may be waived for veterans, and the college may grant up to 3 credits of physical education/health credits for basic military training to satisfy the physical education/health credit requirement of the veterans' curricula.

##### **5.6.5.0.1 SUBSTITUTION OF REQUIREMENTS FOR STUDENTS WITH DOCUMENTED DISABILITIES, COVERED BY THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) AND § 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED**

Otherwise qualified students with documented disabilities who are, by reason of their disability, unable to complete a requirement of the program pursued by the student, with or without reasonable accommodations, may request an approved course substitution. <sup>[1]</sup>Substitutions will generally not be granted for any course that is

deemed essential to the program of instruction being pursued by such student, or to any directly related licensing requirement. If requirements are waived, students must successfully complete other courses to compensate for the credit hours.

#### **5.6.5.1 CREDIT FOR PRIOR LEARNING**

Credit for Prior Learning is the administrative awarding of academic credit to students for subject matter competency acquired through previous academic study, nonacademic study, work experience or other nontraditional means. Each college is responsible for ensuring the validity and reliability of the procedures used in the administrative awarding of academic credit.

Colleges may award academic credit for demonstrated student learning acquired through many means, to include but not limited to the following:

- a. Equivalent coursework satisfactorily completed at a postsecondary institution accredited by an agency recognized by the U.S. Department of Education and verified through receipt of an official transcript.
  1. Courses taken at the secondary level shall not be accepted under this policy. Skills acquired through high school experiences may be awarded credit through one of the methods listed below.
- b. Satisfactory scores on comprehensive challenge examination developed and evaluated by college faculty in the discipline for which a course is being challenged.
  1. Developmental courses, supplemental courses, and courses including clinical practice are not eligible for challenge exams.
  2. A challenge exam may not be used to supersede an A-F grade a student already earned in the applicable course.
  3. Colleges are not required to offer challenge exams.
- c. Satisfactory scores on nationally recognized standardized examinations or college-approved external examinations. External examinations used for this purpose include but are not limited to the College Level Examination Program (CLEP), DANTES Subject Standardized Test (DSST) of the Defense Activity for Non-Traditional Educational Support (DANTES), Excelsior Credit by Exam (ECE), the College Entrance Examination Board (CEEB), Advanced Placement (AP) program, Cambridge Advanced (A/AS) examinations, the International Baccalaureate (IB) program, and the Defense Language Proficiency Test (DLPT).

Upon receipt of official test scores, as required by Virginia Code and the Virginia Public Higher Education Policy on Course Credit for AP, Cambridge,

CLEP and IB, all Virginia community colleges shall accept a score of three (3) and higher for Advanced Placement (AP) courses, a score of four (4) or higher for higher level International Baccalaureate (IB) courses, a score of five (5) or higher for standard level International Baccalaureate (IB) courses, a score of fifty (50) or higher on CLEP courses, and scores of E or better for Cambridge Advanced (A/AS) examinations when the equivalent course is offered by the college.

- d. Occupational experience or training determined by faculty that student learning is at least equivalent to the course(s) in which academic credit is awarded. As applicable, when student training or an earned certification or licensure such as military experience has been evaluated by sources such as the American Council on Education (ACE), the National College Credit Recommendation Service, or another college-approved organization, these evaluations may guide faculty recommendations.
- e. College-approved learning assessment service or process (e.g. portfolio) that student learning is at least equivalent to the course(s) in which academic credit is awarded.

#### **5.6.5.1.0 ADMINISTRATION OF CREDIT FOR PRIOR LEARNING**

The determination of such credit must be made by qualified faculty members at the institution or according to procedures and standards approved by qualified faculty ensuring that assessment procedures are appropriate for the credit awarded.

1. The institution must demonstrate that these methods provide assurances of academic comparability to credit earned by traditional means.
2. At least 25 percent of the credit hours required for an undergraduate degree must be earned through credit instruction offered by the institution awarding the degree.
3. In awarding credit for prior learning, the institution must:
  - a. award credit only for documented learning that aligns the prior experience to course learning outcomes;
  - b. only award CPL that is directly applicable to the declared program of study;
  - c. award credit only to matriculated students;
  - d. identify such credit on the student's transcript as credit for prior learning;
  - e. adopt, describe in appropriate institutional publications, implement and

regularly review policies and procedures for awarding credit for prior learning;

- f. clearly describe and establish the validity of the evaluation process and criteria for awarding credit for prior learning;
- g. designate a staff member or office responsible for the application of Credit for Prior Learning to student records and student records shall reflect Credit for Prior Learning and the applicable source (s) of that credit;
- h. clearly post to current and prospective students, faculty, staff and administrators Credit for Prior Learning guidelines, policies, and procedures; and
- i. include in college publications a statement that the college cannot guarantee the acceptance of Credit for Prior Learning by other institutions to which the student may transfer.

#### **5.6.6 ACADEMIC STANDING**

Students are considered to be 'in good academic standing' if they do not fall under one of the below categories. Colleges will determine appropriate actions and resources for students receiving an academic warning as well as those placed on academic probation and suspension.

##### **5.6.6.0 ACADEMIC WARNING**

Students who fail to attain a minimum GPA of 2.00 for any semester shall receive a notification of academic warning to inform them they are at risk of incurring negative academic standings in subsequent terms. Academic warning is not an official standing.

##### **5.6.6.1 ACADEMIC PROBATION**

Students who fail to maintain a cumulative GPA of 1.50 shall be on academic probation until such time as their cumulative average is 1.75 or better. The statement "Academic Probation" shall be placed on their permanent records but shall not be placed on the students' official transcripts. Students may be required to carry less than a normal load the following semester and are required to consult with their advisor/counselor. Students shall be placed on probation only after they have attempted 12 semester credits.

##### **5.6.6.2 ACADEMIC SUSPENSION**

Students on academic probation who fail to attain a semester GPA of 1.50 or better shall be placed on suspension only after they have attempted 24 semester credits. Academic suspension shall be for one semester. The statement "Academic Suspension" shall be placed on the students' permanent records but shall not be placed on the students' official transcript. Students who are placed on academic suspension and

wish to appeal should follow the appeal process established by the college. Suspended students may be reinstated at the conclusion of the suspension period by following the process established by the college. Students who have been reinstated from academic suspension must achieve a 2.00 GPA for the semester of their reinstatement and must earn at least a 1.75 GPA in each subsequent semester of attendance. The statement “Subject to Dismissal” shall be placed on the students’ permanent records. Students who have been reinstated from academic suspension will remain subject to dismissal until their cumulative GPA is raised to a minimum of 1.75. Reinstated students may be required to carry less than a normal course load the following semester and are required to consult with their advisor/counselor.

### **5.6.6.3 ACADEMIC DISMISSAL**

Students who do not attain at least a 2.00 GPA for the semester of reinstatement following academic suspension shall be academically dismissed. Students who achieve at least a 2.00 GPA for the semester of their reinstatement following academic suspension must earn at least a 1.75 GPA in each subsequent semester of enrollment. Failure to attain a 1.75 GPA in each subsequent semester until the cumulative GPA reaches 1.75 shall result in academic dismissal. The statement “Academic Dismissal” shall be placed on the students’ permanent records. Academic dismissal is normally permanent. In exceptional circumstances, students may appeal and be reinstated following processes established by the college. Students who have been reinstated after academic dismissal will remain subject to dismissal until their cumulative GPA is raised to a minimum of 1.75. Reinstated students may be required to carry less than a normal course load the following semester and are required to consult with their advisor/counselor. Colleges are encouraged to make additional academic support available to students who have been reinstated following academic dismissal.

### **5.6.7 SATISFACTORY PROGRESS**

Students pursuing any credit programs are cautioned that, although an average between 1.50 and 1.99 may not result in formal academic probation, a minimum of 2.00 in their curriculum is a prerequisite to the receipt of an associate degree, diploma, or certificate.

### **5.6.8 CLASS ATTENDANCE**

To meet general attendance requirements for grading and financial aid purposes, enrolled students must attend a minimum of one face-to-face or synchronous class meeting or the equivalent for an asynchronous distance learning class. This attendance must be completed by the last day to drop with refund, as defined and published by the institution. Students who do not comply with this attendance policy must be administratively deleted from the course by the college. Existing college policies regarding tuition refunds shall remain in effect. (See also Policy 4.3.2.1 Tuition Refund Procedures.)

Each college may develop an attendance policy. At a minimum, the college attendance policy must align with Policy 5.6.8.1.

Faculty may develop additional attendance requirements for the classes they teach. Any such requirements must be specified in the syllabus.

#### **5.6.8.1 ATTENDANCE DEFINITIONS**

Course attendance requires active participation by a student in an instructional activity related to the course, after the course start date. Attendance is not equivalent to logging into the Learning Management System. Participation includes but is not limited to:

- a. Attending a synchronous class, lecture, recitation, or field or laboratory activity, physically or online, where there is an opportunity for predictable and scheduled substantive interaction between the instructor and students
- b. Submitting an academic assignment;
- c. Taking an assessment or an exam;
- d. Instructor documented participation in an interactive tutorial, webinar, or other interactive computer-assisted instruction;
- e. Participating in an activity group, group project, or an online discussion that the instructor assigns; or
- f. Documented coursework interaction with the instructor.

#### **5.6.9 COMMENCEMENT**

The community colleges shall have at least one formal commencement ceremony each year for students completing curricula. Attendance at this formal commencement ceremony shall be encouraged.

[1] 34 C.F.R. 104.44(a) Academic requirements.

A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that the recipient can demonstrate are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this section. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

### **5.07 ACADEMIC CALENDAR**

The academic calendar for colleges within the VCCS may be determined by the colleges within the following guidelines:

- a. The contract year for faculty extends from August 16 through May 15.
- b. There shall be a minimum of 75 days of instruction in each semester for a total minimum of 150 days of instruction for the academic year.
- c. There shall be approximately 10 days of instructional evaluation (examinations, etc.) in the academic year.
- d. There shall be approximately 20 days of registration and faculty in-service days in the academic year.
- e. An academic calendar year shall consist of 180 working days.

Any deviations from these guidelines must be approved by the Chancellor, VCCS.

### **5.08 DEVELOPMENTAL STUDIES**

Developmental courses are designed to provide the basic skills and knowledge necessary for success in college-level courses.

#### **5.8.0 CREDITS EARNED**

Credits earned in developmental courses are not applicable toward Associate Degree programs; however, upon approval of the Chief Academic Officer, or another appropriate academic administrator, some developmental courses may provide credit applicable to diploma and certificate programs.

#### **5.8.1 COURSE LEVEL**

For the purpose of eligibility for federal Title IV, Student Financial Aid (34 CFT 668.20), it is the responsibility of the college to validate the course level of its developmental courses.

#### **Developmental Course Numbers**

Developmental courses are those numbered 1–9.

### **5.9 WORKFORCE DEVELOPMENT TYPES OF PROGRAMS**

In addition to those programs identified in Section 2-A as being the several educational components within the comprehensive community college system; i.e., occupational/ technical, college transfer, general education, continuing education, special training, developmental programs, and specialized regional and community services, the following policy pertains to

apprenticeship training and continuing education:

### **5.9.0 WORKFORCE DEVELOPMENT PROGRAMS**

Workforce Development Programs help Virginia businesses and industries to be globally competitive by supporting the economic development goals of the Commonwealth and local governments. Such programs may provide credit and non-credit customized training, general education and special skill building programs, and services such as organizational consulting, applicant assessment, career placement or any related service within the capabilities and financial resources of each college individually, collectively or with external partners.

#### **5.9.0.1 FASTFORWARD**

FastForward is an accelerated workforce program that provides financial assistance to Virginians as they train to earn industry credentials and certifications for the most in-demand jobs across the Commonwealth. FastForward programs are funded under the New Economy Workforce Credential Grant Program (§23-38.10:15 of the Code of Virginia). FastForward programs do not award credit initially, but they should be reviewed and assessed for the awarding of credit for prior learning for students who return to a college to further their education in career studies certificate, certificate, and associate degree programs. FastForward shall be used to assist Virginians who intend to enter the workforce within a short period of time after program completion.

All VCCS colleges have the authority to offer FastForward programs. These may be offered in partnership with high schools, but colleges are not required to do so.

##### **5.9.0.1.1 APPROVAL AS FASTFORWARD PROGRAM**

Programs must be approved by the State Board for Community Colleges before colleges may receive FastForward grant funds through the Workforce Credential Grant Program.

To be approved, programs must lead to credentials that:

- include technical and occupational skills identified as necessary for performing functions of an occupation based on standards developed or endorsed by employers;
- are recognized by multiple employers, educational institutions, and across geographic areas where appropriate;
- are competency-based;
- are validated by a third party to assure relevance in the workplace; and

- are reviewed to see if completers course be eligible for prior learning.

Where possible, credentials should be part of a career pathways framework and include stackable credentials that lead to a high-level industry-recognized credential or a postsecondary degree.

#### **5.9.0.1.2 FASTFORWARD STUDENT ELIGIBILITY AND EXPECTATIONS**

FastForward students must:

- a. be domiciled in Virginia;
- b. plan to enter the workforce after completing the Fastforward program or upon graduation from high school;
- c. no longer be in high school or be a high school senior meeting all requirements to graduate on time as determined by the student's school division;
- d. have documented permission of a parent or guardian if under the age of 18;
- e. meet any age requirements for employment in the target industry at the time of program completion or high school graduation, whichever is later;
- f. be responsible for one third of the cost of the program; and
- g. meet all other regulatory requirements related to course and credential completion.
- h.

#### **5.9.0.1.3 INSTRUCTORS**

FastForward Instructors are employed by the sponsoring college even if a FastForward program is offered at a high school.

### **5.9.1 APPRENTICESHIP RELATED INSTRUCTION**

#### **5.9.1.0 DEFINITION**

Apprenticeship Related Instruction is an organized and systematic form of instruction designed to augment on-the-job training for registered apprentices by providing knowledge of the theory and technical aspects of the trade. Related instruction usually consists of a minimum of 144 classroom hours for each year of apprenticeship.

### **5.9.1.1 AUTHORITY**

Pursuant to Sections [23.1-2907.2. Registered apprenticeships; uniform instruction.](#) and [40.1-118. Authority of Council](#) of the Code of Virginia, the State Board for Community Colleges establishes policies to coordinate Apprenticeship Related Instruction delivered by state and local public education agencies. The Chancellor, with the approval of the State Board for Community Colleges, provides for the administration and supervision of related and supplemental instruction for adult and student apprentices. The Virginia Apprenticeship Council advises the State Board for Community Colleges on policies to coordinate apprenticeship related instruction. The Virginia Apprenticeship Council has the authority to determine whether an employer is eligible for services and conforms with the standards governing registered apprenticeship programs.

### **5.9.1.2 ADMINISTRATIVE GUIDELINES**

The VCCS shall oversee policies for the delivery of apprenticeship related instruction to registered apprentices through annual contracts with regional administrative agents based at community colleges or local school divisions. The contract, as well as the Apprenticeship Related Instruction Coordinator's Information and Procedures Handbook, housed in the office of the Coordinator of Apprenticeship Related Instruction, specifies the curriculum, supervisory, and administrative services necessary for coordinating and delivering related instruction for apprentices. The VCCS shall distribute funding for Apprenticeship Related Instruction from resources provided by the Commonwealth of Virginia based on a plan approved annually by the VCCS.

### **5.9.1.3 FINANCIAL SUPPORT OF APPRENTICESHIP RELATED INSTRUCTION**

Tuition is set by authority of the State Board for Community Colleges and by local school divisions. Additional reimbursement, provided through the VCCS, is based on state general fund appropriations. Contracts shall not imply any requirement on the part of the state for reimbursement beyond the amounts appropriated annually for such purposes, or beyond the biennial period covered by any such appropriation.

### **5.9.1.4 GRANTING COLLEGE CREDIT FOR APPRENTICESHIP WORK EXPERIENCE AND RELATED INSTRUCTION**

College credit for apprenticeship related instruction delivered through local school divisions may be awarded based upon negotiated program agreements and dual credit agreements between local school divisions and community colleges. Colleges granting credit toward an associate's degree for apprenticeship related work experience will use validated evaluation measures and procedures for awarding experiential credit.

## 5.10 CONTINUING (ADULT) EDUCATION AND COMMUNITY SERVICES

### 5.10.0 CONTINUING EDUCATION

Continuing Education programs shall be offered to enable adults in the region to continue their learning experiences. Programs may include both credit and non-credit courses. Continuing Education is a purposeful and systematic process of lifetime learning for individuals who are not enrolled in a formally structured curriculum. It is implemented by programs to further develop existing knowledge, latent human resources, and new insights and skills. Continuing Education includes credit courses offered independent of a curriculum to enable individuals to continue their learning experiences and non-credit courses and specialized services provided for the educational needs of the region. These latter services may include offerings separate from formalized classroom instruction and may consist of conferences, institutes, workshops, seminars, and special training programs. In clarification of the above policy, it is noted that courses in the Master Course File may be offered for credit as continuing education courses. Non-credit courses designed by the college to meet area needs also may be offered as continuing education courses but do not require approval or listing in the Master Course File. The continuing education unit (CEU) is to be used as the basic unit of measurement for an individual's participation in, and an institution's offering of non-credit classes, courses, and programs sponsored by Virginia community colleges or the System Office of the VCCS. Appropriate records, as set forth below, must be maintained on all non-credit activities for which CEU credit is awarded.

The following distinction is made between non-credit continuing education activities and community service activities: non-credit activities for which CEU credit is awarded are considered to be continuing education; non-credit activities for which no CEU credit is awarded are considered to be community services.

### 5.10.1 DEFINITIONS

Continuing Education Unit. The continuing education unit (CEU) is defined as ten (10) contact hours in an organized continuing education (adult or extension) experience under responsible sponsorship, capable direction, and qualified instruction. (A decimal fraction of a unit may be awarded for an offering of shorter duration.)

Full-time Equivalent Continuing Education Student. An annual full-time equivalent continuing education student is defined as forty-five (45) continuing education units.

Conference A general type of meeting, usually of one or more day's duration, attended by a fairly large number of people. A conference may have a central theme, but is often loosely structured to cover a wide range of topics. The emphasis is on prepared presentations by authoritative speakers, although division into small group sessions for discussion purposes is often a related activity.

Institute Generally similar to a conference, but more tightly structured to provide a more systematic development of its theme, with the emphasis more on providing instruction in principles and techniques than on general information. Participants are usually individuals who already have some competence in the field of interest. Institute programs may have

certain continuity, meeting on a yearly basis for example:

Short Course A sequential offering, as a rule under a single instructor, meeting on a regular basis for a stipulated number of class sessions over a short period of time (e.g., one to three weeks, etc.). Quizzes and examinations may be given--depending upon the determination of requirements. The non-credit course under this definition may resemble the credit course in everything but the awarding of credit. It may also be more informal and more flexible in its approach in order to meet the needs of students.

Workshop Usually meets for a continuous period of time over one or more days. The distinguishing feature of the workshop is that it combines instruction with laboratory or experimental activity for the participants. The emphasis is likely to be on skill training rather than on general principles. Seminar A small group of people with the primary emphasis on discussion under a leader or resource person or persons. In continuing higher education a seminar is more likely to be a one-time offering, although it may continue for several days.

Special Training Program A skill program which offers a combination of instruction and practice. The approach is usually on a more individualized basis than a workshop.

Media Instruction Media instruction includes any form of instruction offered in special activities through television, radio, computer assisted instruction (CAI), telewriter, telelecture and other forms of media instruction which may develop.

#### **5.10.2 CRITERIA FOR APPLYING THE CONTINUING EDUCATION UNIT**

Continuing Education Units shall be awarded only for educational programs which meet the basic criteria presented below. Programs can be classified in either of the following areas.

Area I: Programs which are wholly structured to provide skills and/or knowledge for occupational improvements in fields, such as:

Agriculture and food production  
Business and industry  
Clerical services  
Education  
Government  
Health services  
Law and law enforcement  
The professions  
Trades and technologies

Area II: Programs specifically organized to provide help in the solution of problems confronting the state, such as:

Aging

Agriculture and production  
Citizenship  
Community development and  
housing  
Criminal Justice  
Education  
Environment  
Health and safety  
Human relations and  
communications

Activities classified in the above categories for which Continuing Education Units are to be awarded shall meet at least the following standards:

- a. The non-credit activity is planned in response to an assessment of educational needs for a specific target population.
- b. There is a statement of objectives and rationale.
- c. Content is selected and is organized in a sequential manner.
- d. There is evidence of pre-planning which should include the opportunity for input by the target group to be served, the faculty having content expertise, and continuing education personnel.
- e. The activity is instructional and is approved by an academic or administrative unit of the institution best qualified to effect the quality of the program content and to approve the resource personnel utilized.
- f. There is provision for registration for individual participants.
- g. Evaluation procedures are utilized, and criteria are established for awarding Continuing Education Units to individual students prior to the beginning of the activity.

### **5.10.3 REQUIRED RECORDS AND REPORTS**

The institution is responsible for establishing and maintaining permanent records of Continuing Education Units awarded. These records shall contain at least the following:

- a. For each individual student, a cumulative record showing:
  - The name of the student
  - Social Security Number of the student (or student number assigned by the college)
  - Title(s) of course(s)
  - Starting and ending dates of activity(s)

--Number of CEUs awarded

b. For each activity, an activity description showing:

- The title of the activity
- Description of the activity and comparative level
- Starting and ending dates of the activity
- Format of the activity
- Number of CEUs to be awarded for completion of the activity
- The name of the instructor(s)
- Any cooperating sponsors, companies, associations, agencies, institutions, etc.
- Activity classification, i.e., professional, liberal education, vocational, job entry, in-service, etc.
- A roster of participants, showing at least the name and Social Security Number of each participant and whether the participant satisfactorily completed the activity

## **5.11 NON-CREDIT GRADING POLICY**

### **5.11.0 RECOGNITION**

Local college boards have the authority to grant “awards of completion” for persons satisfactorily completing community service and workforce development non-credit courses. Community service courses are not occupational in content and do not award CEUs. As such, grades are not required for community service courses.

Grades are required for workforce development non-credit courses. Workforce development non-credit courses are occupational in content and suitable for Continuing Education Units (CEUs). CEUs do not have to be awarded.

### **5.11.1 GRADING SYSTEM FOR WORKFORCE DEVELOPMENT NON-CREDIT COURSES**

A grade of “S” demonstrates satisfactory course completion. The grade of “G” is used in unique circumstances and at the discretion of the college to recognize limited subject competency. The grade of “U” is a failing grade. “I” is an interim grade or a non-punitive final grade. Grades of “N” and “W” are non-punitive grades. “X” indicates that a course was completed (or taken) for content and no grade awarded.

No grade point credit shall be assigned to the following grades:

S – Satisfactory. Individual demonstrates subject competency (assignments, labs, tests, clinical, etc.) and fulfilled attendance requirements needed to pass the course. Individual is ready to progress to higher level course. CEUs can be awarded.

G – Progress. Optional grade used in unique circumstances and only at the discretion of the college for courses such as ESL, in which demonstration of progression toward

subject competency is desired. Individual fulfilled attendance requirements but fails to demonstrate the level of subject competency needed to earn an “S” or CEUs. Individual is not ready to progress to a higher level course but would benefit from repeating the course. CEUs cannot be awarded.

U – Unsatisfactory. Individual fails to demonstrate subject competency and/or fulfillment of attendance requirements needed to pass the course and to move to a higher level course. CEUs cannot be awarded.

I – Incomplete. Individual, due to unavoidable circumstances, attended part but not all of a course. CEUs cannot be awarded. Courses for which the grade of “I” has been awarded must be successfully completed by the end of the subsequent semester for another grade (“S”, “U”, or “G”) to be awarded by the instructor. If “S” is awarded, CEUs can be awarded. If “U” or “G” is awarded, CEUs cannot be awarded.

N – No Show. Individual neither attends nor formally withdraws from a course for which registered.

W – Withdrawal. Individual formally withdraws from a course after the refund period but prior to the start of the course.

X – No Grade. No grade awarded. Course taken for purpose of learning the subject matter and not for a grade. CEUs cannot be awarded.

### **5.11.2 GRADE REPORT**

Final grades are available to students via the web or IVR systems. These final grades are a part of students’ permanent record of non-credit activities.

## **5.12 COMMUNITY SERVICES**

### **5.12.0 COMMUNITY SERVICES**

Community services include meetings and special community projects which are designed to provide needed cultural and educational opportunities for citizens of the region. The following policies apply:

- a. These programs are designed to supplement the regular instructional program, shall be designated as community services, and shall not be regarded as part of the regular instructional program.
- b. No college credit shall be awarded for these programs.
- c. These programs shall not be listed on the student's permanent record card.

#### **5.12.1.0 TYPES OF SERVICES**

The facilities and personnel of the community colleges are available for community services such as:

- a. Faculty and staff speaking engagements for local organizations;
- b. Cultural events;
- c. Public affairs, lectures and forums;
- d. Newspaper articles on educational topics;
- e. Non-instructional radio and television programs;
- f. Special community (research and development) projects;
- g. Extension programs offered by four-year institutions;
- h. General interest films;
- i. Exhibits; or
- j. Special campus services for use by local citizens including the library, learning laboratory, and counseling center.

**5.12.1.1 ADMINISTRATIVE GUIDELINES**

The president of each community college shall designate a director or an individual to be responsible for the programs of continuing education and community services and shall prescribe the director's duties and responsibilities in accordance with the policies and regulations of the State Board and the VCCS.

- a. The director of the programs shall utilize the assistance of other staff and faculty members and the services of relevantly involved citizens.
- b. The community college shall work cooperatively with other local and State agencies interested in developing such services.
- c. Whenever possible and practical, college facilities may be made available for community use. Community college facilities shall also be available to four-year colleges and universities desiring to offer programs at the upper-division and graduate levels.
- d. Periodic reports shall be provided to the local college board regarding specialized regional and community service programs. The local college board shall make recommendations to the college administration regarding the development and operation of such programs. The local college board may appoint a special committee of citizens to advise on the establishment, promotion, development, and evaluation of these programs.
- e. Reports for the continuing education and community service (non-credit) programs shall be filed semi-annually with the System Office (Reports

Coordinator) of the VCCS and as requested by other appropriate agencies.

#### **5.12.1.2 FINANCIAL SUPPORT**

Community education and community service programs appropriated in the Educational and General Program are regarded as being self-supporting in the aggregate. The fees for community education and community service programs shall be established so as to provide funds to pay the direct costs plus an additional 30% to defray general overhead costs. All funds are to be received and disbursed through the State Treasury.

### **5.13 REGISTRATION FOR NON-CREDIT COURSES**

Students may register in non-credit open enrollment courses or customized training, as defined below.

#### **5.13.1 OPEN ENROLLMENT**

Job-related or personal-growth courses delivered by a college's workforce development department and offered to the general public. Tuition and fees may be paid by individuals or by a third party. Continuing education units (CEUs) may or may not be offered.

Students registering for open enrollment courses, must complete the following application fields:

First Name:

Last Name:

Birthdate:

Address:

Phone Number:

Gender:

Citizenship Status:

Veteran/Military Service:

#### **15.13.2 CUSTOMIZED TRAINING**

Job-related courses delivered by a college's workforce development services that are designed to meet the training needs of a specific client, organization, company, or consortium and are offered to the employees or designees of the client. Customized training courses shall

be paid for by the client according to the terms of a signed contract with the college. Continuing education units (CEUs) may or may not be offered.

Students registering for customized training courses, must complete the following application fields:

First Name:

Last Name:

Birthdate:

Address:

Phone Number:

Gender:

Citizenship Status:

Veteran/Military Service:

#### **15.13.2.1 LIMITED ENROLLMENT**

Customized training courses for which the client is unwilling to provide complete student registration information as noted in 5.13.2. Students taking limited enrollment courses will not have a VCCS transcript, the course(s) will not count towards VCCS certification requirements, nor will the student have access to other functionalities available in the VCCS student information system. In addition, students enrolled in limited enrollment courses are ineligible for financial aid or other public funding.

Students registering for limited enrollment courses are required to provide their first and last name.

### **5.14 ADOPTION AND USE OF OPEN EDUCATIONAL RESOURCES**

#### **5.14.1 OER DEFINITION**

Open Educational Resources (OER) are publicly available teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. Open educational resources include full courses, course materials, modules, textbooks, streaming videos, software, and any other tools, materials, or techniques used to support access to knowledge.

“OER Course” is a course exclusively using freely available OER.

#### **5.14.2 USE OF OER MATERIALS**

Colleges shall make use of OER materials in accordance with the provisions of the VCCS Policy 12.0, Intellectual Property Policy and Procedures; the Creative Commons licensing standards; the Digital Millennium Copyright Act of 1998; applicable state and federal copyright laws; accepted best practices of the OER community, including a succinct and well-accepted definition of OER; and college policies and academic standards.

#### **5.14.3 RESPONSIBILITIES AND SUPPORT OF FACULTY USING OER MATERIALS**

Faculty who incorporate OER materials into their courses, or create, adapt, or share OER shall be in compliance with policies governing the use of course materials under VCCS Policy 12.0, Intellectual Property Policy and Procedures.

When developing OER, faculty are to use only materials that are published under a Creative Commons License or exist in the Public Domain. It is the faculty member's responsibility to ensure that content incorporated into OER courses is eligible for and meets the standards for a Creative Commons license and is properly attributed. Faculty should consult the college's intellectual property policy administrator or other OER expert to determine eligibility and correctly note attributions.

Colleges shall ensure that all OER materials are accessible to persons with disabilities.

VCCS colleges will provide training, support, and encourage recognition of OER use, adaptation, and creation as a meaningful scholarly and professional endeavor.

#### **5.14.4 LICENSING OER**

Faculty or staff who create original content that is incorporated into a course designated as OER or who create OER of other types or formats shall place a Creative Commons Attribution License on such content as defined in VCCS Policy 12.03.f Creative Commons.

#### **5.14.5 IDENTIFICATION OF OER COURSES**

Courses exclusively using low cost or no cost OER materials will be identified within the course registration system.

**SECTION 6: STUDENT DEVELOPMENT SERVICES**

## **6.0 ADMISSIONS**

### **6.0.0 APPLICATION FOR ADMISSION**

A common application for admission shall be used by each community college. This application shall include the basic data elements and information needed to admit the student to the college and to comply with state and federal reporting requirements. It shall also include the age, gender, and race disclosure statement, the official VCCS non-discrimination statement and the required data elements for students to apply to qualify for in-state tuition charges. Supplemental applications may be used by each community college for the admission of students.

#### **6.0.0.1 APPLICATION FOR READMISSION TO THE COLLEGE**

If a student in “good academic standing” (as defined in Section 5.6.6) has not been enrolled within the last three years (nine terms), he/she will be required to complete a new application for admission.

### **6.0.1 GENERAL ADMISSION TO THE VCCS COLLEGES**

Individuals are eligible for admission to the community college if they are high school graduates or the equivalent, or if they are eighteen years of age or older and able to benefit academically from study at the community college, as demonstrated by assessment in reading, writing, and mathematics. Minimum scores are noted in the chart below. Colleges may allow students who are in their final semester of high school or home school to enroll in summers courses. These students must provide documentation of graduation in order to enroll in subsequent semesters.

VPT

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Reading	EDE 10
Writing	EDE 10
Math	MDE 10

Exceptions to this policy may be made by the college president only for documented reasons.

Individuals may be admitted to VCCS colleges as curricular or non-curricular students. Curricular students are those placed in degree, certificate, career studies certificate, or diploma program. All other students are considered non-curricular.

For all curricular students, the following items are required:

- a. A completed official application for admission.
- b. Unless otherwise specified by the college, official transcripts from all high schools, colleges, and universities attended. Graduates who complete secondary school in a home school setting must provide a graduation date and may be required to provide documentation of coursework. The VCCS Student Information System academic records will be sufficient for colleges within the Virginia Community College System.
- c. Additional information as stated by the college for admission to specific programs or curricula.

For all non-curricular students, a completed official application for admission is required.

VCCS shall promote and maintain equal employment and educational opportunities without regard to race, color, religion, disability, sex, sexual orientation, gender identity, ethnicity, marital status, pregnancy, childbirth or related medical conditions including lactation, age (except when age is a bona fide occupational qualification), status as a veteran, national origin, or other non-merit factors.

#### **6.0.1.1 REFUSAL OR REVOCATION OF ADMISSION**

The colleges reserve the right to evaluate and document special cases and to refuse or revoke admission if the college determines that the applicant or student poses a threat, is a potential danger, is significantly disruptive to the college community, has provided false information or any information for a fraudulent purpose, or if such refusal or revocation is considered to be in the best interest of a college. The colleges also reserve the right to refuse admission for applicants who have been expelled or suspended from, or determined to be a threat, potential danger, or significantly disruptive by another college. Students whose admission is revoked after enrollment must be given due process. Each college must have a procedure for determining when denial is warranted.

#### **6.0.2 ADMISSION TO SPECIFIC CURRICULA**

In addition to the general admission requirements listed in Section 6.0.1 above, each college may establish additional requirements for admission to specific curricula. In establishing such requirements, colleges should consider such criteria as student preparedness, available spaces in the program, and standards established by professional accrediting bodies. Colleges may not use a prospective student's immunization or vaccination status in admission decisions for competitive admission programs. Colleges must notify prospective students that clinical sites or other external entities may require vaccinations and other immunizations and must require students to sign the Statement on Immunizations and Vaccinations as provided by the VCCS Legal Office. Students not initially meeting admission requirements for a specific program may qualify to be placed in an appropriate curriculum or will be considered

non-curricular until such time as requirements are satisfied and they are granted admission to the curricula. The appropriate college officer shall officially notify students of their admission to the curriculum. Admission requirements to curricula will be published in the college catalog.

A person applying to enter one of the associate degree curricula (Associate of Science, Associate of Arts, Associate of Arts and Sciences, Associate of Applied Science, etc.) must be a high school graduate or the equivalent or otherwise be considered eligible by the college.

#### **6.0.2.1 READMISSION TO A SPECIAL ADMISSION CURRICULUM**

Colleges must have a published policy for readmitting students to a special admission curriculum if the student has not been enrolled in that curriculum for a period of at least one year (three consecutive terms).

#### **6.0.3 SPECIAL ADMISSION REQUIREMENTS FOR INTERNATIONAL STUDENTS**

In addition to the general admission requirements of the college, all international applicants who wish to enroll as curricular students and whose native language is not English must demonstrate proficiency in both written and oral English. Proficiency can be demonstrated through a standardized national test (e.g. TOEFL, IELTS), a locally developed test approved by the college, or participation in Pathways Program for English proficiency approved by the U.S. Immigration and Customs Enforcement (ICE) Student and Exchange Visitor Program (SEVP). Additionally, international applicants must comply with established college admissions policies, specifically those related to the issuance of an I-20 Form by the US. Department of Homeland Security.

#### **6.0.4 STUDENTS WITH DOCUMENTED DISABILITIES**

Consistent with Section [504 of the Rehabilitation Act of 1973](#) and the [Americans with Disabilities Act of 1990](#), the VCCS guarantees that no qualified individual shall be denied access to, participation in, or the benefits of college because of a disability. Each qualified person shall receive appropriate, reasonable accommodations upon request to ensure full and equal access to educational opportunities, programs, and activities.

In order to provide appropriate, reasonable accommodations to students with disabilities who seek them, colleges should require documentation from a qualified professional that includes a full clinical description and current functional limitations. This documentation should also include information about the methodology used to make a diagnosis, specific results of the assessments used, summary data, and specific assessment scores based on adult norms where having such additional information will assist colleges in engaging in a deliberative and collaborative decision-making process that considers each student's unique situation and experience, but not where requesting such information becomes overly burdensome to a student.

### **6.0.5 ADMISSION PRIORITIES**

When enrollments must be limited for any curriculum, priority shall be given to all qualified applicants who are residents of the political subdivisions supporting the college and to Virginia residents not having access to a given program at their local community college, provided such students apply for admission to the program prior to registration or by a deadline established by the college. In addition, residents of localities with which the college has clinical-site or other agreements may receive equal consideration for admission.

### **6.0.6 STUDENTS TRANSFERRING FROM OTHER COLLEGES**

Normally, transfer students who are eligible for re-entrance at the last college of attendance are also eligible for admission to the community college.

Transfer students who are ineligible to return to a particular curriculum in a previous college generally may not be allowed to enroll in the same curriculum in the community college until one semester elapses or until an approved preparatory program at the college is completed. The college shall decide on each case and can impose special conditions for the admittance of such students.

Students transferring from another college should consult the appropriate office at the community college for an assessment of credits to determine their standing before registering for classes. No credit shall be given for courses with grades lower than "C".

Any VCCS course in which a student received a grade of "C" or better (excluding general usage courses) will transfer as the same course at any other college in the VCCS.

### **6.0.7 TRANSFER BETWEEN CURRICULA**

Each college should establish procedures for transfer between curricula and publish them in its student handbook and/or college catalog.

### **6.0.8 HEALTH INFORMATION**

Student physical health records may be maintained for each student as required by programs or activities, and these records shall be available to persons able to demonstrate a legitimate need to access them. When symptoms indicate possible mental or emotional illness, a referral may be made to a proper source for assistance.

First aid services shall be made available to the student through arrangement with an outside agency/organization or by using qualified members of the college staff.

Colleges will make general health and wellness information available to students.

### **6.0.8.1 CONTAGIOUS DISEASES POLICY**

Each college must have a contagious diseases policy.

### **6.0.9 EMAIL ACCOUNTS**

Electronic mail or “email” is one method for communication at the Virginia Community College System (VCCS).

#### **6.0.9.1**

When communicating legally required information, personally identifiable information, grades, or any FERPA-protected information, faculty and staff must use college or VCCS email and VCCS student email or other VCCS authenticated method.

#### **6.0.9.2**

Other communication of a more general nature that does not include legally required, personally identifiable, or FERPA-protected information should use the most appropriate electronic means for reaching the intended audience. This includes general information about class assignments, quizzes, tests, programs, college-wide announcements, financial aid or tuition payment due dates, course or registration information, weather-related closings or delays, and college events.

#### **6.0.9.3**

Where a prospective student does not have a VCCS email address, the email address provided by the prospective student may be used.

#### **6.0.9.4**

Colleges must use a secure site and login procedures to send legally required, personally identifiable, or FERPA-protected information to a noncredit student who does not use a VCCS email address.

### **6.1 STUDENT DOMICILE**

The Virginia Community College System is guided by the Code of Virginia and the regulations of the State Council of Higher Education on determining domicile.

The individual performing the admissions function shall determine if a student has been domiciled in the Commonwealth of Virginia for at least one year immediately prior to the commencement of the semester for which in-state tuition is sought.

Students classified as out-of-state who can provide clear and convincing evidence that they were eligible for Virginia domicile on the first day of class for a term may have their tuition status changed for the current term. Students should follow the institution’s domicile appeal policy.

In the event that a student’s circumstances change after a semester has begun, the student’s tuition status may be eligible for reclassification. This reclassification shall be effective for the

next academic semester or term following the date of the application for reclassification. Students should follow the institution's domicile appeal policy.

## **6.2 STUDENT REGISTRATION AND RECORDS**

### **6.2.0 REGISTRATION PROCEDURES**

Each community college shall establish registration procedures in accordance with Section 8.3.0. Students must follow these procedures to register for a course or to change their program after registration. Students who wish to enter a course after the add period must follow established college procedures.

### **6.2.1 LATE REGISTRATION FEE**

See Section 4.3.1.3, Miscellaneous Education and General Program Fees

### **6.2.2 WITHDRAWAL**

To withdraw from a class or from the college for any reason, a student shall follow procedures established by the college. Failure to follow such procedures may result in the assignment of failing grades to the student's permanent record.

### **6.2.3 STUDENT GRADES**

All colleges shall record grades as outlined in Section 5.6.0.

### **6.2.4 STUDENT PERMANENT RECORD**

A uniform student permanent record shall be used by each community college. The permanent record includes:

- a. The credits transferred from other institutions, including the number of credit hours given (the number of hours may change if the student transfers from one curriculum to another);
- b. The semester in which the student is currently enrolled;
- c. The student's social security number or ID number;
- d. The Academic Program and Plan;
- e. The course number, the course title, the hours attempted, the hours completed, and grade for each course. Course section shall be optional;

- f. A grade point average for each semester attended;
- g. The cumulative grade point average of the student; and
- h. Academic action taken against the student including academic probation, suspension, and dismissal. This does not require notation on the student's official transcript.
- i. Degrees, diplomas, certificates, honors.

#### **6.2.4.0 Disciplinary Transcript Notations**

Students who have been suspended for, have been permanently dismissed for, or have withdrawn from a college while under investigation for an offense involving sexual violence under the college's sexual misconduct policy will have a notation stating either "Suspended/Dismissed for a violation of, or withdrew while under investigation for a violation of [the name of the College's] sexual misconduct policy" placed on their permanent records. Furthermore, in order to alert other institutions of higher education of a student who was dismissed for exhibiting threatening or dangerous behavior, or otherwise has committed an act of misconduct, colleges may place a statement on the transcript, which shall state "Misconduct Dismissal." Prior to making any disciplinary notation on a transcript, colleges shall notify the student in writing of such action and give the student the right to appeal. The appeal may be part of the college's normal process for conduct cases. Each college shall adopt a policy on disciplinary transcript notations that is consistent with this policy.

#### **6.2.4.1 Student Information System (SIS) Records Indicators**

In addition to the above, colleges may place on a student's SIS record an XTA service indicator when a student is dismissed for misconduct, exhibits threatening behavior, or is determined to be a potential threat. Colleges shall use the XTA indicator only after a threat assessment team has made a determination that the student poses a threat to the campus community. Colleges also may place on a student's SIS record an XIT service indicator when a student is under investigation for an act of sexual violence. If the student is found "not responsible" following an investigation, colleges shall remove the indicator immediately. For each indicator, prior to placing a service indicator on a student's SIS record, colleges shall notify the student that the college will place the service indicator on the student's SIS record. Colleges shall explain the reason for the service indicator and give the student the right to appeal. The appeal may be part of the college's normal process for conduct cases. Each college shall adopt a policy on the use of service indicators that is consistent with this policy. If students who have been dismissed for misconduct or had a service indicator placed on a student's SIS record, or both, request that transcripts of their records be sent to another college, a statement may be placed on transcripts stating "additional information available upon request from the designated college official."

#### **6.2.4.2 AMENDING STUDENT RECORDS**

Under the provisions of the Family Educational Rights and Privacy Act (“FERPA”), students must have an opportunity to challenge the accuracy of the information that led to the application of the indicator to their record at the college placing the indicator. The challenge may only address the accuracy of the information, any misleading information, or a violation of the student’s privacy rights. The college shall decide whether to amend the record as requested within a reasonable time after the college receives the request. If the college decides not to amend the record as requested, it shall inform the student of its decision and of his or her right to a hearing. If the student prevails at the hearing, the record shall be corrected and the indicator should be removed, unless other facts support the continued use of the indicator. If the college prevails, the student has the right to place a statement in his or her record challenging the college’s actions. The college must maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

#### **6.2.4.3 USE OF SERVICE INDICATORS IN ADMISSION DECISIONS**

If a student with an XTA on his or her student record at one Virginia community college applies to another community college (“the new college”), the new college shall make an admissions determination based on independent threat assessment to determine whether the applicant continues to pose a threat to the campus community.

#### **6.2.5 STUDENT RECORDS RETENTION**

Each college shall comply with the Virginia State Library and Archives Records Retention Schedule and procedures for destruction of records.

#### **6.2.6 PRIVACY OF EDUCATION RECORDS**

Each institution shall establish and publish information release policies that respect the rights of individual privacy, the confidentiality of records, and the best interests of the student and institution. As provided by the Family Educational Rights and Privacy Act (FERPA) and Virginia law, colleges may designate the following types of information as directory information and disclose directory information items without the student’s prior consent:

1. Student’s Name
2. Participation in officially recognized activities and sports
3. Weight and height of members of athletic teams
4. Degrees, honors, and awards received
5. Major field of study

6. Dates of attendance
7. Grade level
8. The most recent educational agency or institution attended
9. Number of credit hours enrolled
10. Photos

#### **6.2.6.1 PROHIBITED DISCLOSURES**

Colleges shall not disclose the address, telephone number, or email address of a student as directory information or pursuant to a Freedom of Information Act (FOIA) request without the prior written consent of the student, unless the disclosure is to students enrolled in the college for educational purposes or institution business and the student has not opted out of such disclosure. Colleges may establish policies that allow students to opt-in to the disclosure of such information without prior written consent for other purposes, e.g., disclosures of foundations or honor societies.

Students also must provide official notification to the office of the college's registrar to prevent the disclosure of directory information listed in Section 6.2.6.

#### **6.2.6.2 RELEASE OF EDUCATIONAL RECORDS FOR DEPENDENT STUDENTS**

Colleges shall establish a policy and procedures that require the release of the educational record of a dependent student, as defined by Section 152 of the Internal Revenue Code 1986 to a parent at his request. Colleges may require proof of dependency prior to the release of the educational record.

### **6.3 STUDENT CLASSIFICATION**

#### **6.3.0 GENERAL STUDENT CLASSIFICATIONS**

(SB; HEW Regulations, Higher Education Act of 1965, P.L. 89-329)

##### **6.3.0.0 CURRICULAR STUDENT**

A student shall be classified as a curricular student if the following three conditions are satisfied: (1) the student holds a high school diploma, a GED or its equivalent, or is otherwise determined qualified for admission; (2) the required documents for general admission to a curricular program are received by the Office of Admissions; and (3) the student has been admitted to one of the college's curricula including international students requiring issuance of an I-20.

### **6.3.0.1 NON-CURRICULAR STUDENT**

Students who are not formally admitted to a credit-bearing program of study are considered non-curricular students. (International students requiring issuance of an I-20 or students receiving Federal or State aid are not eligible for this classification).

## **6.3.1 STUDENT LEVEL**

### **6.3.1.0 FRESHMAN**

Students are classified as freshmen until 30 semester credits of study have been completed.

### **6.3.1.1 SOPHOMORE**

Students are classified as sophomores after 30 semester hours.

## **6.3.2 STUDENT ENROLLMENT DEFINITIONS**

### **6.3.2.0 FULL-TIME STUDENTS**

Students enrolled for 12 or more credits in a semester are considered full-time students.

### **6.3.2.1 PART-TIME STUDENTS**

Students enrolled for fewer than 12 credit hours in a semester are part-time students. Students enrolled for the summer term are all defined as part-time students for SCHEV reporting purposes only--not for tuition computation.

## **6.4 STUDENT DEVELOPMENT**

This policy applies to students taking credit or non-credit classes at VCCS colleges.

### **6.4.0 ADVISING/COUNSELING**

VCCS colleges shall maintain a staff of full-time academic advisors to assist students with onboarding, selecting a career pathway, and developing an educational plan. Advisors will connect students to appropriate services and resources to support their enrollment, retention, and completion. (See also section 6.4.0.1 Faculty Advisors and 6.4.1 Career Development)

### **6.4.0.0 RECRUITMENT AND HIGH SCHOOL ARTICULATION**

The college shall cooperate with the high schools in the region to provide pre-college advising/counseling to those students planning to attend the community college. Students in the vicinity shall be kept informed of the offerings of the college. In addition, the college shall work closely with organizations in the community to determine the educational needs and interests of youth and adults in the region. A college representative shall respond to requests for information from all persons in the community.

#### **6.4.0.1 FACULTY ADVISORS**

All curricular students are assigned an academic advisor who is normally a member of the advising/counseling staff or teaching faculty. Advisors act as academic consultants, helping students plan their programs of study. Students should consult their advisors before each registration and are encouraged to confer with them frequently regarding academic matters.

##### **6.4.0.1.1**

Academic advising is a comprehensive program facilitated by counselors, teaching faculty, and student services personnel who share responsibility with advisees for student success. The advising relationship is a continuous developmental process involving open communication in an atmosphere of mutual respect and honesty. It assists students with the transition to college and the evaluation and attainment of their academic, career, and personal goals. By their participation in a range of advising activities, including individual and group advising sessions, classes, and workshops, students gain an understanding of campus and college resources and develop the skills to make informed, independent decision

#### **6.4.0.2 MULTIPLE MEASURES FOR PLACEMENT**

##### **High School Graduates: 6 or more years since graduation**

Students who graduated from high school or completed the GED or equivalent homeschool six or more years before enrolling at a VCCS college shall be placed into college level English and mathematics courses. After consultation with an advisor, students may request to enroll in co-requisite or pre-requisite developmental courses.

##### **High School Graduates: less than 6 years since graduation**

Students who graduated from high school or the equivalent less than six years before enrolling at a VCCS college shall be placed into college level English and mathematics courses using the following means and measures:

- a. Any student who has earned an associate degree or higher or who has earned a C or better in college-level courses in math and/or English at a VCCS college or another institution will be considered ready for college level English and math courses provided they meet the prerequisites for the respective courses in their chosen program of study.
- b. Any student who has successfully completed all required developmental courses at a VCCS institution will be considered ready for college level English and math courses.
- c. Any student who has successfully completed all required developmental courses at a non-VCCS institution will have their coursework evaluated for entry into college level math and English courses.

- d. Any student who placed into or attempted a college-level math course, regardless of the grade earned, at another college may be placed into the equivalent VCCS math course.
- e. Student-reported high school GPA and highest math course will be used to determine readiness to enroll in college level English and math courses as shown in 6.4.0.2.1 and 6.4.0.2.2. High school seniors who have not yet graduated may be evaluated as of the completion of the first semester of the senior year to determine readiness for placement into college-level courses.
- f. Official or unofficial GED, ACT and SAT score reports may be used to determine readiness to enroll in college level English and math courses as shown in 6.4.0.2.1 and 6.4.0.2.2.
- g. Virginia Placement Test (VPT) may be used only where external documentation of prerequisite or co-requisite developmental courses is required or where otherwise stipulated in policy for a specific group.

International/ ESL Students

Colleges may establish policies to place ESL and international students who are not placed by the above multiple measures.

Dual Enrollment Students

Dual enrolled high school students must meet the participation criteria specified in Policy 6.6.3.

**6.4.0.2.1 MEASURES FOR COLLEGE LEVEL MATH READINESS**

Student readiness for college level math courses will be determined using one of the following measures.

<b>Math Measures</b>	<b>Standard</b>	<b>Math Course Options</b>
Graduation from high school or an equivalent homeschool six or more years before enrolling at a VCCS college	Completed VCCS Enrollment Survey	Student may enroll in:  MTH 101-133,

		MTH 154 MTH 155 MTH 161, or MTH 167
HSGPA and Algebra II	3.0 or higher	Student may enroll in: MTH 101-133, MTH 154 MTH 155 MTH 161 or MTH 167
	2.0-2.99	Student may enroll in: MTH 101-133 MTH 154+MDE 54, MTH 155+MDE or MTH 161+MDE 61
	Less than 2.0	MDE 10

HSGPA and NO Algebra II	3.0 or higher	Student may enroll in:  MTH 101-133,  MTH 154,  MTH 155,  or  MDE 60
	2.0-2.99	Student may enroll in:  MTH 101-133,  MTH 154+MDE 54,  MTH 155+MDE55,  or  MDE 60
	Less than 2.0	MDE 10
SAT – Math	500 or above	Student may enroll in:  MTH 101-133,  MTH 154,  MTH 155,  MTH 161 or 167

	470-490 range	Student may enroll in: MTH 101-133, MTH 154, MTH 155, or MTH 161+MDE 61
ACT – Subject Area Test Math	18 or above	Student may enroll in: MTH 101-133, MTH 154, MTH 155, MTH 161, or MTH 167
	17	Student may enroll in: MTH 101-133, MTH 154, MTH 161+MDE 61
GED – Mathematical Reasoning	165 or above	Student may enroll in:

		MTH 101-133, MTE 154, MTH 155, or MTH 161+MDE 61
	155-164 range	Student may enroll in:  MTH 101-133,  MTH 154+MDE 54,  MTH 155+MDE 55, or  MDE 60
	154 or below	MDE 10
VPT - Virginia Placement Test	Eight or more MTT/MTE competencies satisfied	Student may enroll in:  MTH 161  MTH 167
	Six or more MTT/MTE competencies satisfied	Student may enroll in:  MTH 161+MDE 61

	Four or more MTT/MTE competencies satisfied	Student may enroll in:  MTH 154  MTH 155
	Three or more MTT/MTE competencies satisfied	Student may enroll in:  MTH 154+MDE 54  MTH 155+MDE55  MDE 60
	Two or more MTT/MTE competencies satisfied	Student may enroll in:  MTH 101-133
	One or fewer MTT/MTE competencies satisfied	MDE 10

Placement directly into MTH 162, Calculus, based on HSGPA and highest-level math courses taken or ACT/SAT scores will be at the discretion of each college.

**6.4.0.2.2 MEASURES FOR COLLEGE LEVEL ENGLISH PLACEMENT**

Student readiness for college-level English courses will be determined using one of the following measures.

<b>English Measures</b>	<b>Standard</b>	<b>English Course Options</b>
Graduation from high school or an equivalent homeschool six or more years before enrolling at a VCCS college	Completed VCCS Enrollment Survey	Student may enroll in:  ENG 111  ENG 115  ENG 131
HSGPA	3.0 or higher	Student may enroll in:  ENG 111  ENG 115  ENG 131
	2.0-2.9	Student may enroll in:  ENG 111+EDE 11  ENG 115  ENG 131
	Less than 2.0	Student must enroll in:  EDE 10

SAT-ERW	480 or above	Student may enroll in:  ENG 111  ENG 115  ENG 131
	400-470 range	Student may enroll in:  ENG 111+EDE 11  ENG 115  ENG 131
	Below 400	Student must enroll in:  EDE 10
ACT - Subject Area Tests English and Reading	18 or above	Student may enroll in:  ENG 111  ENG 115  ENG 131
	15-17 range	Student may enroll in:

		ENG 111+EDE 11 ENG 115 ENG 131
	14 and below	Student must enroll in: EDE 10
GED - Reasoning Through Language Arts	165 or above	Student must enroll in: ENG 111 ENG 115 ENG 131
	Below 165	Student must enroll in: EDE 10
VPT - Virginia Placement Test	Placed in ENG 111	Student may enroll in: ENG 111 ENG 115 ENG 131
	Placed in ENF 2 or ENF 3	Student may enroll in:

		ENG 111+EDE 11 ENG 115 ENG 131
	Placed in ENF 1 or lower	Student must enroll in: EDE 10

**6.4.0.2.3 ACCEPTING MULTIPLE MEASURES FOR PLACEMENT ACROSS COLLEGES**

Student-reported HSGPA and standardized test scores recorded in the student information system at one VCCS institution shall be honored for placement by other VCCS institutions.

Because placement decisions for Pre-Calculus II and Calculus are based on HSGPA and highest level math courses are college-specific, students who attend multiple VCCS colleges may experience different placement requirements for these courses.

**6.4.0.2.4 EXCEPTIONS TO PLACEMENT**

Individual exceptions for higher-level placement must be approved by the chief academic officer or designee. Students may only be moved to a lower-level class at their request and with approval of the chief academic officer.

**6.4.0.3 ORIENTATION/STUDENT DEVELOPMENT**

All curricular students placed in at least one developmental education course should enroll in (SDV 100, 101, or 108,) in their first semester of enrollment at the community college. All curricular students, except those in career studies certificate programs, must enroll in SDV 100, 101, or 108, within the first 15 credit hours of enrollment. The requirement may be waived for students who hold an Associate Degree or higher from a regionally accredited institution. Other requests for a waiver may be considered on a case-by-case basis. Students must still successfully complete the required number of credits for their degree. Each college must provide new students an appropriate onboarding experience to enhance student success.

#### **6.4.1 CAREER DEVELOPMENT**

Each college shall provide career development services, to include structured assessments that assist students in lifelong learning opportunities that expand an individual's knowledge, skills, and attitudes about work opportunities, employment, vocational choices, and personal management.

#### **6.4.2 FINANCIAL AID**

##### **6.4.2.0 DEFINITION OF STUDENT FINANCIAL AID**

Student financial aid is a program of financial resources (grants, scholarships, loans, student employment) and assistance (financial counseling, budgeting, planning) made available to meet a student's needs associated with the expenses of an education at a Virginia community college. Each college shall have institutional policies and procedures relating to student financial aid.

##### **6.4.2.1 FEDERAL STUDENT FINANCIAL ASSISTANCE PROGRAMS**

Each VCCS college may participate in any of the financial assistance programs under Title IV of the Higher Education Act of 1965, as amended, except where State matching funds or administrative resources are not available to provide for program maintenance as specified by the U.S. Department of Education (ED) regulations and guidelines.

All Federal student financial assistance programs shall be administered following the most current ED regulations regarding Title IV as published in the [Federal Register](#). The Federal Register and the current edition of the [Student Financial Aid Handbook](#) (available from the U. S. Department of Education, Office of Federal Student Aid, Washington, D.C. 20202) shall serve as the primary authoritative sources of information on Federal financial assistance programs.

##### **6.4.2.2 STATE FINANCIAL ASSISTANCE PROGRAMS (VIRGINIA)**

VCCS colleges shall aid students in applying for financial assistance programs administered by SCHEV.

##### **6.4.2.3 SCHOLARSHIPS (CODE OF VIRGINIA)**

The [Code of Virginia](#), empowers the State Board to establish scholarships in the colleges of the VCCS under any conditions as they may prescribe, subject to the limitation established by law. (See [Code of Virginia, Section 23.1-612. Unfunded scholarships](#) for a list of the limitations imposed on unfunded scholarships and [Code of Virginia, Section 23.1-2908. Chancellor of the Virginia Community College System](#) for guidelines for special gifts and donations.)

#### **6.4.2.4 OPTIONAL FINANCIAL ASSISTANCE PROGRAMS**

VCCS colleges may choose to participate, at their discretion, in any Federal, State, private, or local student financial assistance program (not previously specified in 6.4.2.2 and 6.4.2.3) provided that required eligibility criteria and administrative requirements can be met in consonance with VCCS policies and procedures.

#### **6.4.2.5 CONTACT WITH NEED ANALYSIS AGENCY**

VCCS colleges shall use a system approved by the U. S. Secretary of Education to conduct financial aid need analyses when aid is to be awarded under Federal and/or State student financial assistance programs.

#### **6.4.2.6 APPLICATIONS AND REPORTS**

Each college shall provide student data as required by the System Office for mandated Federal, State, and VCCS reporting requirements for student financial aid.

#### **6.4.2.7 STUDENT CONSUMER INFORMATION**

Pursuant to [Title I of the Education Amendments of 1976, Chapter I, Part 178](#), each VCCS college which receives an administrative cost allowance for any award period shall, for that award period, a) prepare material on the topics set forth in Part 178.4 and b) disseminate that information, or any requested portions of that information, to enrolled or prospective students who request all or part of that material.

#### **6.4.2.8 ADMINISTRATIVE COST ALLOWANCE FOR FEDERAL PROGRAMS**

Pursuant to [Title I of the Higher Education Amendments of 1976, Chapter I, Part 178.6](#), each VCCS college shall use the Federal administrative cost allowance first to carry out the provisions of Part 178 for the appropriate award period. If any funds remain, the college shall use the funds for other costs of administering student financial aid programs authorized under Title IV of the Higher Education Act for the appropriate award period.

#### **6.4.2.9 RECORDKEEPING**

VCCS colleges shall maintain for audit and reporting purposes, student financial aid records as prescribed by Federal, State, and VCCS regulations.

### **6.4.3 HOUSING**

Colleges must use extreme care in listing housing opportunities and must not list any housing opportunities unless the owners agree to rent to individuals without regard to race, color, gender, age, religion, disability, national origin, sexual orientation or other non-merit factors.

Colleges shall make it explicitly clear that listings of housing are posted and distributed for informational purposes only.

#### **6.4.4 STUDENT HANDBOOK**

Each college in the VCCS shall publish in print or digital format pertinent information, policies, and procedures for students.

#### **6.4.5 REQUIREMENTS FOR STUDENT ACTIVITIES**

Colleges shall provide a student activities/life program designed to promote educational and cultural experiences. Student activities are out-of-classroom activities that support the mission of the colleges and provide students avenues for personal growth and enrichment. Through participation in clubs and organizations, or other planned activities, students develop a wide range of abilities, including intellectual, communication, athletic, and leadership skills. Students develop self-confidence, interpersonal skills, and an appreciation for other cultures and lifestyles. Finally, students develop a sense of integrity, purpose, and social responsibility that empowers them to be productive within and beyond the college community.

The following regulations and procedures apply to all student activity programs in the community colleges of the VCCS:

- a. The entire program of student activities shall be under college supervision.
- b. There shall be a faculty or staff sponsor for each student organization.
- c. All student activity funds shall be deposited with and expended through the college business office, subject to State Board policies, procedures, and regulations pertaining to such funds.
- d. Each college shall adopt its own regulations and procedures to implement the above policy.
- e. All student activity programs and recognized organizations must comply with the VCCS's nondiscrimination policy, except as follows:

Any recognized religious or political student organization shall be authorized to limit certain activities only to members who are committed to furthering the mission of such organization. Such activities include ordering the organization's internal affairs, selecting the organization's leaders and members, defining the organization's doctrines, and resolving the organization's disputes.

f. Private clubs, private associations, social fraternities, and social sororities shall not be recognized by the VCCS.

#### **6.4.5.0 INTRAMURAL PROGRAMS AND SPORTS CLUBS**

The State Board encourages each community college to develop intramural programs or sports clubs on-campus and/or off-campus in community facilities. Such programs shall be designed to promote the physical well-being of the individual student and the development of recreational skills. Competition of intramural teams, including "all-star" teams, in civic leagues and competition between intramural or sports club teams of other institutions, is authorized with the approval of the local community college board providing that all direct expenses, including transportation, are paid from non-state funds.

#### **6.4.5.1 ALCOHOLIC BEVERAGES AT SOCIAL FUNCTIONS ; [CODE OF VIRGINIA, SECTIONS 4.1-100 AND 4.1-200.](#)**

The State Board has delegated to each local community college board the responsibility for taking action on requests to serve alcohol at community college social functions in view of local mores and in accordance with State regulations.

Within the framework established by the State Alcoholic Beverage Control Board, a community college, under special conditions, may be permitted to obtain a one-day banquet license to serve alcohol at college sponsored functions provided that no person under 21 years of age is possessing, dispensing, or drinking alcoholic beverages.

The college administration and the local board must approve this type of activity before the Alcoholic Beverage Control Board is contacted.

Students who are 21 years of age or older may be permitted to consume alcoholic beverages at college-sponsored events that have previously been approved to serve alcohol.

#### **6.4.5.2 STUDENT NEWSPAPERS**

Colleges may publish a student newspaper.

A faculty advisor shall be assigned to assure that journalism in the college newspaper is maintained at a high level and that the papers are published within the canons of acceptable public newspapers. The role of the faculty advisor is not to act as a censor for the newspaper.

#### **6.4.6 MENTAL HEALTH SERVICES**

VCCS colleges may provide mental health services to students by contracting with third-party providers. Employees of VCCS colleges who are licensed clinical psychologists, licensed clinical social workers, licensed professional counselors, or other licensed mental health professionals may conduct initial assessments to make referrals to mental health services but not provide direct counseling interventions to students. Dual enrollment high school students are exempted from this policy. This policy does not affect VCCS colleges' obligation to comply with VCCS Policy 3.14.5.1.5.2.

VCCS colleges shall develop and implement policies that (i) advise students, faculty, and staff of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior and (ii) provide for training where appropriate.

##### **6.4.6.1 CRISIS LIFELINE ON STUDENT ID CARDS**

When colleges issue student identification cards, they must clearly and conspicuously include on one side of each student identification card the telephone number for 988 Suicide and Crisis Lifeline. The college must also annually review the telephone number for accuracy and currency. See VA Code Section §23.1-802.1

#### **6.4.7 HUMAN TRAFFICKING AWARENESS**

Each college is required to develop and implement procedures requiring that a trauma-informed human trafficking awareness and prevention training program be provided to and completed by students required to take an institution's first-year orientation program or course. This training should be included as part of the college's orientation program as defined by the college. Training must include information on the recognition, prevention, and reporting of human trafficking. See VA Code Section §23.1-808.1

### **6.5 CAMPUS CONDUCT**

#### **6.5.0 STUDENT CONDUCT**

Each individual is considered a responsible adult, and it is assumed that students shall maintain standards of conduct appropriate to membership in the college community. Emphasis placed on standards of student conduct rather than on limits or restrictions of students.

All Colleges will implement and publish a student code of conduct in accordance with the template found in Appendix II to Section 6. Colleges may establish separate processes and sanctions for adjudicating violations of Academic Dishonesty, as defined in Appendix II.

### **6.5.0.1 STUDENT GRIEVANCE**

Each VCCS college will develop and publish a student grievance procedure which will provide for equitable and orderly processes to resolve complaints made by students for improper treatment. A grievance is defined as a written claim raised by a student alleging improper, unfair, arbitrary, or discriminatory action by an employee or a student involving the application of a specific provision of a college or rule/regulation or a board policy or procedure.

### **6.5.1 EXPRESSIVE ACTIVITY**

This policy applies to all buildings, grounds, and other spaces owned or controlled by a college. The term “expressive activity” includes:

- Meetings and other group activities of students and student organizations;
- Speeches, performances, demonstrations, rallies, vigils, and other events by students, student organizations, and outside groups invited by student organizations;
- Distributions of literature, such as leafleting and pamphleting; and
- Any other expression protected by the First Amendment to the U.S. Constitution.

#### **6.5.1.0 POLICY STATEMENT**

College property is primarily dedicated to academic, student life and administrative functions. But it also represents the “marketplace of ideas,” and especially for students, many areas of campus represent a public forum for speech and other expressive activities. Colleges may place restrictions on expressive activities occurring indoors, but especially for students and student organizations, the outdoor areas of campus remain venues for free expression, including speeches, demonstrations, and the distribution of literature.

Indoors or outdoors, colleges shall not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on its content or viewpoint. Nevertheless, colleges may establish reasonable time, place, and manner restrictions on expressive activity. Such restrictions must be content-neutral, narrowly tailored to serve a significant governmental interest, and allow ample alternative channels for communication of the information.

No event or expressive activity shall be permitted to violate or hinder the rights of others within the campus community or substantially disrupt normal college operations.

### **6.5.1.0.0 PROCEDURES**

- a. Reserving Campus Facilities:
  1. If students, student organizations, or college employees desire to reserve campus facilities, they shall submit their requests to the appropriate college administrator. Colleges normally may not require more than twenty-four hours advance notice for reservation requests. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus.
  2. If individuals or organizations who are not members of the college community (i.e., not students, student organizations, or college employees) desire to reserve campus facilities, they must be sponsored by a recognized student organization or the college to conduct expressive activities or events on campus.
  3. Colleges may designate certain indoor facilities as not available for expressive activity, such as administration offices, libraries, and (during instructional hours) classrooms. Colleges shall make the campus community aware of such areas. Any other restrictions on expressive activities occurring in indoor facilities must (a) apply equally to all individuals and organizations and (b) not depend upon the content or viewpoint of the expression or the possible reaction to that expression.
  4. Students, student organizations, and college employees may request to reserve campus facilities on a first-come, first-served basis. These requests may be denied for the following reasons only:
    - a. The requested venue is an indoor facility that the college has designated as not available for expressive activity under section 6.5.1.0.0(a)(3) of this policy;
    - b. The requested venue is an indoor facility and the request conflicts with restrictions enacted pursuant to section 6.5.1.0.0(a)(3) of this policy;
    - c. The venue is already reserved for another event<sup>1</sup>;
    - d. The activity will attract a crowd larger than the venue can safely contain;
    - e. The activity will substantially disrupt another event being held at a neighboring venue<sup>2</sup>;
    - f. The activity will substantially disrupt college operations (including classes);

- g. The activity is a clear and present threat to public safety, according to the college's police or security department;
  - h. The activity will occur during college examination periods; or
  - i. The activity is unlawful.
5. During an event, the student, student organization, or college employee requesting the reservation is responsible for preserving and maintaining the facility it reserved. If it causes any damage to those facilities, the person(s) or organization (and its officers, if applicable) shall assume responsibility.
  6. When assessing a request to reserve campus facilities, colleges and their administrators must not consider the content or viewpoint of the expression or the possible reaction to that expression. Colleges and their administrators may not impose restrictions on students, student organizations, or college employees due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to a student's, student organization's, or college employee's expression, college officials (including college police or security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.
- b. Spontaneous Expressive Activity:
1. Colleges are not required to designate any indoor area as available for spontaneous expressive activities. In the event that colleges elect to do so, college officials shall prominently post the areas in which students, student organizations, and their sponsored guests may engage in spontaneous expressive activities. Any areas so designated must (a) apply equally to all students and student organizations and (b) not depend upon the content or viewpoint of the expression or the possible reaction to that expression.
  2. For outdoor campus facilities and areas, students, student organizations, and their sponsored guests may freely engage in spontaneous expressive activities as long as they do not (a) block access to campus buildings, (b) obstruct vehicular or pedestrian traffic, (c) substantially disrupt previously scheduled campus events<sup>3</sup>, (d) substantially disrupt college operations, (e) constitute unlawful activity; or (f) create a clear and present threat to public safety, according to the college's police or security department.
  3. No college personnel may impose restrictions on students, student organizations, or their sponsored guests who are engaging in spontaneous expressive activities due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to these activities, college officials (including college police or

security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

c. Implementation; Report:

1. Each college must include this policy in its student handbook, on its website, and in its student orientation programs.
2. Each college must develop a process for members of the campus community and invited guests to report incidents of disruption of constitutionally protected speech. Such a process may include, but is not limited to, providing online incident reporting, providing contact information for a designated college official, and in cases of emergency, contact information for campus or local police or campus security.
3. All colleges must maintain materials on the policy and provide such materials to any employee responsible for the discipline or education of enrolled students. Colleges may provide such materials to other employees if so desired.
4. All college policies and materials on expressive activities must have prior approval from the Office of System Counsel.
5. Colleges must develop policies and procedures to comply with the requirements of Va. Code 23.1-401.1, and notify the Office System Counsel as soon as practicable, but no later than 20 days after being served with a complaint that alleges a violation of the First Amendment.

**6.5.2 ILLEGAL SUBSTANCE POLICY**

Students of a Virginia community college shall not possess, sell, use, manufacture, give away or otherwise distribute illegal substances while on campus, attending a college sponsored off-campus event, or while serving as a representative of the college at off-campus meetings. Violations of this policy shall be subject to disciplinary action under the student conduct policy. Further, students who violate this policy shall have committed a criminal offense, and the college shall notify the appropriate agency of the Commonwealth of Virginia, county or city government for investigation and, if warranted, prosecution.

Each community college may develop more specific procedures and sanctions in this regard, and these shall be published.

### **6.5.3 SUBSTANCE ABUSE PROGRAMS**

Each community college shall develop a substance abuse program to include drug and alcohol education and referral services for students as required by the Drug-Free Schools and Communities Act amendments of 1989 (Public Law 101-226).

### **6.5.4 SEXUAL HARASSMENT**

- a. As a recipient of federal funds, the Virginia Community College System (“VCCS”) is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. (“Title IX”), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Sexual harassment constitutes sex discrimination prohibited by Title IX.
- b. The VCCS promotes and maintains educational and employment opportunities without regard to race, color, religion, disability, sex, sexual orientation, gender identity, ethnicity, marital status, pregnancy, childbirth, or related medical conditions including lactation, age (except when age is a bona fide occupational qualification), status as a veteran, national origin, or other non-merit factors.
- c. Inquiries concerning the application of Title IX should be referred to the college’s Title IX Coordinator or to the U.S. Department of Education’s Office for Civil Rights (“OCR”). Individuals may file complaints with their respective college’s Title IX Coordinator or OCR. The name, title, address at the college, and phone number of the coordinator(s) must be included in the college’s published statement of nondiscrimination.

#### **6.5.4.1 PURPOSE**

The purpose of this policy is to establish that the Virginia Community College System prohibits sex discrimination and sexual harassment and to set forth procedures by which such allegations shall be reported, investigated, and resolved. This policy is not intended to substitute or supersede related criminal or civil law. This policy augments the VCCS Policy on Sexual Harassment, Section 6, Appendix 1 (“Title IX Policy”). The Title IX Policy shall apply wherever this policy is silent.

#### **6.5.4.2 POLICY**

The Virginia Community College System shall not tolerate sexual harassment in any form. Some forms of sexual harassment, as defined by this policy, may be punishable through civil and criminal proceedings, as well as through VCCS disciplinary processes. Sexual harassment is a flagrant violation of the values and behavioral expectations for an educational community. This policy shall apply to all employees and students of the Virginia Community College System.

### **6.5.4.3 DEFINITIONS**

a. Dating Violence. Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

b. Domestic Violence. Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse, a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

c. Sexual Assault.

Sexual assault is any sexual act directed against another person without consent or where the person is incapable of giving consent. Sexual assault includes

Intentionally touching, either directly or through clothing, the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual assault includes sexual violence (as defined under Virginia law).

d. Sex Discrimination. Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, separates or denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in an education program or activity. The College's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment constitutes sex discrimination under Title IX when such response is deliberately indifferent.

e. Sexual Harassment-Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo: The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly;
2. Hostile Environment: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity of the College,

including a student's educational experience or an employee's work performance;

3. Clery Act/VAWA Offenses: Sexual assault/sexual violence, dating violence, domestic violence, and stalking, as defined by this Policy.

f. Sexual Violence. Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape and sexual assault.

g. Stalking. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Such conduct can occur in person or online, but the conduct must involve an education program or activity of the College.

#### **6.5.4.4 COLLEGE POLICIES AND PROCEDURES**

A. Each college shall use this policy and the Title IX Policy template in Appendix I to Section 6, as the basis for formulating its policy for sexual harassment. Specific campus policies must include procedures, courses of action, interim and supportive measures and remedies for the complainant, and the rights of the accused. Anyone found responsible of sexual harassment will be subject to appropriate disciplinary actions which may include dismissal or expulsion. Further, these policies shall include provisions to safeguard the identities of the parties outside the confidential proceedings of the college's disciplinary process, unless consent is secured. No part of a complainant's sexual history with anyone other than the accused shall be included as a part of any campus proceedings.

B. Each college shall designate and train one or more employees as "Title IX coordinators" to oversee compliance with Title IX regulations. If a college designates more than one Title IX coordinator, the college must designate one employee as having ultimate oversight responsibility. Titles for multiple Title IX coordinators shall clearly show that other coordinators are in a deputy or supporting role.

C. No person may intimidate, threaten, coerce, harass, discriminate, or take any other adverse action against any other person for the purpose of interfering with any right or privilege provided by this policy, or because the person has made a report or filed a formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, live hearing, or any other process described in this policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of violations of this policy.

D. Colleges must provide annual training to all personnel involved in the resolution process that satisfies the requirements outlined in the Title IX Policy. Colleges also must provide an ongoing prevention and awareness campaign for all students and employees.

#### **6.5.4.5 MEMORANDUM OF UNDERSTANDING**

Each community college shall enter into and maintain a written memorandum of understanding with a local sexual assault crisis center or other victim support service that will provide services to victims of sexual assault.

#### **6.5.4.6 REPORTS, REVIEW AND CERTIFICATION**

All reports of alleged incidents of sexual harassment shall be reported to the Office of System Counsel. This policy and the Title IX Policy shall be reviewed and updated as appropriate annually. The State Board, through the Chancellor, shall certify as such to the State Council of Higher Education for Virginia by October 31 of each year.

<sup>1</sup>In the event that multiple individuals or organizations submit conflicting reservation requests, the following order of precedence shall govern: (1) official college sponsored activities and events; (2) recognized student organization activities and events; (3) student activities and events; and (4) all other activities and events.

<sup>2</sup>The expression of competing viewpoints or multiple speakers in proximity to each other does not, without more, constitute a substantial disruption.

<sup>3</sup>The expression of competing viewpoints or multiple speakers in proximity to each other does not, without more, constitute a substantial disruption.

### **6.6 DUAL ENROLLMENT FOR HIGH SCHOOL STUDENTS**

The major purpose of community colleges is to serve students who have graduated from high school or are beyond the compulsory age limit of the public school and have left public school. However, a qualified high school student may enroll at a community college (see 6.6.3 Criteria for Participation in Dual Enrollment) subject to the following conditions:

#### **6.6.1 DUAL ENROLLMENT PARTNERSHIPS**

Dual Enrollment partnerships are governed by an annually renewable contractual agreement between the school or district and the community college to allow academically qualified high school juniors and seniors to enroll in college courses that are applicable to degree, diploma, certificate, or career studies certificate programs offered at the college. Students from school divisions with whom the college has a current dual enrollment contractual agreement may enroll in college classes at the community college for dual enrollment credit.

Courses taken for dual enrollment credit shall be transcribed on both the student's college and high school transcripts.

#### **6.6.1.1 HIGH-SCHOOL BASED DUAL ENROLLMENT PARTNERSHIPS**

Colleges and school divisions may develop contractual agreements to offer dual enrollment program pathways, academies, and courses at the high school. Such offerings may be taught by approved high school teachers who meet Virginia Community College faculty credential requirements and are qualified by the college to teach course(s) in the program of study.

College faculty and administrators are responsible for identifying high school dual enrollment program offerings; selecting and qualifying high school faculty to teach college courses; professional development of dual enrollment faculty; and oversight and evaluation of program standards, including assessment of student learning outcomes, program learning outcomes and instructional effectiveness.

#### **6.6.1.2 EARLY COLLEGE, DUAL ENROLLMENT PROGRAMS AND ACADEMICS**

Colleges and school divisions may develop contractual agreements to offer dual enrollment program pathways and academies on the college campus. Such courses are taught by full-time or adjunct community college faculty.

#### **6.6.2 INDEPENDENT DUAL ENROLLMENT**

Independent dual enrollment allows individual high school students to enroll in courses at the community college. A qualified high school junior or senior may be admitted to any college-level credit-bearing course, with permission of the high school principal or designee and the parent. Participation in independent dual enrollment does not require a contractual agreement between the college and school division. However, the high school student must meet dual enrollment admissions standards as found in 6.6.3. Courses taken as independent dual enrollment shall be transcribed on the student's college transcript.

#### **6.6.3 CRITERIA FOR PARTICIPATION IN DUAL ENROLLMENT**

Private, Public, and Homeschool juniors and seniors who meet each of the following criteria may register in college-level credit-bearing courses:

1. The student submits an Application for Admission.
2. The student is a rising public or private high school junior or senior, or homeschool student studying at the high school junior or senior level.

a. The high school student has permission of the principal or designee, and the parent.

b. The homeschool student has permission of the parent.

3. The student demonstrates readiness for each college-level credit-bearing course in which they want to enroll. High school and homeschool students are not eligible to enroll in developmental or direct placement co-requisite English and Math courses. In demonstrating readiness, a student must meet one of the criteria established for each type of course in which they want to be registered:

Course Type	High School Transcript*		SAT		PSAT		ACT		VPT
Transfer** Courses (except Math)	Current cumulative high school GPA of 3.0 or higher	<i>or</i>	ERW score of 480 or higher	<i>or</i>	ERW score of 390 or higher	<i>or</i>	18 or higher on both English and Writing subject area tests	<i>or</i>	Placement into ENG 111
Career and Technical*** Courses (except Math)	Current cumulative high school GPA of 2.0 or higher	<i>or</i>	ERW score of 480 or higher	<i>or</i>	ERW score of 390 or higher	<i>or</i>	18 or higher on both English and Writing subject area tests	<i>or</i>	Placement into ENF 1 or higher
MTH 101-133	Current cumulative high school GPA of 3.0 or higher and a 2.0 grade or higher in high school math course	<i>or</i>	ERW score of 480 or higher Math score of 530 or higher	<i>or</i>	ERW score 390 or higher and math score of 500 or higher	<i>or</i>	22 or higher on Math subject area test	<i>or</i>	Placement in MTH 111 or higher (Satisfaction of MTE 1-3)
MTH 154,155	Current cumulative high school GPA of 3.0 or higher and a 2.0 grade or higher	<i>or</i>	ERW score of 480 or higher and Math score of	<i>or</i>	ERW score of 390 or higher and math score of	<i>or</i>	22 or higher on Math subject area test	<i>or</i>	Placement in MTH 154 or higher (Satisfaction of MTE 1-5)

Course Type	High School Transcript*		SAT		PSAT		ACT		VPT
	in a high school math course		530 or higher		500 or higher				
MTH 161,167  Individual colleges may establish criteria for direct placement into calculus or other high level math course	Current cumulative high school GPA of 3.0 or higher and a 2.0 grade or higher in Algebra 2 or in a higher level math course	or	ERW score of 480 or higher and Math score of 530 or higher	or	N/A	or	22 or higher on Math subject area test	or	Placement into MTH 161 or higher (Satisfaction of MTE 1-9)

\*Cumulative GPA may be weighted or unweighted and may be self-reported.

\*\*A transfer course is any course that a college offers and will transcript in fulfillment of the requirements for a Degree or Certificate that is designed to transfer (e.g., AA, AS, AA&S, AFA, Uniform Certificate of General Studies).

\*\*\*A career and technical course is any course that the college offers and will transcript in fulfillment of the requirements for degrees and certificates that are not designed for transfer (e.g., AAS, Certificate, Career Studies Certificates).

4. In addition to meeting the eligibility criteria above, a dual enrollment student must meet all course pre/corequisites as listed in the VCCS Master Course File and established by the college at which the student is enrolled in the course.

Dual enrollment is restricted to rising high school juniors and seniors and home school students studying at the high school junior or senior levels. Admitting high school or home school students below the junior or senior level is considered exceptional. The college-ready status of each prospective student below the junior or senior high school level shall be assessed on a case-by-case basis. Such students must meet the above eligibility criteria and any other criteria as may be established by the college for participation of students below the junior or senior level in dual enrollment. Colleges shall have criteria and procedures for the case-by-case

assessment of such students. Formal approval by the college president, or designee, is required for applicants who are below the junior or senior high school level to participate in dual enrollment.

## **6.7 CONCURRENT ENROLLMENT QUALITY STANDARDS**

This policy reflects national standards and best practices for dual credit as outlined by the National Alliance for Concurrent Enrollment Partnerships (NACEP) and aligns with regional accreditation standards set forth by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). NACEP Standards are measurable criteria that address quality in concurrent enrollment programs. The standards promote the implementation of policies and practices such that:

- College courses offered in the high school are of the same quality and rigor as the courses offered on campus at the sponsoring college.
- Students enrolled in concurrent enrollment courses are held to the same standards of achievement as students in on-campus courses.
- Instructors teaching college courses through the concurrent enrollment program meet the academic requirements for faculty teaching in the college and are trained in course delivery and provided ongoing discipline-specific professional development.
- Concurrent enrollment programs display accountability through program evaluation.

Institutions must ensure that concurrent enrollment courses and programs offered in the high school comply with the following standards:

### **6.7.1 PARTNERSHIP STANDARDS**

#### **6.7.1.1**

The concurrent enrollment program aligns with the college mission and is supported by the institution's administration and academic leadership.

#### **6.7.1.2**

The concurrent enrollment program has ongoing collaboration with secondary school partners.

## **6.7.2 FACULTY STANDARDS**

### **6.7.2.1**

All concurrent enrollment instructors must be approved by the appropriate college academic leadership and must meet the minimum qualifications for instructors teaching the course on campus. A college may not assign an unqualified concurrent enrollment instructor as a teaching assistant with a qualified college faculty member who is not directly teaching the course assigned as the course's instructor of record.

### **6.7.2.2**

Faculty liaisons at the college provide all new concurrent enrollment instructors with course-specific training in course philosophy, curriculum, pedagogy, and assessment prior to the instructor teaching the course.

### **6.7.2.3**

Concurrent enrollment instructors participate in college-provided annual discipline-specific professional development and ongoing collegial interaction to further enhance instructors' pedagogy and breadth of knowledge in the discipline.

### **6.7.2.4**

The concurrent enrollment program ensures instructors are informed of and adhere to program policies and procedures.

## **6.7.3 ASSESSMENT**

### **6.7.3.1**

The college ensures that concurrent enrollment students' proficiency of learning outcomes is measured using comparable grading standards and assessment methods to on campus sections.

## **6.7.4 CURRICULUM STANDARDS**

### **6.7.4.1**

Courses administered through a concurrent enrollment program are college catalogued courses with the same departmental designations, course descriptions, numbers, titles, and credits.

### **6.7.4.2**

The college ensures the concurrent enrollment courses reflect the learning objectives and the pedagogical, theoretical, and philosophical orientation of the respective college discipline.

#### **6.7.4.3**

College faculty or academic deans conduct site visits to observe course content, delivery, and student engagement to ensure the courses offered through the concurrent enrollment program are equivalent to the courses offered on campus.

### **6.7.5 STUDENT STANDARDS**

#### **6.7.5.1**

Registration and transcripting policies and practices for concurrent enrollment students are consistent with those on campus.

#### **6.7.5.2**

The concurrent enrollment program has a process to ensure students meet the college's course prerequisites.

#### **6.7.5.3**

Concurrent enrollment students are advised about the benefits and implications of taking college courses, as well as the college's policies and expectations.

#### **6.7.5.4**

The college provides concurrent enrollment students with access to learning resources and student support services.

### **6.7.6 PROGRAM EVALUATION STANDARDS**

#### **6.7.6.1**

The college conducts end-of-term student course evaluations for each concurrent enrollment course to provide instructors with student feedback.

#### **6.7.6.2**

The college conducts and reports regular and ongoing evaluations of the concurrent enrollment program effectiveness and uses the results for continuous improvement.

## **6.8 DUAL ENROLLMENT COURSES**

**6.8.1**

Colleges must identify which courses are offered as concurrent enrollment (dual credit) in the college's catalog or on the college's website.

**6.8.2**

Colleges must designate which concurrent enrollment (dual credit) courses are in the Passport and the Uniform Certificate of General Studies (UCGS) in the college's catalog or on the college's website.

**6.8.3**

Colleges must designate which concurrent enrollment (dual credit) courses are transfer or career/technical in the college's catalog or on the college's website.

Book Policy Manual Section 6 - Student Development Services Title Appendix 1 to Section 6.0 Number Section 6 Appendix Status Active First Approved by the State Board for Community Colleges September 17, 2015 Last Revised and Approved by the State Board for Community Colleges September 23, 2021 Appendix I to Section 6 Policy on Sexual Harassment A. Notice of Nondiscrimination As a recipient of federal funds, \_\_\_\_\_ Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. (“Title IX”), which prohibits discrimination on the basis of sex in education programs or activities, admission, and employment. Under certain circumstances, sexual harassment constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College’s Title IX Coordinator or to the U.S. Department of Education’s Office for Civil Rights. The Title IX Coordinator is \_\_\_\_\_, whose office is located at \_\_\_\_\_, and may be contacted by phone at \_\_\_\_\_ or by email at \_\_\_\_\_. B. Policy 1. \_\_\_\_\_ Community College is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. Accordingly, this Policy prohibits sex discrimination, which includes sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking. This Policy also prohibits retaliation. This Policy supplements the following general policy statement set forth by the Virginia Community College System: This College promotes and maintains educational opportunities without regard to race, color, national origin, religion, disability, sex, sexual orientation, gender identity, ethnicity, marital status, pregnancy, childbirth or related medical conditions including lactation, age (except when age is a bona fide occupational qualification), veteran status, or other non-merit factors. This Policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act), and Virginia law. 2. This Policy is not intended to substitute or supersede related criminal or civil law. Individuals are encouraged to report incidents of sexual and domestic violence, dating 2 violence, and stalking to law enforcement authorities. Criminal and civil remedies are available in addition to the remedies that the College can provide. C. Purpose The purpose of this Policy is to establish that the College prohibits sexual harassment and retaliation, and to set forth procedures by which allegations of sexual harassment shall be reported, filed, investigated, and resolved. D. Applicability This Policy applies to prohibited conduct by or against students, faculty, staff, and third parties, e.g., contractors and visitors, involving a program or activity of the College in the United States. Conduct outside the jurisdiction of this Policy may be subject to discipline under a separate code of conduct or policy. E. Definitions 1. Actual Knowledge. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a College’s Title IX Coordinator or any other official of the College who has authority to institute corrective measures on behalf of the College. “Notice” includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator. 2. Advisor. An advisor is an individual who provides the complainant or respondent support, guidance, and advice. Advisors may be present at any meeting or live hearing but may not speak directly on behalf of the complainant or respondent, except to conduct cross examination during a live hearing. Advisors may be but are not required to be licensed attorneys. 3. Appeal Officer. The Appeal Officer is the designated employee who reviews the complete record of the formal complaint and written statements of the parties during an appeal of a written determination or dismissal of a formal complaint or any allegations therein. The Appeal Officer decides whether to grant the appeal and determines the result of the appeal. 4. Campus. Campus refers to (i) any building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used in direct support of, or in a manner related to, the College’s educational purposes, and (ii) any building or property that is within or reasonably contiguous to the area described in clause (i) that is owned by the College but controlled by another person, is frequently used by students, and supports institutional purposes, such as a food or

other retail vendor. 5. Complainant. A complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may file a formal complaint against faculty, staff, students, or third parties. 6. Consent. Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). An individual cannot consent who is under the age of legal consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Any sexual activity or sex act committed against one's will, by the use of force, threat, intimidation, or ruse, or through one's mental incapacity or physical helplessness is without consent. a) Mental incapacity means that condition of a person existing at the time which prevents the person from understanding the nature or consequences of the sexual act involved (the who, what, when, where, why, and how) and about which the accused knew or should have known. This includes incapacitation by using drugs or alcohol. Intoxication is not synonymous with incapacitation. b) Physical helplessness means unconsciousness or any other condition existing at the time which otherwise renders the person physically unable to communicate an unwillingness to act and about which the accused knew or should have known. Physical helplessness may be reached through the use of alcohol or drugs. 7. Cross-examination. Cross-examination is the opportunity for a party's advisor to ask questions of the other party and the other party's witnesses. 8. Cumulative Evidence. Cumulative evidence is additional evidence that has been introduced already on the same issue and is therefore unnecessary. The Hearing Officer has the discretion to exclude cumulative evidence. 9. Dating Violence. Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. 10. Deliberate Indifference. Deliberate indifference refers to a response to sexual harassment that is clearly unreasonable in light of the known circumstances. The College's response may be deliberately indifferent if the response restricts the rights to the Freedom of Speech and Due Process under the First, Fifth, and Fourteenth Amendments of the U.S. Constitution. 11. Direct Examination. Direct examination is the questioning of a witness by a party who has called the witness to provide such testimony. 12. Domestic Violence. Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse, a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner. 13. Due Process. Due process is a right guaranteed by the Fifth and Fourteenth Amendments of the U.S. Constitution. Basic procedural due process guarantees that an individual receives notice of the matter pending that relates to the possible deprivation of a property or liberty interest and the opportunity to be heard. For example, students and employees facing suspension or expulsion/termination for disciplinary reasons must be given notice of the allegations against them prior to any hearing or determination of responsibility. Any disciplinary process must be fair and impartial. Additionally, the opportunity to respond must be meaningful. 14. Education Program or Activity. An education program or activity encompasses all of the College's operations and includes locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Examples of education programs or activities

includes, but are not limited to, college-sponsored conferences, athletic events and sports teams, student organizations, and wi-fi network. 15. Exculpatory Evidence. Exculpatory evidence is evidence that shows, or tends to show, that a respondent is not responsible for some or all of the conduct alleged in the notice of allegations. The College must provide the respondent with all exculpatory evidence. 16. Facilitator. A Facilitator guides a discussion between parties during the informal resolution process and reaches a decision to the satisfaction of each party. 17. Final Decision. A final decision is the written document that describes any sanctions imposed and remedies provided to the respondent and complainant, respectively, at the conclusion of the formal resolution process. 18. Formal Complaint. A formal complaint is a document filed and signed by a complainant or signed by the Title IX Coordinator that alleges sexual harassment against a respondent and requests the College to investigate the allegation of sexual harassment. The complainant must be participating in or attempting to participate in an education program or activity of the College when the formal complaint is filed. A complainant cannot file a formal complaint anonymously. The Title IX Coordinator may sign on a complainant's behalf in matters where it is in the best interest of the complainant or the College to do so. The College may consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. 19. Freedom of Speech. The freedom of speech is a right guaranteed by the First Amendment of the U.S. Constitution to express one's thoughts and views without unlawful governmental restrictions. As governmental entities, Colleges must not infringe on this right. This Policy expressly prohibits censorship of constitutionally protected expression. 20. Hearing Officer. A Hearing Officer is the presiding official of a live hearing who must issue a written determination on responsibility. Colleges may choose to hold live hearings with a single Hearing Officer or by committee. 21. Inculpatory Evidence. Inculpatory evidence is evidence that shows, or tends to show, that a respondent is responsible for some or all of the conduct alleged in the notice of allegations. 22. Preponderance of the Evidence. A preponderance of the evidence is evidence that shows that the allegation against the respondent is more likely to be true than not. The preponderance of the evidence standard is the standard of evidence the College must use to determine responsibility. 23. Relevance. Relevance refers to evidence that tends to prove or disprove whether the respondent is responsible for the alleged conduct. A relevant question asks whether the facts material to the allegations under investigation are more or less likely to be true. A question not directly related to the allegations in the formal complaint generally will be irrelevant. 24. Remedies. Remedies are actions taken or accommodations provided to the complainant after a determination of responsibility for sexual harassment has been made against the respondent. Remedies are designed to restore or preserve equal access to the College's education program or activity. Remedies may be disciplinary or non-disciplinary. 25. Report of Sexual Harassment. A report of sexual harassment occurs when anyone reports an allegation of sexual harassment to the Title IX Coordinator, or one that reaches the Title IX Coordinator through a Responsible Employee. An individual need not be participating or attempting to participate in an education program or activity of the College to file a report. The respondent also does not need to be an employee, student, or otherwise affiliated with the College for a person to file a report against a respondent. A report of sexual harassment does not trigger an investigation or the formal or informal resolution process, but it does require the Title IX Coordinator to meet with the complainant and carry out the procedures described in Section S and/or T of this Policy, as applicable. 26. Respondent. A respondent is an individual who has been reported to have engaged in conduct that could constitute sexual harassment as defined under this Policy. In most cases, a respondent is a person enrolled or employed by the College or who has another affiliation or connection with the College. The College may dismiss a formal complaint when the College has little to no control over the respondent but will

offer supportive measures to the complainant and set reasonable restrictions on an unaffiliated respondent when appropriate.

27. **Responsible Employee.** A Responsible Employee is an employee who has the authority to take action to redress sexual harassment; who has been given the duty to report sexual harassment to the Title IX Coordinator [or other designee]; or an employee a student could reasonably believe has such authority or duty. [The College may name Responsible Employees by title, or name employees who are Campus Security Authorities (CSAs) as Responsible Employees.] A Responsible Employee shall not be an employee who, in his or her position at the College, provides services to the campus community as a licensed health care professional, (or the administrative staff of a licensed health care professional), professional counselor, victim support personnel, clergy, or attorney. [Colleges may choose to identify by name employees who are not Responsible Employees.]

28. **Review Committee.** A Review Committee is the committee consisting of three or more persons, including the Title IX Coordinator or designee, a representative of campus police or campus security, and a student affairs representative, that is responsible for reviewing information related to acts of sexual violence.

29. **Sex Discrimination.** Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, separates or denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in an education program or activity. The College's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment constitutes sex discrimination under Title IX when such response is deliberately indifferent.

30. **Sexual Assault.** Sexual assault is any sexual act directed against another person without consent or where the person is incapable of giving consent. Sexual assault includes intentionally touching, either directly or through clothing, the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual assault includes sexual violence.

31. **Sexual Exploitation.** Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual harassment offenses. Examples of sexual exploitation include prostituting another person; non-consensual video or audio-taping of otherwise consensual sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex), and knowingly transmitting HIV or an STD to another.

32. **Sexual Harassment.** Sexual harassment means conduct on the basis of sex that satisfies one or more of the following: a) **Quid Pro Quo:** The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly; b) **Hostile Environment:** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity of the College, including a student's educational experience or an employee's work performance; and c) **Clery Act/VAWA Offenses:** Sexual assault/sexual violence, dating violence, domestic violence, and stalking, as defined by this Policy.

33. **Sexual Violence.** Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape and sexual assault.

34. **Stalking.** Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Such conduct can occur in person or online, but the conduct must involve an education program or activity of the College.

35. **Statement.** A statement is a person's intent to make factual assertions during the formal or informal resolution process, including evidence that contains a person's statement(s). Party or witness statements, police reports, Sexual Assault Nurse Examiner (SANE) reports, medical reports, and other records, such as emails and texts may be considered by the Hearing Officer even if they were not subject to cross-

examination at a live hearing. 36. Supportive Measures. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus environment, or to deter sexual harassment. 37. Third Party. A third party is any person who is not a student or employee of the College. 38. Title IX. Title IX means Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance. 7 39. Title IX Coordinator. The Title IX Coordinator is the employee or employees designated and authorized to coordinate the College's efforts to comply with its responsibilities under Title IX. 40. Workday. A workday is any eight-hour day, Monday through Friday, that the College is open for regular business. Workdays include days when classes are not held, but when employees are expected to be at work. 41. Written Determination. A written determination is the written decision by a Hearing Officer that a respondent is responsible or not responsible for a violation of this Policy by a preponderance of the evidence after a live hearing. A written determination also is the result of an appeal decided by an Appeal Officer. F. Retaliation 1. No person may intimidate, threaten, coerce, harass, discriminate, or take any other adverse action against any other person for the purpose of interfering with any right or privilege provided by this Policy, or because the person has made a report or filed a formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, live hearing, or any other process described in this Policy. 2. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy. 3. Allegations of retaliation that do not involve sex discrimination or sexual harassment but are related to a report or formal complaint of sexual harassment for the purpose of interfering with any right or privilege provided by this Policy constitutes retaliation. 4. Allegations of retaliation will be investigated and adjudicated as a separate code of conduct violation. Any person found responsible for retaliating against another person is subject to disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of violations of this Policy. G. Reporting Incidents of Sexual Harassment 1. Members of the campus community who believe they have been victims of crimes may report the incident to campus or local police. All emergencies or any incident where someone is in imminent danger should be reported immediately to campus police/security or local police by dialing 911 or xxx-xxx-xxxx. 2. Whether or not a report is made to law enforcement, any person may report incidents of sexual harassment, domestic violence, dating violence, sexual assault, or stalking (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute a violation of this Policy), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by reporting such conduct to a Responsible Employee to ensure that the Title IX Coordinator receives the verbal or written report. The Title IX Coordinator is solely responsible for overseeing the prompt, fair, and impartial investigation and resolution of reports and formal complaints filed with the College. 8

Community College Title IX Campus Resources Title IX Coordinator: [Name of Title IX Coordinator] [office address] [phone number] [email address] Deputy Title IX Coordinator (if applicable) [Name of Deputy Title IX Coordinator] [office address] [phone number] [email address] Add Deputy Title IX Coordinators as necessary] 3. During non-business hours, members of the campus community should report alleged violations of this Policy to [appropriate college representative and full contact information]. 4. There is no time limit for reporting incidents of sexual harassment with the Title IX Coordinator. However, complainants should report possible violations of this Policy as soon as

possible to maximize the College's ability to respond effectively to the report. Failure to report promptly also could result in the loss of relevant evidence.

**H. Confidentiality and Anonymous Reports**

1. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College must keep confidential the identity of any individual who has made a report or formal complaint of sexual harassment; any complainant or any individual who has been reported to be the perpetrator of sexual harassment; and any witness related to a report or formal complaint of sexual harassment, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as otherwise required by law, or to carry out the purposes of this Policy, including the conduct of any investigation, live hearing, or judicial proceeding arising from any report or formal complaint.
2. The College has a responsibility to respond to conduct that violates this Policy. For this reason, most College employees may not keep secret a report of sexual harassment. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and as confidentially as possible. College employees must share such information only with those College and law enforcement officials who must be informed of the information pursuant to this Policy.
3. Responsible Employees must report all alleged violations of this Policy obtained in the course of his or her employment to the Title IX Coordinator as soon as practicable after addressing the immediate needs of the complainant. Other campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus law enforcement, student activities staff, human resources staff, and advisors to student organizations. All employees must report suspected child abuse or neglect to the [Title IX Coordinator/other designated official] as soon as practicable, but no later than 24 hours after forming such suspicion, pursuant to VCCS Policy Number 3.14.6, Reporting Sexual Child Abuse or Neglect.
4. If a complainant wishes to keep the report of sexual harassment completely confidential, it is recommended that he or she reports the alleged conduct to someone without a duty to report incidents of sexual harassment to the Title IX Coordinator. Full-time employees also may contact the Employee Assistance Program. If the complainant requests that the complainant's identity is not released to anyone else, the College's response will be limited to providing supportive measures, if appropriate and reasonably available. When supportive measures are provided, the College will protect that person's privacy to the extent possible while still providing the supportive measures.
5. The College will accept anonymous reports, but a complainant may not remain anonymous if a complainant files a formal complaint. In the absence of a formal complaint, the College's response will be limited to providing supportive measures if appropriate and reasonably available.
6. The College may pursue the formal resolution process even if the complainant requests the College to take no action. The Title IX Coordinator will notify the complainant in writing within five (5) workdays of the decision to pursue the formal resolution process when he or she is unable to maintain confidentiality or respect the complainant's request for no further action. The Title IX Coordinator will give the complainant's wishes due consideration.

**I. Immunity** The College encourages the reporting of incidents that violate this Policy. The use of alcohol or drugs should not be a deterrent to reporting a possible incident of sexual harassment. When conducting the investigation, the College's primary focus will be on addressing the alleged sexual harassment and not on alcohol and drug violations that may be discovered or disclosed. The College does not condone underage drinking or the use of illicit drugs; however, the College will grant immunity from disciplinary action based on the personal consumption of alcohol or drugs to individuals who report incidents that violate this Policy, provided that such report is made in good faith. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

**J. Timely Warnings** The College is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to

members of the campus community. The College will ensure, to the extent possible, that an alleged victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

**K. Interim Measures**

- 1. Immediate Suspension.** Prior to the resolution of a formal complaint, the College may immediately suspend the respondent from an education program or activity when it determines that the respondent's continued presence poses an immediate threat to the physical health or safety of any person arising from the allegations of sexual harassment. Prior to such suspension, the College will conduct an individualized safety and risk analysis, focusing on the respondent and the specific facts and circumstances arising from the allegations of sexual harassment that justify the suspension. The College shall notify the respondent in writing of the specific facts and circumstances that make the immediate suspension necessary and reasonable and shall give the respondent the opportunity to challenge the decision immediately following the notice of suspension.
- 2. Administrative Leave.** The College may place a respondent employee on administrative leave prior to the resolution of a formal complaint. Reasons to place an employee on administrative leave include but are not limited to, the continued presence of the employee may be harmful to the employee or other employees; may hamper an investigation into the employee's alleged conduct; or may disrupt the work environment.
- 3. Mutual No Contact Order.** The College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means.

**L. Supportive Measures**

- 1.** The College will offer supportive measures to complainants and respondents, whether or not a formal complaint has been filed, or whether the alleged incident is under investigation by a law enforcement agency. All requests for supportive measures will be provided if appropriate and reasonably available.
- 2.** Supportive measures may include, but are not limited to, course schedule adjustments, reassignment of duty, leaves of absence, alternative parking arrangements, rescheduling class work, assignments, and examinations; allowing alternative class or work arrangements, such as independent study or teleworking; escort services, increased security and monitoring of certain areas of the campus, and other similar measures. Provisions of supportive measures to either party will be kept confidential to the extent possible.

**M. Procedures to Follow after an Incident**

Anyone who has experienced a sex offense, domestic violence, dating violence, sexual assault, or stalking should take the following action:

- 1.** Find a safe place away from harm.
- 2.** Call 911 or if on campus, contact campus police/security. The Title IX Coordinator may assist you in notifying law enforcement authorities if you wish, and you may decline to notify law enforcement.
- 3.** Call a friend, a campus advocate, a family member, or someone else you trust and ask her or him to stay with you.
- 4.** Go to the nearest medical facility/emergency room. It is important to seek appropriate medical attention to ensure your health and well-being, as well as to preserve any physical evidence.
- 5.** If you suspect that you may have been given a drug, ask the hospital or clinic where you receive medical care to take a urine sample. The urine sample should be preserved as evidence. "Rape drugs," such as Rohypnol and GHB, are more likely to be detected in urine than in blood.
- 6.** For professional and confidential counseling support, call the Virginia Family Violence & Sexual Assault Hotline at 1-800-838-8238. Help is available 24 hours a day. [Colleges may use the local hotline.]
- 7.** You should take the following steps to preserve any physical evidence because it will be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protective order:
  - a)** Do not wash your hands, bathe, or douche. Do not urinate, if possible.
  - b)** Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if the incident involved oral contact.
  - c)** Keep the clothing worn when the incident occurred. If you change clothing, place the worn clothing in a paper bag.
  - d)** Do not destroy any physical evidence that may be found in the vicinity of the incident by cleaning or straightening the location of the crime. Do not clean or straighten the location of the crime until law enforcement officials

have had an opportunity to collect evidence. e) Tell someone all the details you remember or write them down as soon as possible. f) Maintain text messages, pictures, online postings, video, and other documentary or electronic evidence that may corroborate a formal complaint. 8. The College will enforce protective orders issued by a court of law to the extent possible. N. Support Services 1. All students and employees will receive information in writing of available counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus. 2. For information about available resources, go to: [provide a link to a webpage that includes campus and community resources, e.g., hospitals, domestic violence and sexual assault resource center, etc.] [Alternatively, colleges may want to provide a listing of all relevant campus and community resources in this section.] O. Education and Awareness Program 1. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual assault, domestic violence, dating violence, and stalking. 2. The program, at a minimum, shall include: a) A statement that the College prohibits sexual harassment, including sexual assault, domestic violence, dating violence, and stalking; b) The definition of sexual harassment, including sexual assault, domestic violence, dating violence, and stalking; c) The definition of consent; 12 d) Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than such individual; e) Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; f) Information on possible sanctions and procedures to follow after an incident of sexual assault, domestic violence, dating violence or stalking; g) The College's disciplinary procedures; h) Information on how the College will protect confidentiality; and i) Written notification about available resources and support services and available supportive measures available if appropriate and reasonably available. 3. The College offers the prevention and awareness program to all new and existing students and employees. P. Academic Freedom and Freedom of Speech 1. This Policy does not allow censorship of constitutionally protected expression. As a "marketplace of ideas," the College encourages intellectual inquiry and recognizes that such inquiry may result in intellectual disagreements. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from a student's educational experience or an employee's work performance. Verbal or written communications, without accompanying unwanted sexual physical contact, does not constitute sexual assault. 2. In addressing all complaints and reports of alleged violations of this Policy, the College will take actions to comply with this Policy that recognize and ensure the free speech rights of students and employees. This Policy does not apply to curricula, curricular materials, or abridge the use of any textbooks. Q. False Statements The College prohibits knowingly making false statements or knowingly submitting false information. Any individual who knowingly files a false report or formal complaint, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a report or formal complaint may be subject to disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff. An allegation that cannot be proven by a preponderance of the evidence is insufficient evidence of a knowing false statement. R. Consensual Relationships Pursuant to VCCS Policy 3.14.2, consenting romantic or sexual relationships between employees and students for whom the employee has a direct professional responsibility are prohibited. Consenting romantic or sexual relationships between employees where one employee has a direct professional responsibility to the other also are prohibited. Consenting romantic or sexual relationships between other employees (not in a supervisory position), or with students for whom the employee does not have a direct professional responsibility, 13 although not expressly prohibited, are

unwise and strongly discouraged. The relationship may be viewed in different ways by each of the parties, in retrospect. Additionally, circumstances may change and conduct that was previously welcome may become unwelcome.

S. Handling Reports of Sexual Violence

1. Reports to Law Enforcement. The Title IX Coordinator will assist members of the campus community in reporting incidents of sexual violence as defined by this Policy to law enforcement authorities upon request. When allowable under Virginia law, the Title IX Coordinator will request the consent of the complainant (or alleged victim if different from the complainant) to report incidents of alleged sexual violence that occur on campus property to law enforcement.
2. Meeting(s) of the Review Committee. Within 72 hours of receiving a report of an alleged act of sexual violence as defined in this Policy against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College's Review Committee to review the information reported and any information obtained through law enforcement records, criminal history record information, health records, conduct or personnel records, and any other facts and circumstances, including personally identifiable information, related to the alleged incident known to the Review Committee.
3. Disclosures to Law Enforcement. Under Virginia law, the Review Committee may determine that the disclosure of information to local law enforcement regarding the alleged incident of sexual violence, including personally identifiable information, is necessary to protect the health or safety of the complainant or other individuals.
  - a) The Review Committee may try to reach a consensus, but it is the law enforcement representative of the Review Committee that ultimately determines whether the disclosure of the information, including the personally identifiable information, is necessary to protect the health or safety of the alleged victim or other individuals. The College shall disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident immediately.
  - b) The Title IX Coordinator will notify the alleged victim in writing that the College will disclose such information to law enforcement.
4. Disclosures to the Commonwealth's Attorney. If the report of an alleged act of sexual violence would constitute a felony, within 24 hours of the first Review Committee meeting, the law enforcement representative of the Review Committee shall notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) and disclose the information received by the Review Committee, including personally identifiable information, if such information was disclosed pursuant to Section S3.
  - a) The law enforcement representative usually will make this disclosure; however, any member of the Review Committee may decide independently that such disclosure is required under state law and within 24 hours of the first Review Committee meeting shall disclose the information to the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence), including personally identifiable information, if such information was disclosed pursuant to Section S3.
  - b) If the Title IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.
5. Law enforcement will notify the local Commonwealth's Attorney within 48 hours of beginning an investigation involving a felonious act of sexual violence. Either campus police, the local law enforcement agency, or the State Police will notify the Commonwealth's Attorney pursuant to an MAA/MOU.
6. The College also must inform the complainant of the following:
  - a) the available law enforcement options for investigation and prosecution;
  - b) the importance of collection and preservation of evidence;
  - c) the available options for a protective order;
  - d) the available campus options for investigation and adjudication under the institution's policies;
  - e) the complainant's rights to participate or decline to participate in any investigation to the extent permitted under state or federal law;
  - f) the applicable federal or state confidentiality provisions that govern information provided by a victim;
  - g) the available on-campus resources and any unaffiliated community resources, including sexual assault crisis

centers, domestic violence crisis centers, or other victim support services; h) the importance of seeking appropriate medical attention; and i) the College's obligation to disclose information about the report, including personally identifiable information, to campus or local law enforcement, or to the local Commonwealth's Attorney, or both, if the review team determines that such disclosure is necessary to protect the health or safety of the complainant or others. 7. In addition to the procedures described in this Section, the College shall follow the procedures described in Section T. T. Handling Reports of Sexual Harassment, including Domestic Violence, Dating Violence, Sexual Assault, or Stalking 1. Upon receiving actual knowledge of sexual harassment in an education program or activity of the College against a person in the United States, the College must respond promptly in a manner that is not deliberately indifferent. The College will treat complainants and respondents equitably by offering supportive measures to the complainant and by completing either a formal or informal resolution process before imposing any disciplinary sanctions or other corrective actions that are not supportive measures against a respondent. 2. Upon receiving a report of sexual harassment (including domestic or dating violence, sexual assault, or stalking), the Title IX Coordinator shall take the following actions: a) promptly contact the complainant to discuss the availability of supportive measures and consider the complainant's wishes with respect to such supportive measures; b) inform the complainant that supportive measures are available with or without the filing of a formal complaint; 15 c) explain to the complainant the process for filing a formal complaint, including providing the complainant with a Formal Complaint Form, when applicable; and, d) give the complainant a written explanation of available rights and options as described in Sections H, L, M, N, U, and AA. 3. The Title IX Coordinator shall take the actions described above whether the offense occurred on or off campus. 4. Closing the Report. After following the procedures described in this Section, the Title IX Coordinator must close the report if: a) the conduct alleged in the report would not constitute sexual harassment as defined by this Policy, even if proved; b) the conduct did not involve an education program or activity of the College; or c) the complainant does not file a formal complaint and the Title IX Coordinator does not sign a formal complaint. (1) The Title IX Coordinator shall forward the report to the appropriate College official that will determine whether the conduct alleged in the report violates a separate policy or code of conduct and provide written notice of the decision to close the report to the complainant. (2) The Title IX Coordinator will document the action(s) taken and the rationale for such action(s). (3) The decision to close the report is final. U. Resolution of Formal Complaints 1. The College's Responsibilities. The College must provide a prompt, fair, and impartial investigation, and resolution of alleged violations of this Policy. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the College and not on the parties, but the parties may present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. a) When resolving a formal complaint, the College will evaluate all relevant evidence objectively, including both inculpatory and exculpatory evidence, and will make credibility determinations without reference to a person's status as a complainant, respondent, or witness. b) The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. c) All employees involved in the resolution of formal complaints, including the appeal process, must not have a conflict of interest or bias for or against complainants or respondents generally, or for or against an individual complainant or respondent. d) All employees involved in the resolution of formal complaints receive relevant training. e) The College will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the formal or informal resolution 16 process before the imposition of any disciplinary sanctions or other actions that are not supportive measures

against a respondent. f) At all times prior to a determination of responsibility, the respondent will be presumed not responsible for the alleged conduct. The imposition of interim measures does not constitute a presumption of responsibility.

2. Resolution Process Options. The College may resolve formal complaints by either a formal or informal resolution process.

3. Consolidation of Formal Complaints. The College may consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

4. Suspending an Investigation. The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed its gathering of evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

5. Preliminary Investigation. If the respondent's identity is unknown, the Title IX Coordinator (or campus police) will conduct a preliminary investigation to determine the respondent's identity. If the preliminary investigation fails to reveal the identity of the respondent, the Title IX Coordinator shall dismiss the formal complaint because the College must have sufficient information to conduct a meaningful and fair investigation. If the identity of the respondent is revealed, the Title IX Coordinator shall proceed as otherwise provided in this Policy. The Title IX Coordinator will notify the complainant in writing of the result of the preliminary investigation promptly after the preliminary investigation.

6. Time Frame for Resolution of Formal Complaint.

a) The formal resolution of any formal complaint should be completed normally within seventy-five (75) workdays of filing the formal complaint, unless good cause exists to extend the timeframe. For resolving formal complaints, good cause includes but is not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or unavoidable scheduling conflicts. The 75-workday timeframe refers to the entire formal resolution process, which includes the initial determination, investigation, live hearing, determination of responsibility, and the imposition of sanctions and provision of remedies, if any. The 75-workday timeframe does not include appeals. If any step of the process must be suspended or delayed for any reason and more time is necessary, the Title IX Coordinator will notify the parties in writing and give the reason for the delay and an estimated length of the delay.

b) The informal resolution of any formal complaint should be completed within thirty (30) workdays of filing the formal complaint. Timeframes governing the formal resolution process temporarily cease, and only recommence upon reentry into the formal resolution process.

17 18 V. Formal Resolution Process

1. Formal Complaint Form. To initiate the formal resolution process, complainants must complete the Formal Complaint Form or other written and signed document that requests an investigation, [found in Appendix A or other location], and submit it to the Title IX Coordinator. After due consideration of the complainant's wishes, the Title IX Coordinator may sign a formal complaint. In determining whether to sign a formal complaint, the Title IX Coordinator will consider the following factors: a) The seriousness of the allegation(s), including whether the allegation(s) include bodily injury, threats, or the use of weapons; b) The complainant's or alleged victim's age; c) Whether there have been other similar complaints of against the same respondent; and, d) The applicability of any laws mandating disclosure.

2. Notice of Allegations to the Parties. After receiving a formal complaint and as soon as practicable, the Title IX Coordinator will contact the parties to schedule an initial meeting. The correspondence must include the following information: a) A copy of the College's Title IX Policy against sexual harassment, including the process by which the College resolves allegations of sexual harassment; b) Notice of the allegation(s), including

sufficient details known at the time and with sufficient time to prepare a response before the initial meeting. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known; c) Notice that each party may be accompanied by an advisor of his or her choice at all meetings and the live hearing who may be, but is not required to be, an attorney, and that each party and advisor will have the opportunity to inspect and review evidence; d) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the formal or informal resolution process; e) A statement that each party must notify the Title IX Coordinator in writing within five (5) workdays if he or she believes that the Title IX Coordinator has a conflict of interest or bias against the party; and f) A statement that the College prohibits knowingly making false statements or knowingly submitting false information during the resolution of a formal complaint, in accordance with Section Q of this Policy.

3. Complainant's Initial Meeting with the Title IX Coordinator. At this meeting, the Title IX Coordinator will: a) Determine whether an informal resolution is permissible, and whether the complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind; b) Explain avenues for formal resolution and informal resolution of the formal complaint; c) Explain that if the complainant chooses an informal resolution, that the complainant may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process; d) Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued; e) Explain the investigative process, including the right to discuss the allegations under investigation and to present fact and expert witnesses and other relevant evidence; f) Discuss confidentiality standards and concerns with the complainant; g) Discuss non-retaliation requirements; h) Refer the complainant to campus and community resources, including the local sexual assault crisis center, domestic violence crisis center, victim support service with which the College has entered into a memorandum of understanding, or other appropriate support services; i) Inform the complainant of any interim measures that will be imposed and any supportive measures that will be provided to the complainant during the pendency of the investigative and resolution processes; j) Discuss the right to a prompt, fair, and impartial resolution of the formal complaint; and, k) Answer questions about the Policy and procedures.

4. Respondent's Initial Meeting with the Title IX Coordinator. During this meeting with the respondent, the Title IX Coordinator will: a) Review the allegations; b) Determine whether an informal resolution is permissible, and whether the respondent wishes to pursue an informal resolution; c) Explain avenues for formal resolution and informal resolution of the formal complaint; d) Explain that if the respondent chooses an informal resolution, that the respondent may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process; e) Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued; f) Explain the investigative process, including the right to discuss the allegations under investigation and to present fact and expert witnesses and other relevant evidence; g) Discuss confidentiality standards and concerns with the respondent; h) Discuss non-retaliation requirements; i) Inform the respondent of any interim measures that will be imposed and any supportive measures that will be provided to the respondent during the pendency of the investigative and resolution processes; j) Refer the respondent to campus and community resources, as appropriate; k) Discuss the respondent's the right to due process and a prompt, fair, and impartial resolution of the formal complaint; 20 l) If the respondent is a student and the formal complaint involves an alleged act of sexual

violence as defined in this Policy, explain to the respondent that the College will include a notation on the academic transcript if the respondent is suspended or dismissed after being found responsible, or if the respondent withdraws while under investigation, that the investigation may continue in the respondent's absence, if possible, while being afforded notice of all meetings and the live hearing, if applicable, and an opportunity to inspect, review, and respond to all the evidence; and m) Answer questions about the Policy and procedures.

5. Title IX Coordinator's Initial Determination.

a) Mandatory Dismissal of Formal Complaint. After completing the initial meetings, the Title IX Coordinator must dismiss the formal complaint if: (1) the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this Policy even if proved; (2) the conduct did not involve an education program or activity of the College; (3) the conduct did not occur against a person in the United States.

b) Optional Dismissal of Formal Complaint. The Title IX Coordinator may dismiss the formal complaint if: (1) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any of its allegations. If a complainant requests to withdraw a formal complaint, the Title IX Coordinator will consider the factors listed in Section V1 in determining whether to sign the formal complaint; (2) the respondent is no longer enrolled or employed at the College; or (3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or any of its allegations.

c) After dismissing the formal complaint, the Title IX Coordinator shall forward the formal complaint to an appropriate College official that will determine whether the conduct alleged in the formal complaint violates a separate policy or code of conduct.

d) The Title IX Coordinator will send written notice of the dismissal with specific reason(s) for the dismissal to the parties, simultaneously, within five (5) workdays of completing the initial meetings. This decision may be appealed.

6. Appointment of the Investigator and Conduct of the Investigation.

a) Appointment of Investigator. After an initial determination to continue the formal resolution process or after failed informal resolution process, the Title IX Coordinator will appoint an investigator within five (5) workdays of completing the initial meetings. The Title IX Coordinator will provide the investigator's name and contact information to the complainant and respondent and will forward the formal complaint to the investigator. Within five (5) workdays of such appointment, the investigator, the complainant, or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest or bias of the appointed investigator. The Title IX Coordinator will consider such information and will appoint a different investigator if it is determined that a material conflict of interest or bias exists.

b) Contacting the Parties. The investigator will contact the complainant and respondent promptly. In most cases, this should occur within ten (10) workdays from the date of the investigator's appointment. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and recommendations of witnesses, including character and expert witnesses, to be interviewed for the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.

c) Weighing of the Evidence. As part of the investigation, the investigator must weigh the credibility and demeanor of the complainant, respondent, and witnesses, and ensure that credibility determinations are not based on a person's status as a complainant, respondent, or witness; the logic and consistency of the evidence, motives, and any inculpatory and exculpatory evidence.

d) Withdrawal of a Student During an Investigation. The withdrawal of a student from the College while under investigation for an alleged act of sexual violence as defined by this Policy in most cases will not end the College's investigation and resolution of the complaint. The College shall continue the investigation, if possible, as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence, to inspect, review, and respond to all the evidence and the written investigative report prior to making a determination on responsibility. (1) Upon the student's withdrawal, the College shall

place a notation on the student's academic transcript that states, "Withdrew while under investigation for a violation of [name of community college's] Title IX Policy." After the College has completed its investigation and resolution of the complaint, the College shall either (a) remove the notation if the student is found not responsible or (b) change the notation to reflect either a suspension or dismissal for a violation of the Policy if either was imposed. (2) The College shall end the investigation and resolution of the complaint if the College cannot locate the respondent to provide due process. In such cases, the College shall maintain the withdrawal notation on the student's academic transcript. Upon a final determination, the Title IX Coordinator immediately shall notify the registrar and direct that the appropriate notation is made. e) Inspection and Review of the Evidence. The parties will have the opportunity to inspect, review, and respond to all the evidence obtained during the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination of responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The investigator will send each party and each party's advisor, if any, a copy of the evidence subject to review. The parties will have ten (10) workdays to submit a written response to the evidence and the option to submit additional evidence, which the investigator will consider prior to the completion of the investigative report. Neither the parties nor their advisors may disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX formal resolution process. Nevertheless, the College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. f) Investigative Report. The investigator will complete an investigative report that fairly summarizes relevant evidence, including but not limited to, all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant records, and a detailed report of the events in 22 question. The investigative report shall include the following information to the extent possible: (1) The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation; (2) The names and gender of all persons alleged to have committed the alleged violation; (3) A statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s); (4) The dates of the report and formal complaint were filed; (5) The dates the parties were interviewed; (6) The names and gender of all known witnesses to the alleged incident(s); (7) The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained; (8) Any written statements of the complainant or the alleged victim if different from the complainant; and (9) The date on which the College deferred its investigation and disciplinary process because the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process, if applicable. g) Submission of the Investigative Report. The investigator will submit the investigative report to the Title IX Coordinator, who will send the investigative report to the parties and the parties' advisors, if any, simultaneously for review and written response as soon as possible, but no later than five (5) workdays after receiving the investigative report from the investigator. The parties will have ten (10) workdays to submit a written response to the investigative report to the Title IX Coordinator. The Title IX Coordinator will not consider the parties' written responses but will ensure that such statements are added to the record. Neither the parties nor their advisors may disseminate the investigative report or use such report for any purpose unrelated to the Title IX formal or informal resolution process. W. Conduct of Live Hearing 1. The Title IX Coordinator will appoint a Hearing Officer [and members of the Hearing Committee, if preferred by the College] within ten (10) workdays after sending the investigative report to the parties and their advisors, if any. Within five (5) workdays after the appointment, the Hearing Officer will contact the parties to

schedule a live hearing. The parties have five (5) workdays after being contacted by the Hearing Officer to notify the Title IX Coordinator in writing of any potential conflict of interest or bias of the Hearing Officer. The Title IX Coordinator will consider such information and will appoint a different Hearing Officer if the Title IX Coordinator determines that a material conflict of interest or bias exists. When the date, time, and place of the live hearing is confirmed, the Hearing Officer will notify the parties in writing simultaneously of the date, time, and place of the live hearing.

2. No later than fifteen (15) workdays before the live hearing, each party must notify the Hearing Officer and the other party of the following:

23 a) the name and contact information of the advisor, if new, or notification that a party does not have an advisor available for the hearing, if applicable; b) the names and contact information of witnesses that will be called at the live hearing and the purpose of their testimony at the live hearing; c) whether a party intends to be subjected to cross-examination; d) a description of documents or other evidence and the purpose of such evidence that will be used at the live hearing; e) the specific remedy requested; and, f) whether a party requests that the live hearing occurs with the parties located in separate rooms with technology that enables the Hearing Officer and the parties to see and hear the party or the witness answering questions simultaneously. Only one party is required to make the request for separate rooms.

3. The Hearing Officer will notify the Title IX Coordinator promptly that the College must appoint an advisor for a party when notified of the need for an advisor. The Title IX Coordinator will appoint the advisor promptly, but no later than ten (10) workdays prior to the live hearing. If a party appears at a live hearing without an advisor, the Hearing Officer shall delay the start of the live hearing until an advisor is available.

4. The Hearing Officer shall ensure that all evidence obtained during the investigation is made available to the parties at the live hearing.

5. Rules of the Live Hearing.

a) Evidence. The formal rules of evidence will not be applied except to determine whether the evidence or question presented is relevant or cumulative. (1) Either party may call character or expert witnesses. (2) Questions and evidence about a party's sexual predisposition or prior sexual behavior are not relevant, unless: (a) such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or (b) the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (3) If the evidence or witness testimony is, on its face, not relevant or is cumulative, the Hearing Officer may exclude such evidence or witness statement(s), with the rationale for the decision in the pre-hearing determination. The parties may object in writing to such determination within five (5) workdays of the determination. The Hearing Officer shall rule on the objection within five (5) workdays of receipt of the objection.

b) Standard of Evidence. The live hearing will determine responsibility using the preponderance of the evidence standard.

c) Participation of Parties and Witnesses. Neither party may choose to waive the right to a live hearing, but parties and witnesses may choose whether to participate in the live hearing or submit to cross-examination.

d) Recording or Transcript. The Hearing Officer will arrange for the live hearing to be recorded. Each party will receive a copy of the recorded live hearing upon 24 request. Parties may prepare a transcript of the recording at their own expense. Neither the parties nor their advisors may disseminate the record or transcript or use such record or transcript for any purpose unrelated to the Title IX formal resolution process or related civil proceeding.

e) Opening Statements and Closing Statements. At the sole discretion of the Hearing Officer, the parties may make opening and/or closing statements at the live hearing. The Hearing Officer will determine the time that is allotted for each.

f) Pre-Hearing Determinations. No later than ten (10) workdays prior to the live hearing, the Hearing Officer shall decide (1) whether to exclude any of the proposed evidence or witnesses, and the basis upon which such evidence or witness is excluded; and (2) whether to allow opening statements and closing arguments and the time allotted for both.

g) Rules of Conduct During the Live Hearing. All live hearings will be closed

to the public and witnesses will be present only during their testimony. For live hearings that use technology, the Hearing Officer shall ensure that appropriate protections are in place to maintain confidentiality. (1) The College will require all parties, advisors, and witnesses to maintain appropriate decorum throughout the live hearing. Participants at the live hearing are expected to abide by the Hearing Officer's directions and determinations, maintain civility, and avoid emotional outbursts and raised voices. (2) Repeated violations (generally, more than two) of appropriate decorum will result in a break in the live hearing, the length of which shall be determined by the Hearing Officer. The Hearing Officer has the sole discretion to appoint a different advisor to conduct cross-examination on behalf of a party after repeated violations of appropriate decorum or other rules related to the conduct of the live hearing.

6. Role of the Advisor. a) The role of the advisor at the live hearing is to conduct cross-examination on behalf of a party. The advisor is not to "represent" a party, but only to relay the party's cross examination questions that the party wishes to have asked of the other party and witnesses so that parties never personally question or confront each other during a live hearing. A party shall not conduct cross-examination on his or her behalf. b) Each party may retain an attorney at his or her expense or designate a non-attorney advisor to accompany him or her at the live hearing. The advisor may provide advice and consultation to the parties or the parties' witnesses outside of the conduct of the live hearing to assist parties in handling the formal resolution process. c) A party's advisor must conduct cross-examination at the live hearing directly, orally, and in real time. Only relevant cross-examination questions and follow-up questions, including those that challenge credibility, may be asked. Advisors may not raise objections or make statements or arguments during the live hearing. d) The College shall appoint an advisor for the live hearing at no cost to a party when the party does not have an advisor. The appointed advisor may be but is not required to be a licensed attorney or anyone with formal legal training. Advisors may be faculty, staff, students, or volunteers from the local community.

7. Role of the Hearing Officer. a) The role of the Hearing Officer is to preside over the live hearing in a fair and impartial manner. After the live hearing, the Hearing Officer must issue a written determination regarding responsibility using the preponderance of the evidence standard of evidence. The Hearing Officer will be the final decision-maker on all matters of procedure during the live hearing. b) Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Officer first must determine whether the question is relevant or cumulative and explain any decision to exclude a question that is not relevant or is cumulative. c) The Hearing Officer may question the parties and witnesses, but they may refuse to respond. d) The Hearing Officer must consider all relevant evidence, including statements of a party or witness, even if such statement was not subjected to cross-examination at the live hearing. In determining the amount of weight the Hearing Officer will give to such a statement, the Hearing Officer should consider the reliability of the statement. Factors to consider include, but are not limited to, whether a party or witness commented on or challenged the statement prior to the live hearing, whether the statement is a rumor or something of which the party or witness does not have firsthand knowledge, and whether the person who made the statement has a motive or a conflict of interest that can be demonstrated through other evidence. The level of reliability will determine the amount of weight the Hearing Officer will give to the statement when reaching a determination regarding responsibility. Additionally, the Hearing Officer must not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. e) Within ten (10) workdays after the live hearing, or with good cause shown as soon as possible, the Hearing Officer will submit a written determination to the Title IX Coordinator. The Hearing Officer must make a finding of responsibility or nonresponsibility for each allegation and describe the rationale for the finding based on an objective evaluation of the evidence presented at the live hearing. The written determination shall include the

following: (1) Identification of the allegations potentially constituting sexual harassment defined under this Policy; (2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held. The description of the procedural steps also should include who performed the investigation and the process taken to inspect and review the evidence and disseminate the investigative report, including the adherence to mandated procedural timelines; (3) Findings of fact supporting the determination; (4) Conclusions regarding the application of this Policy to the facts; (5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any range of disciplinary sanction(s) to be imposed on the respondent, and whether (not which) remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant. (6) When applicable, a statement that a notation will be placed on the academic transcript that the respondent was suspended or dismissed for a violation of the College's Title IX Policy. (7) When applicable, a statement that the respondent may request the expungement of the notation on the academic transcript for good cause shown and after a period of three years. (8) The College's procedures and permissible bases for the complainant and the respondent to appeal. If the complainant or respondent does not contest the finding or recommended sanction(s) and/or remedies and does not file an appeal within the required time frame, the written determination shall be final. X. Actions Following the Written Determination 1. The role of the Title IX Coordinator following the receipt of the written determination from the Hearing Officer is to facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process. 2. The Title IX Coordinator must provide the written determination to the parties simultaneously, with a copy to Human Resources, Conduct Officer, and/or other College officials, as appropriate. The appropriate college official, after consultation with the Title IX Coordinator, will determine the sanction(s) imposed and remedies provided, if any. 3. The parties shall receive the final decision on the imposition of sanction(s), if any, and the provision of remedies, if any, simultaneously within ten (10) workdays of receipt of the written determination by the appropriate college official(s). The College must disclose to the complainant the sanction(s) imposed on the respondent that directly relate to the complainant when such disclosure is necessary to ensure equal access to the College's education program or activity. 4. The Title IX Coordinator shall confer as necessary with employees, community resources, or other support services that will provide such remedies. 5. Any sanctions to be imposed or remedies to be provided should begin after five (5) workdays of issuing the final decision unless a party files an appeal. 6. If the respondent is a third party, the Title IX Coordinator will forward the written determination to [vice president/police chief, or other college official]. Within ten (10) workdays, the [designated official] shall determine and impose appropriate sanction(s), as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s) in the final decision, if any. The Title IX Coordinator may disclose to the complainant information as described above. Y. Appeals 1. Within five (5) workdays of receipt of the final decision, either party may appeal the Hearing Officer's written determination regarding responsibility and the final decision related to 27 sanctions and remedies. The parties also may appeal the College's dismissal of a formal complaint or any of its allegations therein within five (5) workdays of such dismissal. The appeal must be in writing and submitted to the Title IX Coordinator, who will appoint an Appeal Officer within five (5) workdays of receipt of the appeal. The Appeal Officer's decision is final. 2. The Appeal Officer will grant an appeal only on the following bases: a) Procedural irregularity that affected the outcome of the matter; b) New evidence that was not reasonably known or available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and, c) The Title IX Coordinator, investigator(s), or Hearing

Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. 3. Within five (5) workdays of receipt of an appeal request, the Title IX Coordinator will notify the other party that an appeal has been filed and implement appeal procedures equally for both parties. 4. The Title IX Coordinator will compile the record, including the notice of allegations, evidence obtained, investigative report, live hearing recording, written determination, and final decision. The Title IX Coordinator shall forward the record with the appeal request to the Appeal Officer as soon as possible, but no later than ten (10) workdays of receipt of the appeal request. 5. The Appeal Officer must not be the Hearing Officer, the investigator, or the Title IX Coordinator and be free from conflict of interest and bias. 6. Upon receipt of the request for the appeal and the record, the Appeal Officer shall decide whether to grant the appeal, including the rationale for the decision, and notify the parties whether the appeal has been granted simultaneously. The decision shall be made within ten (10) workdays of receipt of the appeal request and record from the Title IX Coordinator. 7. If the Appeal Officer grants the appeal, he or she will notify the parties that they have five (5) workdays to submit a written statement in support of, or against, the outcome of the written determination, final decision, or dismissal of the formal complaint. The Appeal Officer may grant additional time for good cause to both parties. 8. The Appeal Officer shall make the decision based on the record and the parties' written statements, if any. The Appeal Officer shall not receive additional statements or testimony from any other person. 9. The Appeal Officer shall issue a written determination of the result of the appeal and the rationale for such result within ten (10) workdays of receipt of written statements, if any. The Appeal Officer shall provide the written determination to the parties simultaneously. 10. At the conclusion of the appeal, the Title IX Officer shall facilitate the imposition of sanctions, if any, and the provision of remedies, if any. 28 Z. Informal Resolution Process 1. The informal resolution process is available under the following conditions: a) The complainant has filed a formal complaint of hostile environment sexual harassment involving parties with the same status (e.g., student-student or employee); b) The Title IX Coordinator has completed the steps described in Sections V1 through V4; and, c) The parties voluntarily request in writing to resolve the formal complaint through the informal resolution process. 2. Within five (5) workdays after the receipt of the written request to start the informal resolution process, the Title IX Coordinator will appoint a college official to facilitate an effective and appropriate resolution ("Facilitator"). The Title IX Coordinator may serve as a Facilitator. Within five (5) workdays of such appointment (or receipt of the written request), the parties may identify to the Title IX Coordinator in writing any potential conflict of interest or bias posed by such Facilitator to the matter. The Title IX Coordinator will consider such information and will appoint another Facilitator if it is determined that a material conflict of interest or bias exists. Within five (5) workdays of the appointment (or receipt of the written request), the Facilitator will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed, but the Facilitator will not conduct a full investigation as part of the informal resolution process. 3. Within ten (10) workdays of receiving the written statements, the Facilitator will hold a meeting(s) with the parties and coordinate informal resolution measures. The Facilitator shall document the meeting(s) in writing. Each party may have one advisor of his or her choice during any meeting; however, the advisor may not speak on the party's behalf. 4. The informal resolution process should be completed within thirty (30) workdays in most cases, unless good cause exists to extend the time. The parties will be notified in writing and given the reason for the delay and an estimated time of completion. 5. Any resolution of a formal complaint through the informal resolution process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also respecting the due process rights of the respondent. 6. At the conclusion of meetings, interviews, and the receipt of

statements, the Facilitator will write a summary of such in a written informal resolution report and provide the parties with the informal resolution report simultaneously. The written informal resolution report shall include the notice of allegations, a meeting(s) summary, remedies provided, if any, sanctions imposed, if any, and whether the formal complaint was resolved through the informal resolution process. The Facilitator will forward the written informal resolution report to the Title IX Coordinator, when applicable. 7. At the conclusion of the informal resolution process, if the formal complaint was resolved to the satisfaction of the parties, the parties will provide a written and signed statement as such for the record. The decision will be final, and the matter will be closed. 8. At any time prior to resolving a formal complaint through the informal resolution process, either party may withdraw in writing from the informal resolution process and resume or begin the formal resolution process. 29 9. If the formal complaint is not resolved through the informal resolution process, the Title IX Coordinator shall resume the formal resolution process. 10. The Facilitator shall not be a witness as part of the formal resolution process, but the written informal resolution report (if applicable) shall be part of the record. AA. Sanctions & Corrective Actions 1. The College will take reasonable steps to address any violations of this Policy and to restore or preserve equal access to the College's education programs or activities. Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both. 2. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education, a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, verbal or written warning, a no-contact order, written or verbal apology, verbal or written warning, probation, suspension, and expulsion from the College. 3. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and corrective actions include required discrimination or harassment education, informal or formal counseling, reassignment, demotion, suspension, non-reappointment, and termination from employment. 4. Third parties, e.g., contractors, or patrons from the general public, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary. 5. Sanctions imposed do not take effect until the resolution of any timely appeal. However, the College may keep in place any interim measures when necessary. 6. Informal resolution process remedies include mandatory training, reflective writing assignment, counseling, written counseling memorandum by an employee's supervisor, suspension, termination, or expulsion, or other methods designed to restore or preserve equal access to the College's education programs or activities. BB. Academic Transcript Notations and Expungement 1. If a student is found responsible for an act of sexual violence as defined by this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: "Suspended/Dismissed for a violation of [the name of the College's] Title IX Policy." In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension and any conditions thereof, and when the student is considered to be in good standing. The student shall be considered to be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator (or designee) shall meet with the student to confirm completion of the conditions and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript. 30 2. If a student withdraws from the College while under investigation involving an act of sexual violence as defined by this Policy, the student's academic transcript shall be noted as follows: "Withdrew while under investigation for a violation of [name of the College's] Title IX Policy." Students are strongly encouraged not to withdraw from the College. 3. The College shall immediately remove the notation from the student's academic transcript upon a subsequent

finding that the student is not responsible an offense of sexual violence as defined by this Policy. Upon such a finding, the Title IX Coordinator (or designee) shall direct the registrar to remove the notation from the student's academic transcript. 4. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student's academic transcript after resolution of any timely appeal. 5. The College shall expunge the notation from the academic transcript of any student for good cause shown and after a period of three (3) years. a) Persons seeking to expunge the notation on an academic transcript shall submit a written request for expungement to the [College's designated official] no sooner than three years after the date the College placed the notation on the academic transcript. b) The request for expungement must contain sufficient information to support a finding of good cause. For expungement purposes, good cause includes: (1) the act of sexual violence did not involve serious bodily injury, the use of force, or threat, and the former respondent demonstrates remorse and/or rehabilitation; (2) the former respondent committed the Policy violation while under the age of 18 and the former respondent demonstrates remorse and/or rehabilitation; and, (3) any other reason that, in interest of justice, the notation should be expunged. c) The [designated official] shall issue a written decision and the rationale for such decision within ten (10) workdays of receipt the request. d) If the request for expungement is denied, the former respondent may submit another request for expungement no sooner than three (3) years after the denial of the request. This decision is final. CC. Training and Training Materials 1. Title IX Coordinator(s), investigators, Hearing Officers, Appeal Officers, and Facilitators for the informal resolution process must receive annual training, as appropriate, on the following topics: a) The definition of sexual harassment; b) The scope of the College's education programs or activities; c) How to conduct an investigation and grievance process, including live hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; d) The definition of relevance; e) Investigative report writing; and, 31 f) Technology that may be used at live hearings. 2. College-appointed advisors receive training on the definitions of sexual harassment, consent, preponderance of the evidence, and relevance. 3. Training materials must not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment. 4. All training materials must be available on the College's website. DD. Record Keeping 1. The Title IX Coordinator, Deputy Title IX Coordinator, if applicable, and any other employee as appropriate, e.g., HR Director, shall maintain in a confidential manner, for at least seven (7) years from the date of creation of the last record pertaining to each case, in paper or electronic files of the following: a) The complete file for each sexual harassment investigation and formal resolution process, including (1) any determination regarding responsibility; (2) any audio or audiovisual recording or transcript of the live hearing; (3) any disciplinary sanctions imposed on the respondent; and, (4) any remedies provided to the complainant; b) Records of any appeal and its result; c) Records of any informal resolution process and its result; d) All materials used to train Title IX Coordinators, investigators, Hearing Officers, Appeal Officers, and Facilitators for an informal resolution process. 2. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. Records must explain why the College's response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's education programs or activities. 3. If the College does not provide a complainant with supportive measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances, including whether such decision was made based on the complainant's request or desire for the College to take no action or to provide supportive measures. 4. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken. EE. Use of Template/Reports to System Counsel All community colleges of the

Virginia Community College System shall use this template. All reports of alleged incidents of sexual harassment shall be reported to the Office of System Counsel.