

# FACULTY AND STAFF HANDBOOKS

*Section 1 of 4: Uniform Policies and Procedures for Faculty and Staff  
Effective July 2023*

*\*The term "employee" refers to faculty and staff.*

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**In order to promote the health and welfare of all persons in the Blackburn College community and to protect College assets, the administration is committed to a policy of promoting safe working conditions on the campus. Everyone in the College community should share this commitment; it is expected that everyone will continue to work toward providing a safe working environment and promoting safe working practices in all departments.**

## **1.1 The College's Statements on Mission, Vision, and Values**

### *Mission*

Blackburn College links a rigorous and affordable liberal arts education with a unique student-managed Work Program preparing graduates for careers, community engagement, and lifelong learning.

### *Vision*

Blackburn College aspires to provide a distinctive and innovative model of American higher education, grounded in scholarship and student leadership, and cultivated through a community of integrated work, learning, and service.

### *Values*

The Blackburn community values critical and independent thinking, leadership development, diversity and inclusion, service, shared governance, and moral responsibility.

### *Community Values and Commitment to Diversity, Equity, and Inclusion*

Equity is an intentional focus for creating opportunities for all Blackburn community members—students, faculty, staff, administration and the Board of Trustees—which we achieve through providing support that allows for intellectual, social, academic development and success. We value our diverse identities that help our relationships flourish and our community thrive.

In order to foster an equity-driven community, Blackburn College is committed to:

- Building and nurturing a safe and inclusive environment for everyone;
- Emulating respect, compassion, and integrity in our relationships with each other;
- Identifying and eliminating barriers to access and success;
- Addressing issues of bias, discrimination, and exclusion;
- Seeking understanding across differences;
- Resisting the pervasiveness of discrimination in all its forms;
- Prioritizing mental and physical well-being of community members;
- Continually reviewing policies and practices to remove barriers and inequities that negatively impact historically and currently marginalized groups;
- Recognizing that hostility, stereotyping, and/or disparaging remarks towards any identity, even when not directed at specific individuals, creates a hostile environment which undermines our community's integrity and the liberal arts;
- Strengthening our diversity, equity, and inclusion competencies through workshops, training sessions and other learning opportunities.

Disrespectful and/or harassing behavior that compromises any learning opportunity is a violation of Blackburn's community standards. It is also expected that Blackburn community members (staff and faculty) will not propagate racist or discriminatory views in teaching, learning, or working relationships, as it compromises the integrity and credibility of our community.

To create an equitable community where everyone can thrive, particularly historically and currently marginalized populations, we must utilize data which provides outcomes-based evidence that would reveal any significantly different outcomes for different populations.

To be consistent with our conviction for diversity, equity, and inclusion, every Blackburn College member is responsible for upholding these community standards for the merit of our institution.

*Revised by DEI Task-Force General Administrative Work-Group 11-20; endorsed by Faculty Assembly, Staff Assembly and Student Senate 3-21.*

## **1.2 Personnel Philosophy**

At Blackburn College, we believe that people are the essence of the College's existence. It is our belief that all people in the community work and learn together, making them all equally responsible for, and beneficiaries of, the anticipated outcomes of the College's Mission Statement as set forth in handbook section 1.1.

All staff hired for positions at Blackburn College should expect to:

- Function as teaching supervisors for students working in their departments. Full-time staff will be selected based on their technical skills as required for the position and their willingness and ability to function as teaching supervisors;
- Take part in the management of the institution, whether through committee assignments, team projects, or other means;
- Regularly upgrade their skills and participate in College projects designed to pursue excellence in the performance of College duties;
- Serve as positive role models for others;
- Help to foster a climate of cooperation and trust among all members of the community;
- Treat all other members of the community with respect and dignity, and expect to be treated the same;
- Equitably participate in all benefit packages offered by the College for which they qualify and desire;
- Abide by all applicable federal, state, and local laws and ordinances in connection with their duties as employees of Blackburn College.

## **1.3 Confidentiality**

In the course of your employment with Blackburn College, you may on occasion have access to confidential information relating to clients, other College staff, employment related investigations and trade secrets. Knowledge of confidential information is a trust to be honored. Divulging confidential information to an individual not involved with the situation is grounds for immediate termination.

All employees will be expected to exercise the greatest caution and concern in the protection of any information that is of a confidential nature.

### **The Family Rights and Privacy Act of 1974**

Under the terms of this Act, students may request access to their College records. The College (faculty and/or staff) must grant such access in not more than 45 days after receiving the request. Employees of the College should refer to the Blackburn College Student Handbook for the complete policy. A copy of the Family Rights and Privacy Act of 1974 is on file in the library for examination. [See handbook section 1.7.15.](#)

## **1.4 Policy on Policies**

This policy stipulates how policies are to be written and formally incorporated into the College's faculty and staff handbooks. Unless otherwise stipulated, policies approved by the Faculty and/or Staff Assembly are effective upon approval. Section 1.4.1 outlines guidelines for writing policies, and section 1.4.2 explains the processes for ensuring that the handbooks are maintained and updated in an accurate and timely manner. [See appendix 1L for handbook style guidelines.](#)

### **1.4.1 Policy Structure Guidelines**

Formalized policies from any body on campus that are intended for inclusion in the faculty and/or staff handbooks should conform to these guidelines:

1. Include the initial date that the policy goes into effect.
2. Include the date of the most recent revision of the policy, if different.
3. Conform to the current Handbook style sheet.
4. Include, as necessary, references to other relevant handbook sections, identified by section title and alphabetic/numeric designation.
5. Do not use appendices for policy content. Reserve appendices for details of policy execution: forms, external guidelines, specific numbers, dates, etc.
6. Use full names of offices, committees, departments, titles, etc. on first reference, along with any abbreviations that will be used for those entities elsewhere in the policy.
7. Clearly designate which party or parties are responsible for administering/overseeing/ enforcing the policy.
8. Clearly designate which entities are governed by the policy (and, if necessary, which entities are specifically not governed by it).
9. Clearly designate which entities are responsible for reviewing/updating the policy, and on what timeline.

### **1.4.2 Handbook Review and Update Policy**

1. Chairs of the Faculty and Staff Assemblies and the Secretary of the Planning Committee are responsible for supplying copy of new and revised policies passed by their respective bodies during that academic year to the Office of Human Resources by May 30th each year.
2. The Office of Human Resources is responsible for updating the College handbook on an annual basis.
3. The Office of Human Resources is authorized, without approval of a committee/assembly, to change any components of the handbook necessary for maintenance of existing policies. Such components include but are not limited to:
  - Numbers that change as a function of policy changes--dollar figures, dates, etc.
  - Change in position titles
  - Change in office names
  - Change in office for submission

- Change in committee names
  - Changes that result from requirements to conform with federal/state law
4. The personnel responsible for revising office or department information and procedures to be included in the handbook that do not require committee or assembly approval will submit them to the Office of Human Resources by May 30th each year. These offices/departments include, but are not limited to:
- Auxiliary Services
  - Athletics Department
  - Lumpkin Learning Commons
  - Physical Plant
  - Business Office
  - Institutional Research
  - Technology Services
  - Work Office
  - Advancement
  - Student Life
5. If a numbered or lettered policy section is removed from the handbook, the section number or letter shall remain with a note that the policy was removed.
6. If a policy will also be reproduced in other documents (the Blackburn Student Handbook, department chair handbook, website, etc.) the chair or secretary of the body that prepares that policy will supply its copy to the party or parties responsible for revising those documents.
7. The handbook will be reviewed every five years to ensure that all updates have been incorporated, to identify any components that may need to be reviewed/revised due to changes in operational procedures and other matters, and to identify any other changes that may be needed. The Faculty and Staff Conditions of Service committees will lead this review process, in consultation with the chairs of the Faculty and Staff Assemblies, the Human Resources Coordinator, the Secretary of the Planning Committee, and any other relevant parties.

## **1.5 Bylaws of Blackburn College**

*(Adopted Feb. 23, 2013)*

*Approved with Sects 12.2 amended 2/23/13; Sects. 3.6, 3.7, & 5.1 amended 6-7-14;*

*Sect. 3.2, 6.2, 6.3.1, 6.3.2 & Art.XI amended 2/21/15;*

*Sects. 3.3, 3.6, 6.3.2, 7.1, 7.3, 7.5, 7.7 amended 02/18; Sects. 7.2.a amended 11/2018*

*Sect. 3.2 amended 06/3/23 and approval of Bylaws*

### **PREAMBLE**

Under date of February 13, 1857, a CHARTER was granted to a group of Trustees by the General Assembly of the State of Illinois called "An Act To Incorporate Blackburn Theological Seminary." Under date of March 8, 1869, an Act to amend this CHARTER was passed by the same body changing the name to Blackburn University and empowering the Corporation to confer academic degrees and honorary degrees in the Arts and Sciences. Certain rights and duties were described in the CHARTER, among which is the power to "make such bylaws for the regulation of the Institution as may to them, or a majority of them, seem best designed to promote its highest interests and success." The following Bylaws are hereby created for that purpose.

## ARTICLE I

### **CORPORATE NAME AND PURPOSES**

**Section 1.1. Corporate Name.** The name of the corporation shall be “BLACKBURN UNIVERSITY”, doing business as Blackburn College (hereinafter referred to as the “College”).

**Section 1.2. Purpose.** The College is organized exclusively for charitable, educational, scientific, and literary purposes and to engage in such other activities as are exclusively in furtherance of these purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”). Within the foregoing, the College is primarily organized to operate as an institution of higher education.

## ARTICLE II

### **MEMBERS**

The Corporation shall have no members.

## ARTICLE III

### **BOARD OF TRUSTEES**

**Sec. 3.1 Responsibilities and Powers of the Board** The property, business, and affairs of the College shall be managed by, or under the control of the Board, and the Board of Trustees may exercise all such powers of the Corporation as are by law, by the Articles of Incorporation or by these Bylaws directed or required to be exercised by the Board of Trustees.

**Section 3.1.a. Power to Grant Degrees** The Board shall grant all degrees from Blackburn College. On the recommendation of the Faculty, the Board shall grant degrees to students who have completed a prescribed course of study. The Board of Trustees may grant honorary degrees. The Board also will consider recommendations from the Faculty for honorary degrees.

**Section 3.1.b. Power to Appoint President.** The Board shall select and appoint a President of the College to serve at the pleasure of the Board as the College’s chief executive officer. The Board shall approve all faculty and administrative salaries, all appointments to tenure status of the faculty, and the appointment of all the principal officers of the College as defined in Article V.

**Section 3.2. Numbers and Terms of Office of Trustees.** The Board of Trustees (the "Board") shall consist of not more than thirty-two nor fewer than fifteen members. Except as provided in Sec. 3.4, below, each Trustee shall be elected for a term of **three** years, and at the end of that term, the Trustee shall hold office until the earliest to occur of the next regular annual meeting of the Board or until his or her successor shall have been duly elected and qualified or until his or her death or until he or she should resign. There shall be no general limit on the number of terms that a trustee may serve, but re-appointment to successive terms shall not be automatic, but rather shall be subject to assessment and review.

**Section 3.3. Election of Trustees.** Trustees shall be elected by the Board of Trustees. Reelection of current Trustees whose terms are expiring will be conducted in the month of the expiration term. Election of new Trustees may be conducted at any regular Board meeting. With the consent of the Trustee, the Board

may extend the term of any Trustee in order moderate the number of Trustees whose terms are expiring in a given year.

**Sec. 3.4. Alumni Representative.** The Board of Trustees shall include an Alumni Representative chosen by the members of the Blackburn College Alumni Association Board of Directors from among that body. He or she shall serve a two-year term with voting privileges. The term of office of the Alumni Representative shall end at the Annual Meeting of the Blackburn College Alumni Association.

### **Section 3.5 Honorary Trustees**

The Board may exercise its discretion to designate the title of Honorary Trustee to persons who may not have served as a trustee but could add prestige or assistance to the board in a continuing relationship with the board and the institution. Honorary Trustees may not vote or be counted for a quorum or for other purposes under these Bylaws.

**Section 3.6 Trustees Emeriti; Responsibilities; Attendance at Meetings; Limitations** -- Trustees Emeriti shall provide advice and counsel to the Board, may serve on committees, and shall meet with the Board at such times and places as may be specified by the Chair of the Board, however, they shall not have the privilege, as a matter of right, to attend meetings of the Board, to vote at any such meeting, or to be counted for a quorum or for any other purpose under these Bylaws.

## **ARTICLE IV**

### **MEETINGS**

**Section 4.1. Regular Meetings.** An annual meeting of the Board of Trustees shall be held during the month of June at a time and place as shall be fixed by resolution of the Board of Trustees. At least two other regular meetings of the Board of Trustees shall be held each year at a time and place as shall be fixed by resolution of the Board of Trustees.

**Sec. 4.2. Special Meetings.** Special meetings may be called at the Chair's discretion or, on written request of five voting members of the Board, the Secretary shall call a special meeting.

**Sec. 4.3. Quorum.** A majority of the voting members of the Board shall constitute a quorum. For purposes of determining a quorum, a trustee shall be deemed present either by attending in person, or by participating through technological means as set forth in Section 4.6, below. If a quorum is not present, a majority of those present may adjourn the meeting to another date.

**Sec. 4.4. Action by Trustees.** The act of the majority of the Trustees present at any duly constituted meeting at which a quorum is present shall constitute the act of the Board, unless the affirmative vote of a greater number is required by law or by these Bylaws. Any action which may be taken at a meeting of the Board, may be taken without a meeting if written consent setting forth the action so taken is obtained from all the members of the Board. Alternatively, such action may be taken without a meeting if more than two-thirds of the members provide their written consent, after having been granted at least ten days notice in order to respond.

**Sec. 4.5. Notice.** Written notice of any regular or special meetings of the Board shall be given at least ten (10) days prior to the meeting date to each trustee at such address as he or she may have advised the Secretary to use for such purpose, except that no special meeting of the Board may remove a trustee unless

written notice of the proposed removal is delivered to all trustees at least twenty (20) days prior to such meeting. If delivered, such notice shall be deemed to be given when delivered. If mailed, such notice shall be deemed to be given two (2) business days after deposit in the United States mail so addressed, with postage thereon prepaid. Whenever any notice is required to be given under the provisions of these Bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall, for all purposes, be equivalent to the giving of such notice. Attendance at any meeting shall constitute waiver of notice thereof unless the person attends the meeting for the express purpose of objecting to the transaction of affairs of the College at the meeting because the meeting is not lawfully called or convened. Neither the affairs to be conducted at, nor the purpose of, any regular meeting of the Board need be specified in the notice or waiver of notice of such meeting. In the case of special meetings or when otherwise required by law or these By-Laws, including in the case of the removal of a Trustee, the written notice must state the items of business to be considered.

**Section 4.6. Participation by Technology.** Any member of the Board of Trustees or of any committee of the Board of Trustees may participate in and act at any meeting of such Board or committee through the use of a conference telephone or other communications equipment by means of which all persons participating in the meeting can hear each other simultaneously. Participation in such meeting shall constitute attendance and presence in person at the meeting of the person or persons so participating. Members of the Board of Trustees may consent to any action to which their written consent is required by use of facsimile machine, electronic mail or other method of electronic signature.

**Section 4.7 Reimbursement and Compensation.** Trustees shall receive neither compensation nor reimbursement for their services as Trustees of the College.

## **ARTICLE V**

### **OFFICERS OF THE BOARD**

**Sec. 5.1. Election and Terms of Office** The officers of the Board shall be a Chair, a Vice Chair, and a Secretary. They shall be elected at the Annual Meeting upon nomination by the Trusteeship Committee, or from the Board, and shall hold office for one year or until their respective successors shall have been elected and qualified. Any vacancy during the year may be filled by the Board. The chair and the vice chair may serve a maximum of 6 years in each office. The Vice Chair may be elected to succeed to the office of Chair, but such succession may not be automatic.

**Sec. 5.2. The Chair.** The Chair of the Board (or in the case of the Chair's absence, the Vice Chair) shall preside at all meetings of the Board and of the Executive Committee, is authorized to sign official documents, and shall perform such other duties as these Bylaws prescribe or as the Board may from time to time direct.

**Section 5.3 The Vice Chair.** The Vice-Chair shall assist the Chair in the discharge of his or her duties as the Chair may direct and shall perform such other duties from time to time as may be assigned to him or her by the Chair or by the Board of Trustees. In the absence of the Chair or in the event of his or her inability to act, the Vice-Chair, or in the event there be more than one Vice-Chair, the Vice-Chair first designated by the Board of Trustees, shall perform the duties of the Chair and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chair.

**Sec. 5.4. The Secretary.** The Secretary of the Board shall ensure that an accurate record of all the proceedings of the Board is kept (including minutes of all meetings, Board Resolutions and Board Policies), conduct the correspondence of the Board, sign official documents authorized by the Board, and perform such other duties as these Bylaws may prescribe or as the Board may, from time to time, direct.

**Section 5.4.1 Secretary's Responsibility for Bylaws** The Secretary shall ensure that the Board is acting in accordance with these Bylaws and recommend amendments to these Bylaws that are legally required, or in the Secretary's judgment, desirable.

**Section 5.4.2 Assistant Secretary.** The Board may appoint an Assistant Secretary, designated by the President from among the full-time Administrative staff, with the Authority to perform or assist in the duties of the Secretary in the absence of, or at the direction of the Secretary.

## **ARTICLE VI**

### **COMMITTEES**

**Section 6.1. Formation.** The Board may, by resolution, create one or more standing or special committees, each of which shall consist of such persons as the Board designates, subject to the provisions of these Bylaws. The Chair shall be a member, ex officio, with voting privileges, of each committee created pursuant to this section. Subject to the requirements contained in these Bylaws, the members, Chairs and Vice-Chairs of all committees of the Board shall be nominated by the Board Chair and confirmed by the Board.

**Section 6.2. Executive Committee.** An Executive Committee may be appointed by the Board of Trustees from time to time. The Executive Committee shall have a minimum of **three** members, *including* the three officers of the Corporation: Chair, Vice-Chair, and Secretary. The Board of Trustees, in its discretion, may appoint additional executive committee members.

**Section 6.2.1 Duties and Powers of the Executive Committee.** The Executive Committee shall serve at the pleasure of the Board as its agent to assist the Chair and the President with their responsibilities to help the Board function effectively by suggesting the Board's agenda and periodically assessing its effectiveness. It shall also be the duty of the Executive Committee to act for the Board of Trustees, when necessary, between regular meetings of the Board. A record shall be kept of any actions taken by the Committee and be subject to ratification at the next scheduled meeting of the Board. In such instances, the Executive Committee shall have all the authority of the Board except that: (1) it may not authorize or approve borrowings or unbudgeted expenditures in excess of a total of \$250,000 without prior approval of the Board; (2) it may not nominate or elect Trustees or Board Officers; (3) it may not change the Bylaws of the Board nor the Charter of the College; and (4) it may not select or terminate the President.

**Section 6.2.2 Meetings of the Executive Committee** Meetings of the Executive Committee shall be called by the Chair or any other officer of the Board. A majority of voting committee members shall constitute a quorum. A report of its proceedings shall be given at the next Board meeting and shall become part of the minutes of that meeting of the Board. In all cases (except those set out immediately above as clauses 1, 2, 3, and 4) all persons dealing with the College may rely on any action of the Executive Committee as having the same effect as if such action were that of the Board of Trustees.

**Section 6.2.3 Power to Designate Replacement for Incapacitated President.**

In the event of the extended absence or incapacity of the President to serve, the Executive Committee shall designate the person or persons to whom the President's duties and responsibilities shall be assigned in such an event. Any such designation shall be subject to ratification of the Board at its next meeting.

**Section. 6.3.1 The Finance Committee** A Finance Committee may be appointed by the Board of Trustees from time to time. It shall be composed of not less than three members and the majority of its voting members and its committee chair must be members of the College Board of Trustees. It shall have general supervision of the funds, securities, and investments of the College.

a. The Finance Committee shall ensure that the institution's mission and purposes are fulfilled, by making certain that resources are secured, appropriately allocated, and adequately protected, maintained, and renewed. The committee must also ensure that all of these activities are accurately reported and understood by the board of trustees and the members of the larger Blackburn community. The Finance Committee shall provide financial guidance to the full board of trustees, weighing the immediate against the important and translating those options for the full board." As the need arises, the background work necessary to bring a recommendation to the Board will be done by the Committee. The finance Committee is also charged with overseeing fiscal procedures, the annual budget, internal controls and accountability policies, and long-range financial goals along with funding strategies to achieve them. The Vice President for Administration and Finance shall be a non-voting ex-officio member of this Committee.

b. The Finance Committee is charged with overseeing the investment process. This includes recommending investment changes and fund structure, monitoring asset allocation and manager performance, and maintaining communication with the investment professionals hired by the Board. On a regular basis but not less than semi-annually, the Committee will review performance as well as manager adherence to the guidelines. It is the intention of the Trustees of the College to allow the investment manager full discretion within the scope of the mutually agreed upon investment policies. The manager shall be responsible for reviewing these policies with the Trustees at least annually to assure that they remain valid and relevant. An Investment Committee may be appointed by the Board to carry out investment oversight under the supervision of the Finance Committee.

**Section 6.3.2 The Audit and Compliance Committee** may be appointed by the Board of Trustees. It shall be comprised of not less than three and not more than five members, the majority of which must be Blackburn Trustees. The Audit and Compliance Committee's membership shall not include the Vice President for Administration and Finance nor the President of the College, nor any other administrative officer or employee of the College, nor shall it include any member of the Finance Committee. The Audit committee will meet on a regular basis.

a. The Audit and Compliance Committee shall monitor the process in which financial practices are carried out. The Audit and Compliance Committee shall be responsible for recommending to the Board of Trustees the appointment of auditors, and to oversee: the College's process for assessing and managing risks; its audited financial statements; the independent auditor's qualifications and independence and the approval of all audit fees and terms; and the College's system of internal controls pertaining to finance, accounting and compliance that the administration and the Board have established, including but not limited to procedures established for confidential submission of, and treatment of, concerns or complaints regarding questionable accounting or auditing matters, and also other actions required to address financial control policy matters.

b. The Audit and Compliance Committee shall also oversee the College's process for monitoring compliance with laws, regulations, codes of conduct, as well as its own policies, including, but not limited to, policies

and legal requirements for personnel policies, long term contracts and leases, internet use and computer security, insurance requirements, public safety, protection of minority rights, record retention, management of risks to the College and the Trustees, and conflicts of interest.

**Section 6.4. Special Committees.** The Board of Trustees, by resolution, may designate any number of additional board committees, which to the extent provided in such resolution shall have and exercise the authority of the Board of Trustees in the operation and management of the College, except as otherwise limited by law. The Board of Trustees, by resolution, or the Chair may also designate any number of ad hoc committees, which may consist of any number of trustees or non-trustees, to advise or recommend actions to the Board of Trustees or any committee thereof. Ad hoc committees shall have no authority in the operation or management of the College.

**Section 6.5. Powers.** Each committee created under Section 6.4 of this Article shall have the powers specified in the resolution creating such committee as well as any powers not prohibited by law.

**Section 6.6. Tenure and Vacancies.** Members of Committees appointed pursuant to this Article shall serve for one year and until their successors have been appointed, unless prior thereto the committee is dissolved by the Board of Trustees by resolution, or a member's service is sooner terminated by resignation, inability or unwillingness to serve, death, or removal by the Board. Vacancies on any committee shall be filled by the Board for the unexpired portion of the term.

**Section 6.7. Meetings.** The Board of Trustees shall designate a member of each committee as its chair, or may designate two members as co-chairs, and may designate one or more members as vice-chairs. The chair shall preside at meetings of the committee. In the absence of the chair, the committee members present shall appoint one of their number as a temporary chair. Notice of the time and place of meetings of committees shall be given to committee members at least two days in advance of the meeting, but such notice may be waived in writing or by attendance at the meeting. Members of a committee may participate in and act at any meeting through use of telephone or other technology as provided in Section 3.11 of these Bylaws.

**Section 6.8. Quorum.** Unless otherwise provided by the Board of Trustees, a majority of the members of a committee shall constitute a quorum. If a quorum is not present at a meeting, a majority of the members present may adjourn the meeting to another time without further notice.

**Section 6.9. Manner of Acting.** Except as provided in Section 6.9.1 below, the act of a majority of the members of a committee present at a meeting at which a quorum exists shall be the act of the committee. Any action that may be taken at a meeting of a committee may be taken without a meeting if consent in writing setting forth such action shall be signed by all the members of the committee. Any consent may be signed in counterparts with the same force and effect as if all members of the committee had signed the same copy. All signed copies of any such written consent shall be delivered to the Secretary of the Board to be filed in the Board records. The action taken shall be effective when all the members of the committee have signed the consent unless the consent specifies a different effective date.

**Section 6.9.1 Committee as Panel before the Board as a Committee of the Whole.** From time to time, a committee may, with the permission of the Board, conduct committee meetings in the presence of the entire Board as part of the regular or special board meeting. In such cases, the chair of the committee shall preside over the proceedings, but the meeting shall in all other ways be conducted as a Meeting of the Board of Trustees acting as a committee of the whole, subject to the rules of law and the rules of these bylaws

pertaining to regular and special Meetings of the Board of Trustees, with all Trustees allowed to discuss and vote upon matters before the committee.

## **ARTICLE VII**

### **ADMINISTRATION AND FACULTY**

**Sec. 7.1.** The principal administrative officers of the College shall be the

President

Provost

Vice President for Administration and Finance

Vice President for Institutional Advancement

**Sec. 7.2a.** The President shall be the Chief Executive Officer of the College. The President serves at the pleasure of the Board for such term, compensation, and with such other terms of employment as it shall determine.

The President is responsible to the Board for the administration of the College, including its academic, student life, work program and auxiliary programs, college relations and the management of its properties and assets.

The Office of the President is also responsible for public relations, alumni affairs, church relations and fund raising, including funds for current operations from corporations, foundations, friends, parents, alumni, and others; funds from the same sources for capital purposes; and for the establishment of and maintaining a deferred giving program through annuities, trusts, estates, and wills. The Office of the President shall maintain appropriate contacts with governmental agencies, both state and federal, in regard to possible financial assistance available from such agencies. The responsibility for the formulation and enforcement of rules and regulations in these affairs may be delegated to others as the President deems appropriate, provided such rules and regulations shall not be inconsistent with the Charter of the College or the Bylaws with the proviso that the President (in the event of delegation of responsibility) and/or the Board of Trustees may exercise the right to review, modify, or veto.

**Section 7.2.b.** The President shall be the official medium of communication between the Board of Trustees and the Faculty and other College personnel. The President shall recommend to the Board the appointment of administrative officers and the appointment to tenure status of members of the Faculty and recommend their salaries.

**Section 7.2.c.** The President shall preside at the Annual Commencement and confer the degrees approved by the Board, and preside at other academic occasions and shall represent the College before the public generally.

**Section 7.2.d.** In the temporary absence of the President from the campus, the Provost shall act for the President as chief executive officer. In the event the Provost cannot so act, the Vice President for Administration and Finance shall act for the President as chief executive officer.

**Section 7.3.** The Provost is responsible to the President and the Board as the chief academic officer of the College and, shall serve as the locus of information and representative of the Faculty to the President. The Provost chairs the Curriculum and Academic Policy Committee (CAP). A detailed description of the duties and responsibilities of the Provost shall be developed and maintained by the President, subject to review and ratification of the Board.

**Section 7.4.** The Vice President for Administration and Finance is responsible to the President and the Board as the chief business officer of the College and shall serve as the Treasurer of the college. A detailed description of the duties and responsibilities of the Vice President for Administration and Finance shall be developed and maintained by the President, subject to review and ratification of the Board.

**Section 7.5.** The Vice President for Institutional Advancement is responsible to the President and the Board for the development and public relations plans and programs of the College. A detailed description of the duties and responsibilities of the Vice President for Institutional Advancement shall be developed and maintained by the President, subject to review and ratification of the Board.

**Section 7.6.** The Faculty of the College shall consist of those employees who are contractually responsible for the preparation of course materials, class instruction and the assignment of final grades in courses whose credit hours total at least six per semester or twelve per year. The duties of the Faculty shall be:

**Section 7.6.1** To conduct the academic program of the College which shall include making recommendations on the selection and retention of members of the Faculty; supervising curriculum, academic advising, all instructional activities, including examinations, graduation procedures and records; promoting scholarly activity and professional development; and seeing that appropriate high academic standards are maintained in the College.

**Section 7.6.2.** To make rules and regulations governing the academic life of students, provided such rules and regulations shall not be inconsistent with the Charter of the College or these Bylaws, with the proviso that the President and/or the Board of Trustees may exercise the right to review or veto.

**Section 7.6.3.** To recommend to the Board of Trustees those members of the student body who shall have completed a course of study prescribed by the Faculty and who, in all other respects shall be deemed worthy by the Faculty to receive degrees from Blackburn College.

**Section 7.6.4.** The Faculty may also recommend to the Board of Trustees (through the Committee on Trusteeship) persons whom they deem worthy to receive honorary degrees.

**Section 7.6.4.b.** The initial appointment of any members of the Faculty shall be for a period not to exceed one year. In providing for approval of tenure, consideration will be given to the generally recognized principles that have been approved by the Association of American Colleges and the American Association of University Professors as well as the principles theretofore adopted by the Faculty and the Board of Trustees.

**Section 7.6.4.c.** The appointment or reappointment of a person as a member of the Faculty shall be made on the condition that his/her teaching and influence shall be consistent with the general statement of principles of the College.

**Section 7.7.** “Blackburn College is an Equal Opportunity Employer. Blackburn College does not discriminate against anyone on the basis of sex, race, age, color, religion, creed, ancestry, national origin, marital status, sexual orientation, physical or mental disability, or military service, including veteran status or discharge from military service (except dishonorable discharges), medical condition, genetic characteristics, pregnancy, or any other basis prohibited by applicable federal, state, or local law. This applies to hiring, promotion, renewal of employment, selection for training, tenure or term, and privileges or conditions of employment. The College will reasonably accommodate an individual’s physical or mental disability when appropriate, as required by the Americans with Disabilities Act and the Illinois Human Rights Act or any other application law or regulation.”

## **ARTICLE VIII**

### **PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall guide the Board in all circumstances to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Board may adopt.

## **ARTICLE IX**

### **AMENDING BYLAWS**

Section 9.1. These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted at any meeting of the Board of Trustees by affirmative vote of two-thirds of those Board members present, provided that notice of the substance of the proposed changes has been furnished to each member at least ten (10) days prior to the meeting at which the vote is to be taken.

Section 9.2. Any resolution of the Board not inconsistent with the Charter and these Bylaws shall have the same force and effect as these Bylaws until it is amended or rescinded.

## **ARTICLE X**

### **TRUSTEE INDEMNIFICATION**

**Section 10.1 Indemnification of Trustees and Officers.** The College shall indemnify any and all of its Trustees and Officers and former Trustees and Officers against expenses and liabilities actually and necessarily incurred by them in connection with the defense or settlement of any action, suit or proceeding in which they or any of them are made parties or a party by reason of being or having been Trustees or Officers of Blackburn College, except with respect to matters as to which any such Trustee or Officer or former Trustee or Officer shall be adjudged in such action, suit or proceeding by final and appealable order to be liable for conduct which demonstrated actual or deliberate intention to harm or an utter indifference to or conscious disregard of harm.

**Section 10.2. Payment of Expenses in Advance.** Expenses incurred in defending a civil or criminal action, suit or proceeding shall be paid by the College in advance of the final disposition of such action, suit or proceeding, as authorized by the Board of Trustees in the specific case, upon receipt of an undertaking by or on behalf of the trustee, officer, employee or agent to repay such amount, unless it shall ultimately be determined that he or she is entitled to be indemnified by the College as authorized in this Article X.

**Section 10.3. Non-Exclusivity and Continuity.** The indemnification provided by this Article X shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under any by-law, agreement, vote of disinterested trustees, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a Trustee, Officer, employee or agent, and shall inure to the benefit of the heirs, executors and administrators of such a person.

**Section 10.4. Insurance.** The College may purchase and maintain insurance on behalf of any person who is or was a Trustee, Officer, employee or agent of the college, or who is or was serving at the request of the College as a Trustee, Officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity, or arising out of his or her status as such, whether or not the College would have the power to indemnify such person against liability under the provisions of this Article X.

## **ARTICLE XI**

### **CONFLICT OF INTEREST**

A Trustee shall be considered to have a conflict of interest if (a) such Trustee has existing or potential financial or other interests which impair or might reasonably appear to impair such member's independent, unbiased judgment in the discharge of his or her responsibilities to the College, or (b) such Trustee is aware that a member of his or her family, or any organization in which such Trustee (or member of his or her family) is an officer, director, employee, member, partner, Trustee, or controlling stockholder, has such existing or potential financial or other interests. For the purposes of this provision, a family member is defined as a spouse, parents, siblings, children, and any other relative if the latter resides in the same household as the Trustee. All Trustees shall disclose to the Board any possible conflict of interest at the earliest practical time. Furthermore, the Trustee shall absent himself or herself from discussions of, and abstain from voting on, such matters under consideration by the Board of Trustees or its committees. The minutes of such meeting shall reflect that a disclosure was made and that the Trustee having a conflict or possible conflict abstained from voting. Any Trustee who is uncertain whether a conflict of interest may exist in any matter may request the Board or Committee to resolve the question in his or her absence by majority vote. Each Trustee shall, *at the annual meeting each June*, complete and sign a disclosure form provided by the Secretary of the Board of Trustees.

## **ARTICLE XII**

### **MISCELLANEOUS**

**Section 12.1. Loans.** No loans shall be contracted on behalf of the College except by the authority of the Board of Trustees.

**Section 12.2. Contracts.** The Board of Trustees may authorize any one or more Officers of the College, or any one or more of its agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the College, and such authority may be general or confined to specific instances, subject to a requirement for approval by the Board of Trustees for each of the following contracts.

**Section 12.2.a.** Approval by the Board of Trustees shall be required for any purchase or contract with a value greater than \$100,000, excluding the Food Services Contract.

**Section 12.2.b.** Approval by the Board of Trustees shall be required for any contract for the purchase, sale, or encumbrance of any College real property or facility.

**Section 12.2.c.** Approval by the Board of Trustees shall be required for any purchase or contract between Blackburn College and a third party, in which any officer, agent, or employee participating in planning, negotiating or entering into that contract has a personal conflict of interest with respect to that third party, unless the President of the College specifically authorizes that contract in writing and provides to the Board of Trustees notice of the nature of that conflict. A Personal Conflict of Interest is defined as any relationship between the affected employee and the subject third party that involves a financial interest (of the employee or a close family member), personal activity, or personal relationship that could impair the employee's ability to act impartially and in the best interest of Blackburn College. Subject financial interests include compensation, business and real estate investments, stock ownership, intellectual property interests; employment and financial relationships, including seeking or negotiating prospective employment; and gifts. Personal Conflict of Interest as defined here does not include a *de minimis* interest that would not impair the objectivity of an officer, agent, or employee.

**Section 12.2.d.** Approval by the Board of Trustees shall be required for any purchase or contract, between Blackburn College and a third party, in which the President of the College has a personal conflict of interest with respect to that third party, unless the Board of Trustees shall have given prior consent and waiver of conflict of interest with respect to such transactions with the subject third party.

**Section 12.3. Checks, Drafts, Etc.** All checks, drafts, or other orders for the payment of money by the College shall be signed by such Officer or Officers, agent or agents of the College and in such manner as shall from time to time be determined by resolution of the Board of Trustees, or by an Officer or Officers of the College designated by the Board to make such determination.

**Section 12.4. Deposits.** All funds of the College not otherwise employed shall be deposited from time to time to the credit of the College in such banks, trust companies, or other depositories as the Board of Trustees, or such Officer or Officers designated by the Board, may select.

**Section 12.5. Books, Records, and Minutes.** The College shall keep correct and complete books and records of accounts and also shall keep minutes of the proceedings of its Board of Trustees and committees having any of the authority of the Board. All such books, records, and minutes shall be kept at the principal office of the College, and may be inspected by any Trustee entitled to vote, or that Trustee's agent or attorney, for any proper purpose at any reasonable time.

**Section 12.6. Fiscal Year.** For accounting and related purposes, the fiscal year of the College shall begin on the first day of July and end on the last day of June in each year.

## **1.6 Organization and Regulation**

### **1.6.1 Shared Governance at Blackburn College**

#### **1.6.1.1 Introduction**

Blackburn College is committed to shared governance. Its faculty, staff, students, and leadership recognize that there are varying levels of responsibilities among the different College constituencies. Furthermore, there must be a delineation of levels of responsibilities where primary and final decision-making authority lies for different kinds of decisions. Shared governance at Blackburn is designed as a system of open

communication aimed at aligning priorities, creating a culture of shared responsibilities for the welfare of the institution, and creating a system of checks and balances to ensure the institution stays mission-centered.

Although the Board of Trustees has ultimate authority for any and all institutional decisions independent of recommendations from campus constituents, with that authority comes the responsibility to work with the campus community to reach the best decisions for the institution. It is through the shared governance process that the Board utilizes the expertise of all relevant stakeholders for making decisions. Sharing responsibilities through shared governance does not mean the Board waives its ultimate authority. This document is designed to help clarify these various roles.

From time to time our shared governance process and policies should be evaluated for their effectiveness, per recommendation of The Association of Governing Boards (AGB) and best practices research in higher education. To that end, the College established a Shared Governance Task Force in August 2019 to review and assess shared governance at Blackburn. The shared governance definition and framework (consisting of levels of responsibilities and a graphic depiction of the process) in the relevant appendices are a result of the work of the Task Force and the various constituencies of the College community. The College community will review these policies no later than 2026 and every five years thereafter. The complete documentation of the work of the task force is available in the Office of the President in the record of the Board of Trustees.

#### **1.6.1.2 Blackburn College Definition of Shared Governance**

The shared governance definition specific to Blackburn College was drafted after researching shared governance definitions and reviewing the results of the shared governance survey of Blackburn constituents. A strong system of shared governance is essential to the success of any institution of higher education. Shared governance at Blackburn College is a system that is built upon clear and open communication, good faith, trust, and transparency among all stakeholders of the institution (i.e., the Board of Trustees, the President, administration, faculty, staff, and students). Although the Board of Trustees has the final authority for institutional decisions, shared governance relies on the expertise of all relevant stakeholders for making decisions to ensure the well-being of the College. Thus, shared governance at Blackburn works on behalf of the entire college community, is inclusive of all stakeholders, and works to align various stakeholder priorities with Blackburn's mission and vision while cultivating an academic, social, and work-related atmosphere that ensures success for students.

Shared governance at Blackburn College ensures all relevant stakeholders' access to the decision-making process while delineating where primary and final decision-making authority lie for different kinds of decisions. Through a well-defined framework for delineating authority, shared governance at Blackburn provides a mutually agreed-upon system that respects the expertise and integrity of the appropriate decision-making bodies while ensuring effective oversight. The framework also specifies that when stakeholders disagree or a decision needs to be expedited, the final decision will reside with the deciding authority identified in the particular process in question.

#### **1.6.1.3 Shared Governance Framework**

The shared governance framework consists of Levels of Responsibilities for each constituency group (Board of Trustees, the administration, faculty, staff, and students) along with a graphical flow chart showing the decision authority and sequence appropriate to the shared governance process. Identifying levels of responsibilities in decision making provides a better understanding of the shared governance process. The Levels of Responsibilities is designed to help clarify the various roles of campus constituencies and is a

living document that represents the current understanding of the Blackburn College community. These responsibilities are designated below.

The Shared Governance Flowchart is a graphic representation of how the shared governance process functions specific to Blackburn College. [Appendix 1H](#) contains the Shared Governance Flowcharts for Blackburn College.

#### **1.6.1.4 Levels of Responsibilities within Blackburn Shared Governance: Campus Constituencies**

Blackburn College is committed to shared governance, and its faculty, staff, students, and leadership recognize that there are varying levels of responsibilities among the different groups depending on the area of responsibility. To that end, this document is designed to help clarify these various roles. It is understood that the Board of Trustees has ultimate authority for the College and has the power and right to make any change. The Board is the only entity that can mandate an expedited shared governance process. This accommodation can only be used when the deadline for a final decision is not likely to fit within the typical timeframe of the shared governance process, thereby accelerating deliberations and consultations.

This Levels of Responsibilities is a living document that represents the current understanding of the College community, and may be updated as deemed necessary.

### **Shared Governance**

1. Areas over which the faculty has primary responsibility.

The faculty has chief responsibility to oversee the university's curriculum and academic policies. Its authority includes, but is not limited to, the following:

- the curriculum;
- graduation requirements;
- attendance and grading policies;
- grade appeal procedures;
- add and drop policies;
- course repeat policies;
- election of division chairs and faculty assembly chairs and vice chairs.

2. Areas over which the faculty has shared responsibility with the administration.

The faculty has a shared role, along with relevant administrators, in overseeing and executing policies related to faculty positions and academic programs. The faculty exercises this responsibility most commonly through Blackburn's committee structure. As the Board has entrusted Blackburn senior leadership with final say in these areas, decisions should only be overturned after very careful consideration and with full transparency about the rationale.

The faculty's shared authority includes, but is not limited to, the following:

- the establishment of new degree programs;
- the establishment of new majors or minors or substantive change to existing majors or minors;
- the elimination or consolidation of degree programs;
- admissions policies;
- the recruitment and hiring of new faculty members;

- the adoption or amendment of policies regarding appointment, tenure, post-tenure review, and sabbatical;
- the appointment of department/program chairs;
- the creation of faculty task forces and ad hoc committees;
- the awarding of endowed professorships and endowed chairs;
- the merger or discontinuation of departments or divisions;
- the allocation of new faculty positions and the reallocation and/or prioritization of existing faculty lines;
- the establishment of policies and procedures that directly affect the quality of degree programs;
- the development and administration of external grants with material impact.

3. Areas over which the staff has shared responsibility with the administration.

The staff has a shared role, along with relevant administrators, in overseeing and executing policies related to staff positions and non-academic departments and programs. Staff exercises this responsibility most commonly through Blackburn's committee structure. As the Board has entrusted Blackburn senior leadership with final say in these areas, decisions should only be overturned after very careful consideration and with full transparency about the rationale.

The staff's shared authority includes, but is not limited to, the following:

- the establishment, substantive change, elimination, or consolidation of co-curricular programs;
- the recruitment and hiring of new staff members;
- the adoption or amendment of policies regarding appointment and advancement;
- the appointment of program directors and other positions of staff supervision;
- the creation of staff task forces and ad hoc committees;
- the allocation of new staff positions;
- the elimination of staff positions;
- the establishment of policies and procedures that directly affect the quality of co-curricular programs;
- the development and administration of external grants with material impact.

4. Areas over which the faculty and staff have shared responsibility with the administration.

The faculty and staff have a shared role, along with relevant administrators, in overseeing and executing policies related to institutional policies and processes. Faculty and staff exercise this responsibility most commonly through Blackburn's committee structure. As the Board has entrusted Blackburn senior leadership with final say in these areas, decisions should only be overturned after very careful consideration and with full transparency about the rationale.

The faculty's and staff's shared authority includes, but is not limited to, the following:

- the university's mission and vision statements;
- the university's strategic planning;
- library and other research facilities;
- the academic calendar;
- the establishment of non-degree programs;
- the development and administration of external grants with material impact.

5. Areas over which the faculty has a consultative role.

The faculty has a consultative role with respect to issues that involve the delivery of a quality student experience at Blackburn, but that are the primary responsibility of the President, the Provost, or other senior administrators. The intent of faculty consultation is not to participate directly in decision-making, but to provide the faculty's perspective on issues which have an impact on the effective delivery of a quality student experience.

The faculty's consultative role includes, but is not limited to, the following:

- the President's decision regarding which open or new faculty positions shall be filled;
- academic marketing and communications strategies;
- the appointment of faculty members to positions with administrative responsibilities.

6. Areas over which the staff has a consultative role.

The staff has a consultative role with respect to issues that involve the delivery of a quality student experience at Blackburn, but that are the primary responsibility of the President, the Vice President for Diverse and Equitable Student Live, or other senior administrators. The intent of staff consultation is not to participate directly in decision-making, but to provide the staff's perspective on issues which have an impact on the effective delivery of a quality student experience.

The staff's consultative role includes, but is not limited to, the following:

- the appointment of administrative department chairs and directors;
- the President's decision regarding which open or new employee positions shall be filled;
- co-curricular marketing and communications strategies;
- the appointment of staff members to positions with administrative responsibilities;
- the merger or discontinuation of administrative departments or divisions.

7. Areas over which the faculty and staff have a consultative role.

The faculty and staff have a consultative role with respect to issues that involve the delivery of a quality student experience at Blackburn, but that are the primary responsibility of the President or other relevant administrators. The intent of faculty and staff consultation is not to participate directly in decision-making, but to provide the faculty's and staff's perspective on issues which have an impact on the effective delivery of a quality student experience.

The faculty's and staff's consultative role includes, but is not limited to, the following:

- the selection of senior administrators;
- the President's decision regarding which open or new employee positions shall be filled;
- the budget;
- the campus master plan, including building construction;
- institutional marketing and communications strategies;
- enrollment growth, financial aid, and scholarship strategies;
- tuition policies;
- student disciplinary policies;
- intercollegiate athletics other than purview of Athletic Committee;
- employee benefits.

## 8. The role of students in shared governance.

There is a long tradition at Blackburn for strong student involvement in shared governance. This is most commonly demonstrated by the involvement of students in most committees, as well as within the student managed Work Program.

Areas in which students have primary responsibility:

- the Work Program, through its student leadership;
- the Student Senate through allocation of club money and approval of student organizations' constitutions.

Areas in which students have shared responsibility with administration:

- changes in student disciplinary judicial process;
- legislative changes brought forth by Student Senate.

Areas in which students have a consultative role:

This role is most commonly exhibited through committee membership, Student Senate, and the Work Committee, although in some instances the whole student body may be consulted.

These areas include but not limited to:

- the selection of senior administrators;
- the budget;
- the campus master plan, including building construction;
- marketing and communications strategies;
- enrollment growth;
- student disciplinary policies;
- intercollegiate athletics.

### **1.6.2 Committees Reporting to the Faculty Assembly**

- Admissions Committee
- Assessment Committee
- Athletics Committee
- Board of Trustees (Faculty Representatives to Committees of)
- Committee on Academic Standing
- Faculty Conditions of Service Committee (FCOS)
- Curriculum and Academic Policy (CAP) Committee
- Faculty Tenure Committee
- Faculty Professional Relations Committee
- Teacher Education Internal Advisory Committee
- Post-Tenure Review Committee

#### **1.6.2.1 Governing Policies for Committee Service**

##### **1.6.2.1.1 Committee Participation and Representation**

Faculty members in their first year at the College may choose to, but are not required to, participate in College governance. They may be elected or appointed to standing committees of the Faculty Assembly.

A division may choose not to have representation on a committee (except CAP and Planning, which maintain required divisional representation). The Faculty Assembly will then be given the option to elect a representative-at-large to fill that vacancy on the committee.

Persons who serve the College in a variety of administrative or staff capacities, and in many cases who also teach part-time, may be appointed as faculty representatives to the Admissions Committee and the Athletics Committee. Those positions and their relevant divisions include:

<b><u>Position involved</u></b>	<b><u>Division involved</u></b>
Coaches	Natural Science
Athletic Director	Natural Science
Director of Technology Services	Natural Science
Director of Lumpkin	Humanities
Director of Career Services and Experiential Learning	Social Science
Director of Counseling Services	Social Science
Librarian	Humanities

### **1.6.2.1.2 Committee Term Limits**

Faculty may serve 1-3 years on any given committee at the will of the individual faculty member and their division. However, in order to ensure diverse input and service equity, members may serve no longer than three consecutive years on any given committee. If a member does serve three consecutive years, they must take a one-year break before serving on that committee again. This term limit may be extended due to circumstances outside the control of the division when there are not enough tenured or non-tenured faculty to fill a role or when circumstances suggest a particular faculty member, regardless of time served, should fill the role that semester or academic year.

### **1.6.2.1.3 Committee Chair Term and Responsibilities**

The term and role of the committee chairperson will be as follows:

- If the chair of the committee is not designated in the faculty and staff handbooks, the committee will select its chair by majority vote.
- Committee chairs shall serve a one-year term, and may be re-elected for up to three consecutive one-year terms. One's continued eligibility for membership on the committee is not affected by this term limit.
- The duties of the chair will consist of the following: convene the committee at the appropriate times; provide written agendas in advance of the meeting to committee members; moderate the committee meetings so that tasks proceed efficiently; maintain a record of committee procedures, discussion, and actions taken; and provide reports to the appropriate body (or bodies).

*Revised by Faculty Assembly 11-2022.*

### **1.6.2.2 Admissions Committee**

*Membership:*

- Vice President of Inclusive Enrollment/Director of Admissions (who will also serve as Chair)
- 3 faculty members (one elected from each division)

*Function:*

- Reviews applications of prospective students that do not fall within clear accept/reject range;
- Studies general policies regarding student admission and recommends them to the Faculty Assembly for consideration;

- Representatives shall report regularly on the activities of the Committee at their division meetings;
- Conducts an annual review of each class admitted in conjunction with institutional research.

*Revisions approved by Faculty Assembly 2-2022*

### **1.6.2.3 Assessment Committee (College-Wide)**

*Membership:*

- Director of Institutional Research (Chair)
- Provost (nonvoting)
- Faculty: one representative from each of the 3 divisions (appointed by the President)
- Dean of Students
- Students: One student elected by the Work Committee and a second student member appointed by the Director of Institutional Research

*Function:*

- Serves as an advocate and general resource on assessment issues;
- Promotes academic and co-curricular assessment activities in the program review process;
- Provides peer consultation assistance to faculty and staff in academic and co-curricular units for planning and conducting departmental and institutional assessment activities;
- Advances authentic assessment that is driven by core institutional values and communicates the fundamental values of Blackburn College;
- Promotes assessment that is constructed as a partnership of all college community members;
- Serves as an advocate and general resource on assessment issues;
- Promotes and supports academic and co-curricular assessment activities;
- Provides peer consultation assistance to faculty and staff in academic and co-curricular units for planning and conducting departmental and institutional assessment activities;
- Supports the program review process;
- Promotes authentic assessment that serves a higher purpose other than “quality control”;
- Advances authentic assessment that is primarily driven by core institutional values and committed to the full development of talents and potential of every student;
- Endorses authentic assessment that embodies and provides opportunities to communicate the core values of Blackburn College;
- Advances the understanding that assessment is more than a mechanical process of gathering and reporting data;
- Encourages the practice of authentic assessment in the day-to-day life of the institution;
- Promotes assessment that is constructed as a partnership of all college community members.

### **1.6.2.4 Athletics Committee**

*Membership:*

- Athletic Director
- Provost
- 2 faculty members, one male and one female, one of whom is the NCAA Faculty Athletic Representative (FAR)\*
- Senior woman administrator in Athletics
- 2 student athletes, one male and one female, nominated by the Committee and chosen by the President
- The Chair shall be a faculty member of the Committee elected by the Committee members, subject to approval by the President.

*Function:*

- Determines the policies governing intercollegiate athletics and makes recommendations to the Faculty Assembly (policies relating to or affecting academics will be subject to the approval of the Faculty Assembly);
  - Advises the Athletic Director on intercollegiate athletic schedules and related matters approved by the Faculty Assembly;
  - Reports these matters to the Student Life Committee;
  - Representatives shall report regularly on the activities of the Committee at their division meetings.
- See Athletics Philosophy Statement, [Appendix 1A](#).

**\*Faculty Athletic Representative.** The position of Faculty Athletic Representative (FAR) is mandated by the NCAA. Its purpose is to promote academic integrity in intercollegiate athletics, to facilitate the integration of the athletic and academic components of the collegiate community, and to promote institutional control of athletics. The President, in consultation with faculty and administrative officials, appoints the FAR for a four-year renewable term from among the full-time, tenured members of the teaching faculty. The FAR reports to the President. The FAR has duties in the general areas of internal and external communication, compliance, student-athlete welfare, and academic integrity of the athletics program, as outlined in the FAR handbook published by the NCAA. A more detailed description can be found in the President's Office and is distributed annually to coaches and to members of the Student Athlete Advisory Committee by the FAR.

#### **1.6.2.5 Board of Trustees (Faculty Representatives to Committees of)**

*Membership:*

- Academic Affairs Committee Representatives: The Chair of Conditions of Service (Faculty) and the Division Chairs (as representatives of CAP).
- Enrollment/Retention Committee Representatives: The Admissions, Scholarship and Financial Aid Committee will name one of its faculty members as representative.
- Finance Committee Representative: The faculty will elect one faculty member from the Budget Committee as representative.
- Student Life Committee Representative: The Student Life Committee will name one faculty member as representative.
- Advancement, Trusteeship, Buildings and Grounds and Work Committee Representatives: The faculty will elect one faculty member (total of 4 faculty) to serve as representatives to each of these Committees.

*Function:*

- To report on behalf of (to the Board of Trustees) and back to (from the Board of Trustees) the Faculty Assembly regarding issues relevant to their specific committee representation.

#### **1.6.2.6 Committee on Academic Standing**

*Membership:*

- 3 faculty members (one elected from each division)
- Registrar (nonvoting)
- 1 member of the Student Life staff (nonvoting) appointed by the President
- Provost (nonvoting)
- Director of Counseling Services/College Counselor (nonvoting)
- Dean of Work (nonvoting)
- The Chair shall be appointed from the faculty members by the President

*Function:*

- Reviews questions of academic standing, probation, and dismissal of students, and recommends appropriate policies to the Faculty Assembly for its consideration;

- Administers policies in all of the areas adopted by the Faculty Assembly;
- Acts on appropriate student applications and petitions, such as:
- readmission to the College after dismissal for academic reasons;
- course equivalencies;
- grade appeals;
- accusations of academic dishonesty and determination of disciplinary action as prescribed in the Blackburn Student Handbook.

### **1.6.2.7 Faculty Conditions of Service Committee**

#### *Membership:*

- 1 tenured and 1 non-tenured faculty member from each division
- 1 at-large member elected by the Faculty Assembly

#### *Function:*

- Reviews and recommends policies regarding compensation, tenure, and conditions of employment;
- The division representatives regularly report the Committee's discussions to the divisions and to the Faculty Assembly, bring proposals to the Faculty Assembly for action, and make recommendations to the President upon approval by the Faculty Assembly;
- The Faculty Conditions of Service Committee establishes a permanent subcommittee on benefits within the structure and functions of the existing FCoS Committee. This subcommittee will have two faculty representatives drawn from FCoS and one at-large faculty member from the Faculty Assembly. These three members will become the faculty representatives to the Benefits Ad Hoc Committee. The at-large member will be selected at the first Faculty Assembly meeting in August of each academic year.

### **1.6.2.8 Curriculum and Academic Policy**

#### *Membership:*

- Provost (Chair)
- Department of Education Chair (advisory, nonvoting, ex-officio member)
- Division Chair and 1 faculty member from each division (as elected by the members of that division)
- Registrar (acts as secretary, non-voting, ex-officio member)
- 1 student (appointed by the Student Senate. Can be a Student Senate Member or Work Manager)

#### *Function:*

- Studies the content and operations of the whole academic program and process.
- Receives and examines curriculum proposals from the departments and presents consequent recommendations to the Faculty Assembly.
- Makes recommendations to the Faculty Assembly on academic policy, graduation requirements, and other matters relating to the effectiveness of the academic program.
- Reviews faculty position proposals and makes recommendations to the President.
- Receives and approves Faculty Development Fund proposals and reports.
- Receives and approves Instructional Improvement Grant proposals and reports.
- Receives and approves Research Grant proposals and reports.
- Representatives shall report regularly on the activities of the Committee at their division meetings.

### **1.6.2.9 Faculty Tenure Committee**

#### *Membership:*

- 1 tenured faculty member from each division (elected by all teaching faculty in the division for staggered 4-year terms)
- 1 additional tenured faculty member (to be elected in the division(s) of the applicant for tenure)

- Division Chair and Department Chairs in which the candidate for tenure serves are automatically excluded from the Faculty Tenure Committee. If there are insufficient numbers of tenured faculty members to meet this requirement, the position should be filled with an additional tenured faculty from another division, elected by the candidate's division.
- Those elected to 4-year terms will elect the Chair.
- Members of the Faculty Tenure Committee may be disqualified, but only with cause. If questions are raised concerning the recusal of a Faculty Tenure Committee member for serving on a specific case, the Provost shall decide whether that person shall be recused. The faculty member who receives the second highest number of votes in the appropriate divisional election will replace a recused member.

*Function:*

- Considers faculty applications for tenure and makes recommendations on each application directly to the Board of Trustees through the President.
- Reviews and recommends policy changes to the Faculty Assembly.
- Provides support and resources to candidates for tenure.
- Reviews and ensures integrity of the tenure and reappointment processes.

### **1.6.2.10 Faculty Professional Relations Committee**

*Membership:*

- 5 faculty members elected at-large from a list of prospective members ranked by the number of votes they received (at least 3 of whom must be tenured faculty).
- Should the Professional Relations Committee be called on to act, it shall consist of the 5 faculty members with the highest number of votes who have not recused themselves or are recused due to conflict of interest, other duties, or for some reason specified elsewhere in the Faculty and Staff Handbooks. Records of vote tallies shall be kept in the Office of the President.
- Any person serving the College on a faculty contract is eligible to vote on those who shall be elected.
- The Chair will be elected by the Committee.
- No Administrative Officer serves on the Professional Relations Committee.

*Function:*

- Acts as a hearing body for any issue or matter that involves the rights and welfare of individual faculty members or of the College. The individual(s) concerned in such matters or the President of the College may refer cases to the Committee for a hearing.
- Conducts formal hearings of cases and grievances that involve the rights, welfare, and conduct of faculty members.

*The Committee will convene to consider cases involving:*

- potential “dismissal for cause” of a faculty member;
- “allegations of academic freedom violation”;
- denial of tenure or non-reappointment where petitioner alleges “inadequate consideration”; and
- grievances brought against members of the faculty.

#### **1.6.2.10.1 Decisions/Recommendations**

The Committee shall follow the procedures below in its hearing of cases. Decisions rendered by the Committee shall stand as recommendations to the President of the College for resolving the matters in question. These recommendations may include, but are not limited to sanctions, policy proposals or amendments, or referral to judicial bodies.

#### **1.6.2.10.2 Recusal of Members**

If any party to a committee hearing requests the recusal of a Professional Relations Committee member from serving on that specific case, the request petition will be submitted to the Faculty Assembly Chair, who will then refer the petition to the other members of the Professional Relations committee for a vote. In the event individual members of the Committee should be recused from a specific case, the Faculty Assembly Chair shall place alternate members on the Committee for that case as determined by the number of votes they received in the original election. The first runner up in the voting would be the first alternate; the second runner-up, the second alternate; etc.

#### **1.6.2.10.3 Formal Resolution Procedure**

If a faculty member has a grievance that should be heard by the Committee, they will bring the grievance to the Provost within one month of the precipitating event. Such a grievance must clearly state the nature of the complaint or dispute and state against whom the grievance is directed. It will contain any factual or other data, that the Committee may deem pertinent to the case. The Provost will then convene the Professional Relations Committee within 4 calendar days of receiving the grievance to review the case. The Professional Relations Committee will decide within 4 calendar days whether to schedule a formal hearing or deny further consideration. If the Committee decides to formally hear the grievance, they will hold that hearing within 10 calendar days of issuing the decision.

#### **1.6.2.10.4 Formal Hearing Procedure for Grievances Against a Faculty Member**

Grievances against the faculty member will be filed with the Professional Relations Committee. The Professional Relations Committee will follow the procedure outlined in this Handbook.

1. The Committee Chair will establish a hearing date that allows the concerned parties at least seven calendar days but no more than 10 calendar days to prepare for the hearing.
2. The faculty members involved would be permitted to have a personal advocate of their choice, either in addition to or in lieu of an attorney, who may assist and advise any party throughout the disciplinary process, including all meetings and hearings related to such process, in compliance with the applicable federal and state laws. The advocates serve as witnesses to the hearing, but do not take a direct part in the hearing. The advocates may request a break in the hearing to confer in private with their respective faculty members.
3. The Committee will elect a secretary who will keep a written record of the hearing. The hearing will be audio-recorded as long as consent is obtained by all parties present. Written and audio records will be kept in the office of the HR Coordinator after the hearing.
4. Both parties involved will be afforded an opportunity to obtain necessary witnesses and documentation or other evidence, and they will provide that evidence to the Committee Chair in advance of the hearing. The administration of the institution will, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control. The principal parties involved may not directly cross examine one another or any witnesses, but they may, at the discretion and direction of the Committee, suggest questions to be posed to witnesses by the Committee and respond to the other party.
5. In the conduct of the hearing, the primary purpose would be to determine all facts relevant to the issue at hand. In addition to evidence supplied by the parties involved, the Committee will make every effort to obtain any additional relevant evidence. The Committee is not bound to strict rules of legal evidence.
6. Findings of fact and the Committee's recommendations must be based solely on the hearing record, including all evidence supplied to and collected by the Committee.

7. The Committee will report its findings and recommendations to the principal parties in the case and to the Provost of the College within 72 hours of the hearing. The Provost will render a decision within 72 hours of receiving the report.

8. The Provost's decision may be appealed to the President of the College within one week of the Provost's decision. The President will render a decision within 72 hours. The only grounds for appeal are:

- A. Procedural error that impacted the outcome;
- B. New evidence that comes to light after the hearing is complete;
- C. Any sanctions recommended can be shown to be excessive.

There will be no appeal from the President's decision.

#### **1.6.2.10.5 Formal Hearing Procedure for Cases Involving Dismissal for Cause or Allegations of Academic Freedom Violations**

In cases involving "Dismissal for Cause", the College will adhere to the procedures stipulated under Sections 4 through 8 of the AAUP publication, [\*Recommended Institutional Regulations on Academic Freedom and Tenure\*](#).

In those cases, where a hearing is requested for "Allegations of Academic Freedom Violations," the procedures will be in accordance with the procedures as published in Section 10 of the [\*AAUP Recommended Institutional Regulations on Academic Freedom and Tenure\*](#).

AAUP procedures for dismissal and cases involving academic freedom of non-tenured faculty specify that there shall be "informal" inquiry by a "duly elected faculty committee" prior to formal charges being brought before a faculty hearing committee. The Committee for this informal inquiry would consist of three faculty members chosen by the Faculty Assembly with one member designated by the Assembly to serve as Chair. Two members would be tenured faculty members and they all would be selected from the roster of full-time teaching faculty. Members of the Professional Relations Committee may not be chosen to serve on the informal inquiry committee (the Preliminary Hearing Committee). The Hearing Committee for final disposition of these cases would be the Professional Relations Committee with those modifications that are specified in the most recently approved AAUP [\*Recommended Institutional Regulations on Academic Freedom and Tenure\*](#) Section 5(c).

#### **1.6.2.10.6 Formal Hearing Procedure for Cases Involving Allegations of Inadequate Consideration**

In those cases, where tenure is denied or an appointment is not renewed and the petitioner alleges "Inadequate Consideration", the review procedures will be in accordance with the procedures stipulated in Section 6 of the most recently approved AAUP [\*Statement on Procedural Standards in the Renewal or Non-Renewal of Faculty Appointments\*](#). These AAUP procedures specify the appointment of a "review committee" to consider allegations by a faculty member of "inadequate consideration" in cases of non-reappointment or denial of tenure. The Professional Relations Committee shall serve as the Hearing Committee, with these exceptions:

- All members of the review committee shall be tenured;
- No member of the review committee shall also be on the Tenure Committee;
- No member of the review committee shall be in the same department as the faculty member alleging "inadequate consideration";
- The Chair of the division to which a faculty member belongs shall not be eligible to serve on the review committee;
- The members of the Faculty Tenure Committee involved in the case under consideration may not sit on the review committee.

### **1.6.2.11 Teacher Education Internal Advisory Committee**

#### *Membership:*

- The Chair of the Teacher Education Department will serve as Committee Chair
- All full-time faculty members of the Teacher Education Department
- Director of Teacher Education
- Education Department Administrative Coordinator and Certification Officer
- One representative from each department that has responsibility for preparing teachers (i.e., Biology, English, History, Math, Art, Music, P.E.)
- 2 representatives from public schools: one elementary and one secondary
- 2 public school administrators (one elementary and one secondary)
- Provost

#### *Function:*

- Reviews the conceptual framework once each year;
- Advises and provides input into policies of the Teacher Education Program, particularly on compliance with state and national standards;
- Contributes to the long-range planning process of the Teacher Education program;
- Reviews drafts of plans prepared by the Teacher Education Department.

### **1.6.3 Committees Reporting to the Office of the President**

Arts and Issues Committee

Planning Committee

Harassment Hearing Body

Risk Management/Safety Steering Committee

Student-Athlete Advisory Committee

Student Conduct Board

Student Life Committee

Work Committee

Work Program Appeals

Diversity, Equity, and Inclusion Committee

#### **1.6.3.1 Faculty Election to Presidential Committees**

Standing faculty committee assignments shall be elected by academic divisions at the first faculty assembly meeting of the academic year.

#### **1.6.3.2 Arts and Issues Committee**

##### *Membership:*

- 3 faculty members (elected by the divisions for one-year term)
- Student Life staff member (appointed by the President for one-year term)
- Physical Plant staff member (appointed by the President for one-year term)
- Director of Public Relations
- SAC Representative
- Chair will be elected by the Committee

##### *Function:*

- The purpose of this committee is to provide financial assistance for events that are brought to campus or those that can be traveled to within this area. The events include, but are not limited to: exhibitions, plays, concerts, performances, lectures, and demonstrations. All events supported by the Arts and Issues Committee

are open to the entire campus community and must be advertised accordingly. Any faculty, staff, or student may submit a proposal to the committee chair to request funds from the committee.

### 1.6.3.3 Harassment Hearing Body

- For membership and function refer to the Harassment Policy, [handbook section 1.7.6](#).

### 1.6.3.4 Planning Committee

*Membership:*

- President, Chair
- Provost
- Vice President for Administration and Finance
- Vice President for Institutional Advancement
- Director of Institutional Research
- 3 At-Large Faculty Representatives—1 from each of the 3 divisions—elected for two-year terms at the first fall faculty assembly meeting as needed. The term of the Humanities Division representatives will begin in odd-numbered academic years; the terms of the natural Sciences and Social Sciences Divisions representatives will begin in even-numbered academic years. The appropriate Division chair will select an alternate as needed.
- 1 Faculty-at-Large (elected at the first fall faculty assembly meeting and from any of the divisions for a 1-year-term)
- Dean of Work
- Vice President for Inclusive Enrollment
- Division Chairs
- Vice President of Diverse and Equitable Student Life and Dean of Students
- Director of Technology Services
- Director of Physical Plant
- Director of Lumpkin
- 1 staff member elected at-large by Staff Assembly to serve a 2-year term.
- 1 student to be selected from the Work Committee and 1 student from Student Senate, with one alternate from each committee - all to be appointed by the President. There are only 2 student votes.

*The Planning Committee's purpose is to:*

- Serve as the coordinating group for College shared governance with a focus on institutional and strategic planning, resource allocation, accreditation, and institutional effectiveness
- Create sub-committees to coordinate shared governance in areas of great faculty/staff/student overlap (currently budget, sustainability, and facilities)
- Serve as the final recommending authority for most shared governance issues, with recommendations going directly to the president
  - Examples of some shared governance issues that would be placed on a Planning Committee agenda include: new, or revised, academic programs when there are significant resources required (equipment, facilities, and/or faculty); program review reports (both academic and non-academic) for the purpose of informing discussions on strategic planning and institutional effectiveness.
- Bring focus to productive discussions leading to positive change for the College
- Disseminate critically important information, ensure open communication, promote genuine involvement before and while decisions are made, and provide for inclusive participation of all campus constituencies

*Functions:*

- Develops and provides oversight to the strategic plan; provides follow-up and accountability to the implementation of the plan;
- Provides oversight to the integration of the resource allocation process and the strategic plan;
- Ensures that budget allocations are based on institutional planning priorities and are relevant to the current fiscal environment;
- Establishes yearly planning priorities for the college;
- Establishes measurable indicators for institutional priorities, establishes targets for those indicators, and monitors progress in meeting those targets;
- Oversees the accreditation process;
- Publishes the three-year academic and planning calendar;
- Oversees a sub-committee structure for the accomplishment of specific planning tasks or input.

*Among the expectations for members of Planning are the following:*

- Members possess an open mind and are willing to develop a college-wide perspective and an understanding of constituencies other than their own.
- Members are willing to commit to active and regular participation in Planning Committee meetings and activities.
- Members keep lines of communication open by informing those outside the Planning Committee of issues and developments.
- Members observe standards of ethical conduct.

*Process:*

- Committee membership is a combination of faculty and staff and students that are selected or elected by their constituencies as well as a number of individuals who serve via their job position. Final appointments to the committee are made by the President.
- Meeting times: regular meeting times will be once a month. Special meetings may be called as needed.
- Quorum: a quorum for meetings will be 50% of the Committee members plus one.
- Agendas: an agenda for each meeting will be developed by the Director of Institutional Research in consultation with the committee chair and will be distributed in advance to all committee members. Requests for specific agenda items or reports may be submitted by any member of the campus community and submitted to the chair.
- Where appropriate, the Planning Committee may request status reports from individuals responsible for implementing recommendations and may further discuss or pursue issues as needed.

*Sub-Committee Structure:*

- Membership of each sub-committee is determined by the President, but will generally follow the format described below.
- Membership of each sub-committee will include at least one member of Planning.
- Chairs of sub-committees will be responsible for determining a meeting schedule, developing agendas, ensuring that the agenda and minutes are distributed, and providing updates on work to Planning as requested.

#### **1.6.3.4.1 Budget Sub-Committee**

*Membership:*

- Vice President for Administration and Finance
- 3 Tenured Faculty Representatives—1 from each of the 3 divisions—elected for two-year terms. Whenever possible, the faculty representatives will be tenured. The term of the Humanities Division representatives will begin in odd-numbered academic years; the terms of the natural Sciences and Social

Sciences Divisions representatives will begin in even-numbered academic years. The appropriate Division chair will select an alternate as needed.

- 3 Staff Representatives elected for two-year terms.
- A simple majority of committee members will constitute a quorum.

*Purpose:*

- Advises the President and members of Planning on budget policy and financial planning for the campus community;
- Provides a venue for campus dialogue and an intersection for the planning processes and financial allocation.

*Function:*

- Advises on the development of budgetary policies, processes and timelines;
- Receives and reviews budget proposals from departments and/or program areas;
- Develops and recommends a balanced budget on an annual basis;
- Informs campus community on budget principles and issues;
- Reviews the current budget at least once a month (12-month calendar).

*Selection of Committee Chair:*

- Vice President for Finance and Administration or designee

#### **1.6.3.4.2 Sustainability Sub-Committee**

*Membership:*

- Planning Committee approves membership at the beginning of each academic year, based on its own nominations and those made in conjunction with the President, Provost and President's Cabinet.
- The following areas should be represented:
  - Planning Committee (1 representative)
  - Physical Plant (1 representative)
  - Sodexo (1 representative)
  - Faculty (1 representative)
  - Staff (1 representative)
  - Students (1 representative from the Work Program, 1 representative from Student Senate, and 1 representative from Student Life)
- A simple majority of committee members will constitute a quorum.

*Purpose:*

- Carefully reviews all aspects of college operations to ensure environmental responsibility, efficient use of resources, and commitment to the long term well-being of the community.

*Function:*

- Continues the work set forth by the Sustainability Planning Committee established in September of 2008. Those duties include the continued refinement of the campus wide list of recommendations for a sustainable campus. These include how the college will deal with solid waste, energy, water resources, transportation, air quality, landscaping, food service, construction, and procurement issues. The original committee was responsible for laying the groundwork for the Environmental Studies major and this sub-committee will continue to look for ways to support/grow this and other majors related to Sustainability.

*Selection of Committee Chair:*

- Determined by President

#### **1.6.3.4.3 Facilities Sub-Committee**

*Membership:*

- Planning Committee approves membership at the beginning of each academic year, based on its own nominations and those made in conjunction with the President, Provost and President’s Cabinet.
- At a minimum the following departments must be represented:
  - Physical Plant (1 for each Campus Maintenance and New Construction)
  - Admissions (1 Representative)
  - Technology (1 Representative)
  - Student Life & Athletics (1 Representative)
  - Institutional Advancement (1 Representative)
  - Faculty (1 Representative per Division)
  - Student Representation (1 member nominated by Student Senate)
  - Finance and Administration (1 Representative)
- A simple majority of committee members will constitute a quorum.

*Purpose:*

- Provides recommendations to the Planning Committee for priority of needs in relation to campus facilities to support the strategic plans of the college as defined by the President and Board of Trustees.

*Function:*

- Establishes a plan for the improvement and development of campus; these needs should incorporate items that assist in the recruitment and retention of students;
- Establishes a maintenance plan/schedule to ensure that current facilities are well maintained;
- Develops committee objectives to support the strategic plan of the College.

*Selection of Committee Chair:*

- Director of Physical Plant or designee

#### **1.6.3.4.4 Diversity and Inclusion Sub-Committee**

Policy removed 4-2021 upon creation of Diversity, Equity, and Inclusion Committee, see [handbook section 1.6.3.11](#).

*Approved by Members of Planning, December 8, 2015; revised 9.11.18; policy removed 4-2021*

#### **1.6.3.5 Risk Management/Safety Steering Committee**

*Membership:*

- Vice President for Administration and Finance (will serve as Chair)
- Provost
- Vice President for Institutional Advancement
- Dean of Students
- Director of Physical Plant
- Dean of Work
- 1 General Manager of the Work Committee
- 1 faculty member (elected by Faculty Assembly)

*Function:*

- The Risk Management/Safety Steering Committee will establish a policy statement that supports the College's safety efforts; formulate and revise general safety policies; establish, train, direct, and review the work of Advisory and Departmental Safety Committees; review and act on loss prevention consultants' reports, respond to safety issues as they arise; and review loss reports.

#### **1.6.3.6 Student-Athlete Advisory Committee**

*Membership:*

- 1 student athlete representative from each sport.

*Function:*

- Provides student feedback regarding athletic services and programs to the Athletic Director.

### **1.6.3.7 Student Conduct Board**

- Refer to the Disciplinary System section in the Blackburn Student Handbook.

### **1.6.3.8 Student Life Committee**

*Membership:*

- Dean of Students (will serve as Chair)
- Dean of Work
- Director of Residence Life
- Executive Director of Diversity, Equity, and Inclusion
- College Chaplain
- Director of Counseling Services (ex officio capacity)
- Director of the Learning Center
- 1 residence hall staff member
- 1 Work Committee representative
- 2 faculty members (from division other than the learning center, elected by the Faculty Assembly)
- 2 Student Senate members (nominated by Student Senate and approved by the President of the

College)

*Function:*

- Monitors individual student progress;
- Addresses retention issues;
- Makes recommendations and evaluations to the President about all areas of student life including rule changes and changes in the judicial system; communicates all such recommendations to the Student Senate for comment; and recommends all proposed changes, where appropriate, to the Board of Trustees;
- Recommends policies governing all co-curricular activities.

### **1.6.3.9 Work Committee**

*Membership:*

- Work Program General Managers (non-voting)
- Work Program Department Managers
- Dean of Work (non-voting)
- Student Senate Representative (non-voting, does not attend confidential discussions)
- DEI Student Representative (non-voting, does not attend confidential discussions)

*Function:*

- Develops, implements, and monitors Work Program policies, including edits, updates and changes based on precedent, new information, or need for clarification;
- Assures that the student labor needs of the campus are met: organizes, hires, trains, and motivates student staff;
- Assists with the supervision and evaluation of student staff;
- Oversees the allocation of student work hours and makes recommendations to the President's Cabinet regarding the budgeting of student paid hours;
- Organizes and schedules events for campus to motivate and give back to the student body. Examples include Student Worker Appreciation Day, Final's Breakfast, and honor worker;

- Represents the Work Program on various governing committees around campus to ensure student staff is considered in the decision making processes of the college;
- Represents student leadership on and off campus through volunteer service, convocations, presentations, and recruiting events.

*Vetted by Work Committee AY 21-22, Revised by Work Committee AY 22-23*

### **1.6.3.10 Work Program Appeals Board**

*Membership:*

The Appeals Board is constituted and proceeds as follows:

One faculty and one staff advisor, as well as one alternate for each, are voting members of the board. The faculty members are elected by the Faculty Assembly. The staff members are appointed by the College President. The alternates will be used in the case that a conflict of interest should arise. The student members of the board will be selected as follows:

Each of the work department managers will nominate one worker from their department to serve on the Appeals Board.

- Nominees must be in good standing (academic, work, and social)
- Freshmen are not eligible
- Nominees must have worked at least one semester in the Work Program
- Nominees cannot be in a Work Program leadership position (e.g. manager, assistant manager, or crew head)
- The President of the College will appoint 5 members and 5 alternates from among the student nominees. The 5 student members select a student chair of the Appeals Board, who is a voting member.

*Function:*

- Reviews student appeals of suspension for work reasons only.

### **1.6.3.11 Diversity, Equity, and Inclusion Committee**

*Membership:*

Chair: determined by President, typically performed by the DEI staff position

The following areas should be represented:

- Work Program Dean
- Athletics staff member
- Student Life staff member
- Institutional Research staff member
- Faculty member
- 5 students (should always match the total number of faculty and staff)
- 1 Student Senate
- 1 general worker (non-leadership work program representative)
- additional students with priority invitation to student clubs (or students) representing marginalized groups

A simple majority of committee members will constitute a quorum.

*Purpose:*

Charged with the goal of increasing diversity, equity, and inclusion in the college community by providing for the awareness, knowledge, and skills needed to successfully recruit and retain diverse students, faculty, and staff

*Function:*

- Review data gathered by IR and/or other campus constituents on DEI-related topics and advocate for policy and procedural additions and/or revisions that promote a more diverse, equitable, and inclusive environment for all members of the college community.
- Implement and assess, in coordination with key campus constituents, ILEA commitments.
- Establish a process of documenting DEI efforts as a result of DEI task force recommendations, set benchmarks for success, report progress to campus constituencies, and, when necessary, make additional recommendations.
- Provide educational and training opportunities for students, faculty, staff, and local community members to enhance the awareness, knowledge, and skills needed to be an inclusive member of the Blackburn community.
- Assist in the recruitment and retention of underrepresented students who may need additional supportive services due to being a first generation college student, from a low-income neighborhood, from another country, from non-rural areas, and/or other dimensions of diversity including but not limited to race/ethnicity, sexual orientation, gender, religion, and disability.

*Approved 4-2021*

#### **1.6.4 Committees Reporting to the Staff Assembly**

- Staff Council
- Conditions of Service (Staff) Committee
- Staff Employee Relations Committee

##### **1.6.4.1 Staff Assembly Bylaws**

###### **1.6.4.1.1 Mission and Purpose**

The mission of the Blackburn College Staff Assembly is to enhance the work environment, and represent the interests and concerns of staff in the overall governance structure of the college.

The purpose of the Blackburn College Staff Assembly shall be to represent the staff in the communication processes and to serve in an advisory role in the decision making process of the College. The Assembly will work to increase the sense of identity, recognition, and value of each staff member in their relationship to the College and foster a culture among staff of mutual support, respect and professionalism.

###### **1.6.4.1.2 Definition**

Blackburn College staff includes all permanent, full-time Blackburn personnel, excluding members of the Faculty. Student workers are not considered staff.

###### **1.6.4.1.3 Staff Assembly Meetings**

###### **1.6.4.1.3.1**

Regular Meetings: The Assembly shall have a minimum of 8 scheduled meetings per year as set by Staff

Council during the following months: January, February, March, April, July, September, October, and November. These shall be held the third Wednesday during daytime working hours.

#### **1.6.4.1.3.2**

Special Meetings: Special meetings may be called by Staff Council, or upon petition to the Council from 25% of the Assembly membership. Notice of all meetings must have 24 hours lead-time.

#### **1.6.4.1.3.3**

Agenda: Any staff member may submit an item to be considered for the agenda of regularly scheduled meetings. These items shall be submitted to the Chair for consideration at least 10 days prior to the scheduled meeting.

#### **1.6.4.1.3.4**

Quorum: A quorum at any regular or special meeting shall require a minimum of half the members plus one.

#### **1.6.4.1.3.5**

Voting: Voting of all matters, other than elections, shall be by voice vote, unless secret ballot is requested. By-proxy votes will not be accepted, remote votes will be allowed.

#### **1.6.4.1.3.6**

Motions: Motions may be proposed at any time and shall require a majority vote of the membership present to pass. Each Assembly member has the right to request that a motion be considered as a resolution.

#### **1.6.4.1.3.7**

Resolutions: Resolutions shall be introduced at least one Assembly meeting prior to presentation for vote. Immediate action may be taken on items by suspending this requirement with the unanimous consent of those members present. A 2/3 vote of the Assembly membership present is required for adoption of a resolution.

#### **1.6.4.1.3.8**

President's Cabinet: Members of the President's Cabinet will have voting rights and be counted in the quorum. However, a motion called by an assembly member and accepted by a majority vote, could excuse the members of the President's Cabinet from a discussion or vote under special circumstances.

### **1.6.4.1.4 Staff Assembly Officers**

#### **1.6.4.1.4.1**

The Assembly Officers shall include the Chair, the Vice Chair, and the Secretary-Treasurer.

#### **1.6.4.1.4.2**

The Chair of the Staff Assembly shall be expected to fulfill the following responsibilities and duties:

- Shall serve as presiding officer for all meetings of the Staff Assembly and the Staff Council.
- Shall represent Staff Assembly at all Board of Trustee meetings.
- Shall refer all matters submitted for the Assembly's attention to the appropriate committee(s) or person(s).
- Shall oversee the creation and distribution of the agenda and minutes of the proceedings and actions of the Assembly and Council.
- Shall be responsible for the disposition of all recommendations of the Assembly.
- Shall report regularly to the President of the College on matters pertaining to the staff, Staff Council and the College.

- The Chair is also responsible for upholding the Bylaws of the Council and conducting all meetings in accordance with the rules of order.

#### **1.6.4.1.4.3**

The Vice Chair of the Staff Assembly shall be expected to fulfill the following responsibilities and duties:

1. Shall preside over all Assembly and Council meetings when the Chair is not present.
2. Shall act on behalf of the Chair upon their request or in their absence.
3. If the Chair position becomes vacant, it will be the responsibility of the Vice Chair to assume the duties of the Chair unless extenuating circumstances prohibit. These circumstances will be reviewed by Staff Council and be agreed upon by a majority vote.
4. If it is agreed that the Vice Chair is unable to assume the Chair position, the Secretary-Treasurer will assume the Chair position through next-in-line succession unless extenuating circumstances prohibit. These circumstances will be reviewed by Staff Council and agreed upon by a majority vote.

#### **1.6.4.1.4.4**

The Secretary of the Staff Assembly shall be expected to fulfill the following responsibilities and duties:

1. Shall assist the Chair in the distribution of all Assembly and Council correspondence.
2. Shall be responsible for the maintenance of accurate records for Staff Assembly and Council meetings.
3. Shall oversee the permanent records of the Assembly and Council. All permanent records will be kept in the Staff Assembly/Council Folder on the Google drive. The Google drive folder should be shared with all members of the Staff Council and the Office of the President. Ownership rights to the Folder should belong to the secretary-treasurer and editing rights be given to the Chair.
4. Shall maintain and update a calendar of events relevant to the Staff Assembly and Council.
5. If it is agreed that the Vice Chair is unable to assume the Chair position, the Secretary will assume the Chair position through next-in-line succession unless extenuating circumstances prohibit. These circumstances will be reviewed by Staff Council and agreed upon by a majority vote.

#### **1.6.4.1.4.5**

The Treasurer of the Staff Assembly shall be expected to fulfill the following responsibilities and duties:

1. Shall be responsible for maintaining records of all Professional Development Fund requests.
2. Shall report monthly to Staff Council the allocations and expenditures of the Professional Development Fund.
3. Shall be responsible for handling all receipts for tracking expenditures, then processing all documents through the Business Office.
4. Shall be responsible for following with up fund recipients to ensure all paperwork is complete and submitted.
5. If it is agreed that the Secretary is unable to assume the Chair position, the Treasurer will assume the Chair position through the next-in-line succession unless extenuating circumstances prohibit. These circumstances will be reviewed by Staff Council and agreed upon by a majority vote.

#### **1.6.4.1.4.6**

Election of Officers: The Officers shall be elected at the April Assembly meeting by an assembly majority. All Officer Positions are one-year terms, and are limited to two (2) consecutive terms. Terms of office will commence on May 1st and end on April 30th. The presiding chair shall conduct the election of the officers unless up for reelection or nominated for another position, in such case the vice-chair shall oversee the election by order of succession. Election of Officers shall be by voice vote, unless secret ballot is requested. A majority vote shall be required to elect an officer. If a single candidate fails to receive a majority of the vote, there will be a run-off election of the two candidates with the highest number of votes.

#### **1.6.4.1.4.7**

Vacancies: To fill vacancies for the Chair, Vice Chair, and Secretary-Treasurer, the assembly will replace the positions with members already serving on the Council. If no one on the Council is able to serve an unexpired term for an Officer, a special election will be called at Staff Assembly to elect a replacement Officer. Replacement officers shall serve the duration of the original term. To fill the created Representative vacancies, the division will then follow the procedures outlined in *handbook section 1.6.4.2.2.4*. The elected representative will serve the remainder of the term, and the partial term shall not count against the term limits.

### **1.6.4.1.5 Amendment of Bylaws**

#### **1.6.4.1.5.1**

These Bylaws may be amended by the Staff Assembly at any meeting thereof, provided that written notice of the purpose of any change shall have been available to all members of Staff Assembly at least thirty (30) days in advance of the time when the change is to be voted on, and also provided that no such amendment shall be made but by concurring vote of two-thirds (2/3rds) of the members of the Staff Assembly present. Sections 2 and 3 outline the process for amending the bylaws.

#### **1.6.4.1.5.2**

All proposals for amendment to the bylaws must initially be brought to Staff Conditions of Service committee or Staff Council directly by any member or constituency of the Staff Assembly. The proposed amendments will be considered first within the committee that they were proposed, and then be presented to Staff Council (if that was not the original source). The Staff Council will deliberate, working with Staff Conditions of Service as appropriate, to prepare specific wording on an amendment to be presented to the entire Assembly.

#### **1.6.4.1.5.3**

If Staff Council opts not to bring a proposed amendment to the full Staff Assembly, a referendum mechanism for direct access to the entire Staff Assembly will be utilized. The referendum shall contain the exact wording of the proposed amendment, plus any explanation (not to be included in the actual amendment) of the reasoning behind the proposed amendment. The referendum must be signed by fifty (50) Staff Assembly members. The referendum with original signatures will be submitted to the Human Resources Office for independent counting and authentication. A copy will be submitted to Staff Council so that it may be included on the agenda for the next general meeting following authentication.

#### **1.6.4.1.6 Bylaws / Effect**

The Bylaws shall go into effect when ratified by the Staff Assembly by a 2/3 vote of the members present and voting, and upon approval of the Board of Trustees of Blackburn College or its designate.

*Updated Fall 2018*

## **1.6.4.2 Staff Council**

### *Membership*

Staff Council shall be composed of seven elected members, one from each of the seven staff divisions, the three Staff Assembly officers (the Chair, the Vice Chair, and the Secretary-treasurer) and four at-large representatives. Vacancies to the Council shall be filled as described in *handbook section [1.6.4.1.4](#)* and *handbook section [1.6.4.2.2.4](#)*.

The Vice President for Administration and Finance shall serve as an adviser to the Council at their discretion and shall be non-voting member.

### *Function*

- Determine Staff Assembly meeting dates and agenda.
- Interpret the Staff Assembly bylaws.
- Provide a voice to the administration of the college, particularly the President, in decision-making processes of the college that have a direct impact on non-faculty employees.
- Provide the means necessary for non-faculty employee recognition for exemplary service and length of service to the campus as well as to Blackburn College; allowing for staff training and development.
- Support and enhance the overall mission of the college.
- To initiate and provide means for the exchange of information among BC employees relative to issues of mutual concern.
- To foster a spirit of unity, cooperation and loyalty among all BC employees.
- To consider methods and means by which overall working conditions may be improved and operating efficiency increased.
- To study and to make recommendations to administrative officers concerning problems and policies of mutual concern relating to BC employees and the general efficient functioning of the campus and the College.
- To be responsible for matters of concern as may be assigned to it by the President.
- To work with Faculty Assembly, and any other groups, or bodies on all of the College's campuses to fulfill the aforementioned purposes.

### **1.6.4.2.1 Staff Council Meetings**

#### **1.6.4.2.1.1**

Regular Meetings: Staff Council meetings shall be open to all members of the College community. The Staff Council Chair may request non-members to introduce themselves. The Staff Council shall meet at least one week prior to all assembly meetings and may meet at additional times as necessary in order to make decisions regarding the ongoing operation of the Staff Council. The Council may seek counsel from former Chairs of the Staff Assembly, they may be invited Council meetings as non-voting attendees.

#### **1.6.4.2.1.2**

Special Meetings: Special meetings may be called at the discretion of the Chair or President of the College. Similarly, closed session meetings may be called at the discretion of the Chair or by half of the Council.

#### **1.6.4.2.1.3**

Agenda: Any staff member may submitted an item to be considered for the agenda. The agenda and speaking limitations for agenda items shall be determined by the Chair.

## **1.6.4.2.2 Staff Council Representatives**

### **1.6.4.2.2.1**

There shall be seven elected representatives, one from each of the seven staff divisions, to Staff Council: the three Staff Assembly Officers (Chair, Vice-Chair, and Secretary-Treasurer) and four At-Large Representatives.

### **1.6.4.2.2.2**

Participation: Any permanent, full-time employee of Blackburn College in a non-full-time faculty position shall be considered for membership to the Council. All employees are encouraged to participate without penalty from their job responsibilities. Council and assembly meetings shall be considered part of an employee's normal workweek and shall be compensated at regular pay rate and should not generate any overtime pay or comp time.

### **1.6.4.2.2.3**

Terms: Representatives to the Council shall be elected to staggered two-year terms and shall be eligible to serve no more than two consecutive full terms as a Representative. All terms shall begin on May 1st and shall end on April 30th. Any member of the Council shall lose their position immediately upon separation of employment with Blackburn College.

### **1.6.4.2.2.4**

Elections: Nominations and elections for representative positions shall be held each year during the month April. The following protocol shall be followed for all elections:

- Nomination of candidates for election to Staff Council Representative Positions shall result from secret ballot during the month of April prior to the April Assembly meeting. Each division staff member may vote up to one name for each open position. A person must be employed by Blackburn a minimum of one year before accepting a position on Staff Council. The presiding chair shall collect all votes.
- Representative division are divided and subdivided as follows:
  - Academic Support – Tech Services, Records, Lumpkin Learning Commons, Education Office, Institutional Research, and Enrollment Services.
  - Administrative I – Financial Aid, Business Office, and Bookstore.
  - Administrative II – Institutional Advancement, PR and Marketing, Office of the President.
  - Admissions
  - Athletics
  - Physical Plant
  - Student Life – Student Life Office, Campus Security, Career Services, Work Program,
- Election shall be prepared by the presiding Staff Council Chair, and shall be distributed no later than 15 days prior to the April Assembly meeting, with a notice of vote being provided for each staff member eligible to vote.
- The votes shall be returned to the presiding Chair within a designated amount of time to be tabulated.
- The Staff Assembly Chair will notify the newly elected Representatives.

#### **1.6.4.2.2.5**

Vacancies to Staff Council representative positions will be filled by following regular election protocols; the elected representative will serve the remainder of the term, and the partial term shall not count against the term limits.

#### **1.6.4.2.2.6**

##### **Council Member Resignations**

If a Council member chooses to resign they must submit a Letter of Resignation to the Council Chair. Once accepted, a resignation cannot be rescinded.

The Council Chair (or designated substitute) for that campus section must announce any resignations at the next regularly scheduled meeting.

#### **1.6.4.2.2.7**

##### **Responsibilities of Staff Council members**

- Council members shall seek and gather feedback and input from division staff on issues related to the College employment climate. Council members shall communicate these issues with the Staff Council, and work to resolve the issue and/or find solutions to remedy the issues.
- Council members will attend regularly scheduled monthly meetings, committee meetings, and other special sessions as needed. Meetings can be attended either in-person or remotely.
- Council members will report, orally or in writing at each general Council meeting, on the activities and items discussed or reviewed at any other College related committee meeting(s) in which they attended.

*Updated Fall 2018*

#### **1.6.4.3 Conditions of Service (Staff) Committee**

##### *Membership:*

Membership shall consist of elected members—one each from Academic Support, Administrative I, Administrative II, Admissions, Athletics, Physical Plant, and Student Life. The Committee will elect the Chair. No more than one member of the Staff Council can serve on the Committee. Staff Conditions of Service members will be elected at the April meeting of the Staff Assembly. Members will serve for a term of two years. Members may serve no more than two consecutive terms. Representatives from Academic Support, Administrative 1 and Athletics shall be elected in odd numbered years; Administrative 2, Admissions, Physical Plant and Student Life in even numbered years.

##### *Function:*

- Reviews and recommends policies and procedures concerning compensation and all other conditions of staff employment;
- Arranges and conducts joint meetings with the Faculty Conditions of Service Committee on all issues determined to have relevance to all College employees. Decisions and recommendations are made to the President upon approval by the Staff Assembly.

#### **1.6.4.4 Staff Employee Relations Committee**

##### *Membership:*

- Committee members are elected at-large from the staff membership, and appointed by the Staff Council from a list of prospective members ranked by the number of votes they received. Should the

Employee Relations Committee be called on to act, it shall consist of the 7 staff members with the highest number of votes who have not disqualified themselves or be disqualified due to conflict of interest, or other duties. Any person serving the College as a staff member is eligible to vote on those who shall be elected. The Committee will elect the Chair.

*Function:*

- Acts as a hearing body for any issue or matter, which involves the rights and welfare of individual staff members or the general welfare of the College. The individual(s) concerned in such matters or the President of the College may refer cases to the Committee for a hearing.

If questions are raised concerning the disqualification of an Employee Relations Committee member for serving on a specific case, the Staff Council shall recommend to the President whether or not that person should have been disqualified, and the President shall make the final decision on disqualification. In the event individual members of the Committee should be disqualified to sit on a specific case, alternate members shall be placed on the Committee for that case as determined by the number of votes they receive in the original election. The first runner up in the voting would be the first alternate; the second runner up, the second; etc.

The decisions rendered by the Committee shall stand as recommendations to the President of the College for resolving the matters in question.

*Procedures:*

Employees are encouraged to work out grievances amongst themselves when conflicts arise. If such attempts fail and an employee feels a situation warrants filing a grievance, a written copy of the grievance must be sent to the President's Office as well as to those whom the grievance is being filed against. The employee named in the grievance shall have no more than five (5) business days to respond to the complaint in writing. After both formal statements have been submitted, the President shall assemble the Employee Relations Committee (ERC) as a mediation group. The ERC will hear from both parties and make a recommendation to the President.

In grievance cases, the individual bringing the case to the Committee will set forth in writing the nature of the grievance and will state against whom the grievance is directed. The statement of grievance shall contain any factual or other data which the petitioner deems pertinent to their case. The Chair of the Hearing Committee shall hold a preliminary meeting with the petitioner to verify that all other avenues of resolution have been exhausted. The Chair will then report to the full committee the results of the preliminary meeting. The Hearing Committee will have the right to decide whether or not the facts merit a detailed investigation. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The Committee may seek to bring about a settlement of the issues satisfactory to the party. If, in the opinion of the Committee, such a settlement is not possible or appropriate, the Committee will arrange for a formal hearing.

The parties concerned will be allowed adequate time to prepare for the hearing. The Committee Chair will negotiate a mutually acceptable time for hearing the case. Every effort will be made to handle cases as quickly and expeditiously as possible.

Hearings will be conducted in private unless the Employee Relations Committee, after consultation with, and the permission of, all parties concerned, should approve a request that it be public.

During the proceedings, the staff member will be permitted to have an advocate of their own choice.

The hearings will be audio recorded.

The staff member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the institution will, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control. The principal parties in the case will have the right to confront and cross-examine all the witnesses.

In the conduct of the hearing, the primary purpose will be to determine all the facts relevant to the issue at hand. Every effort will be made to obtain the most reliable evidence available. The Committee will not be bound to strict rules of legal evidence.

Findings of fact and the decision must be based solely on the hearing record.

The Committee will report its findings and recommendations to the principal parties in the case and to the President of the College. The President will decide. There will be no appeal from the President's decision.

## **1.7 Personnel Policies and Procedures**

### **1.7.1 Employment Verification**

The Office of the President will only release employment verification information upon receipt of a signed release by the employee. [See Appendix 1B.](#)

### **1.7.2 Equal Employment Opportunity & Nondiscrimination Statements, Policies, and Procedures**

Blackburn College is an Equal Opportunity Employer. Blackburn College does not discriminate against anyone on the basis of sex, race, age, color, religion, creed, ancestry, national origin, marital status, sexual orientation, physical or mental disability, or military service, including veteran status or discharge from military service (except dishonorable discharges), medical condition, genetic characteristics, pregnancy, or any other basis prohibited by applicable federal, state or local law. This applies to hiring, promotion, renewal of employment, selection for training, tenure or term, and privileges or conditions of employment as well as admission and access to education programs and activities. The College will reasonably accommodate an individual's physical or mental disability when appropriate, as required by the Americans with Disabilities Act and the Illinois Human Rights Act or any other applicable law or regulation.

Members of the College community, guests and visitors have the right to be free from all forms of discrimination or harassment based on protected classes listed above. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College believes in zero tolerance for discrimination and harassment-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a Responding Party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and establish a mechanism for determining when those expectations have been violated.

The College's discrimination and misconduct policies are not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom.

The College uses the preponderance of the evidence (also known as "more likely than not") as the standard of proof when determining whether a violation of this policy occurred. In campus resolution proceedings, criminal legal terms like "guilt," "innocence" and "burdens of proof" are not applicable, but the College never assumes a Responding Party is in violation of College policy. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

### **1.7.3 TITLE IX SEXUAL HARASSMENT POLICY AND PROCEDURES**

#### **STATEMENT OF NONDISCRIMINATION POLICY**

Blackburn College is committed to maintaining an environment that is free of discrimination on the basis of sex within its educational programs and activities. Blackburn College cannot and will not tolerate discrimination against or harassment of any individual or group based upon sex, race, age, color, religion, creed, ancestry, national origin, marital status, sexual orientation, gender identity or expression, physical or mental disability, or military service, including veteran status or discharge from military service (except dishonorable discharges), medical condition, genetic characteristics, pregnancy, or any other basis prohibited by applicable federal, state or local law. The prohibition on sex discrimination, also prohibits Sexual Harassment, as defined in this policy.

Title IX provides that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Further information about Title IX can be found at <http://www.justice.gov/crt/about/cor/coord/titleix.php>.

This Policy applies to registered or enrolled students, College employees, contractors, vendors, visitors, guests, or other third parties.

#### **SCOPE OF TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCESS**

The Sexual Harassment Grievance Process pertains to Sexual Harassment under Title IX, as defined by this policy, committed by or against students and/or employees, when: (1) the conduct occurs on campus or other property owned or controlled by the College; or (2) the conduct occurs in the context of a College employment or education program or activity within the United States. The College's education program and activities includes locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which harassment occurs, and includes any building owned or controlled by a student organization that is officially recognized by the College.

All members of the Blackburn community have the right to submit a complaint or raise concerns regarding Sexual Harassment under Title IX pursuant to this Policy without fear of retaliation.

A complete copy of Blackburn College's Title IX Sexual Harassment Policy and Procedures can be accessed via the following the link: [www.blackburn.edu/titleix](http://www.blackburn.edu/titleix). Hard copies are available at the Title IX Coordinator Office - Ludlum Hall 110.

For complaints that do not fall under the scope of this process, complaints will be handled under the Equal

Employment Opportunity & Nondiscrimination Statements, Policies, and Procedures, or other applicable student or employment policy, which can also be accessed here: [www.blackburn.edu/titleix](http://www.blackburn.edu/titleix), or is available at the Office of Human Resources - Ludlum Hall 215.

## **DEFINITIONS**

Sexual Harassment – Sexual Harassment is conduct based on sex that may be one or more of following:

- 1) Employee conditioning provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (*i.e.*, a *quid pro quo*), or
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or
- 3) Sexual assault, stalking, dating/domestic violence, as defined herein.

Sexual Assault – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- Sexual Assault includes, but is not limited to, the following acts when they occur without consent of the victim:
  - Any penetration, however slight, of the genitals or anus of one person with the genitals of another person,
  - Any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person,
  - Any sexual act involving penetration, however slight, of the genitals or anus of one person by a finger, instrument, or object,
  - Touching of another person's genitals or breasts under or over the clothing,
  - Touching of one person with the genitals of another person under or over the clothing,

Domestic Violence - Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Stalking – Stalking occurs when a person engages in a course of conduct directed at a person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress. A course of conduct is two or more incidents. Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media.

Dating Violence – Violence by a person who has been in a romantic or intimate relationship with the individual to whom the violence is directed. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

For reference to the pertinent state statutes on sex offenses, please visit

<http://www.ilga.gov/legislation/ilcs/ilcs.asp>.

*Complainant* – A Complainant is any individual who is alleged to be the victim of conduct that could constitute Sexual Harassment under this Policy, in connection with his or her participation in or attempt to participate in an educational program or activity of the College. A Complainant may be a student, an employee, or a third party. This role is referred to as the “Reporting Party” Equal Employment Opportunity & Nondiscrimination Statements, Policies, and Procedures.

*Respondent* – A Respondent is an individual who is purported to be the perpetrator of conduct that could constitute Sexual Harassment. A Respondent need not be affiliated with the College in any respect.

*Consent* – Consent is the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter with a specific individual. Consent is a freely given agreement to sexual activity. Consent must be informed and mutual. Consent is clear, mutually understandable words or actions communicating an agreement to engage in specific sexual or intimate conduct. It is the responsibility of the person initiating sexual activity to obtain the other party’s consent before proceeding with the sexual activity.

A current or past dating or sexual relationship, by itself, does not create consent. Consent to sexual activity in the past does not create consent to future sexual activity. Consent to sexual activity with one person does not create consent to sexual activity with another person. Consent to one sexual activity does not create consent to another sexual activity. A person’s manner of dress does not constitute consent. Consent can be withdrawn at any time during a sexual encounter.

Consent cannot be given as the result of force, coercion, intimidation, or threats. A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.

Consent cannot be given by one who is unable to understand the nature of the sexual activity and give knowing consent due to the circumstances. This includes when one is incapacitated, voluntarily or involuntarily, due to a physical condition, including, but not limited to, the use or influence of drugs or alcohol, or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring. If there is any doubt as to another person’s capacity to give consent, community members should assume that the other person does not have the capacity to give consent.

A person also cannot consent if he or she is under the age of consent or if the person is incapacitated due to a mental disability.

### **TITLE IX Coordinator, Deputy Coordinators, & HR Designees**

The Title IX Coordinator, Deputy Coordinators, and HR Designees are charged with monitoring Blackburn College’s compliance with Title IX, ensuring appropriate education and training, coordinating investigations, responses, and resolution of all reports pursuant to this Policy. In his or her discretion, the Title IX Coordinator may also designate Deputy Title IX Coordinators to assist in the discharge of these duties.

Any questions or concerns regarding the College’s application of this policy may be addressed to the Title

IX Coordinator, Deputy Coordinators, or HR Designees.

The Title IX Coordinator, Deputy Coordinators, and HR Designees may be reached in person during regular office hours, or by telephone, written correspondence, email, or other electronic communication at any other time.

Title IX Coordinator

Dr Michael Cummings - DCC 125  
700 College Ave., Carlinville, IL 62626  
Michael.cummings@blackburn.edu  
217-854-5582  
<https://blackburn.edu/titleix>

Deputy Coordinator (Student Life)

Logan Elliott DCC 133  
217-854-5618. [Logan.elliott@blackburn.edu](mailto:Logan.elliott@blackburn.edu)

Deputy Coordinator (Work Program), DCC 109. 217-854-5535.

Deputy Coordinator (Athletics). Kim Camara-Harvey, Woodward 107. 217-854-5698.  
[kim.camaraharvey@blackburn.edu](mailto:kim.camaraharvey@blackburn.edu)

Deputy Coordinator (Human Resources). Marshall Petty, Ludlum 110. 217-854-5514.  
[marshall.petty@blackburn.edu](mailto:marshall.petty@blackburn.edu)

**HOW TO REPORT POTENTIAL VIOLATIONS OF THIS POLICY**

**1. Reporting Options**

*a. Report to the Title IX Coordinator or Responsible Employee*

Individuals who believe they have been subjected to, or are aware that another individual has been subjected to, Sexual Harassment in connection with a College education program or activity, and who wish to report a potential violation of this Policy should notify the Title IX Coordinator, Deputy Coordinators, and HR Designees.

Reports can be made through email, phone, in person, mail, or through the online form located at: <https://blackburn.edu/titleixreports/>.

In the event that a report involves allegations regarding the Title IX Coordinator or the Human Resources Designee, then reports should be made directly to the President of the College.

Upon receipt of any report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures and explain the process for filing a formal complaint. The Title IX Coordinator will contact the Complainant within 12 hours of receiving an electronic report, and will provide the following information to the Complainant in writing:

- Information about the importance of preserving physical evidence in cases of sexual violence and the availability of a no-cost medical forensic exam;
- Information about the Complainant's Rights and Options related to reporting and support that may be available from the College as well as his/her options regarding the involvement of law enforcement, including personally notifying law enforcement, receiving assistance from the College in notifying law enforcement, or declining to notify law enforcement;
- Information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the College and in the community;
- Options for supportive measures;
- A copy of this policy.

Reporting Sexual Harassment to the Title IX Coordinator does not automatically start the grievance process – the Title IX Coordinator will explain to the Complainant how to start the grievance process by filing a Formal Complaint. An individual can make a report of Sexual Harassment in order to obtain supporting measures and resources – an individual making a report of Sexual Harassment is not required to file a Formal Complaint.

#### *b. Responsible Employees*

All staff, faculty, and students in the Work Program are considered Responsible Employees and therefore are required to report violations of this policy to the Title IX Coordinator. Responsible employees cannot maintain confidentiality because they are required to report Sexual Harassment to the Title IX Coordinator. A Responsible Employee **does not** include students who are not participating in the Work Program, staff counselors, or professional staff members employed by Fresh Ideas.

In essence, almost all members of the College community are considered Responsible Employees. The Title IX Coordinator are also considered Responsible Employees and cannot ensure confidentiality.

#### *c. Confidential Reporting*

The only employees who are NOT mandated to report violations of this policy are the Director of Counseling Services and other College Counselors. These employees serve as confidential resources for Complainants and can provide options for off-campus resources.

Confidential Reporting options may be contacted as follows:

- Director of Counseling Services - Tim Morenz  
Lumpkin 121  
[tim.morenz@blackburn.edu](mailto:tim.morenz@blackburn.edu) 217-854-5759
- Counseling Staff  
Lumpkin 121  
217-854-5759

Additionally, anonymous reports can be made by victims and/or third parties using the Campus Conduct reporting hotline at 866-943-5787, or the online form available at: <https://blackburn.edu/titleixreports/>. However, the anonymity of the report may hinder the College's ability to respond by providing supportive measures or undertaking the grievance process.

The College will keep confidential the identity of Complainants, Respondents, and witnesses involved in Title IX hearings, except when disclosure is required by law or as necessary to carry out the purposes of this Policy.

*d. Other Reporting Options and Resources*

Individuals may also report incidents of Sexual Assault, Domestic Violence, Dating Violence, or Stalking to the College's Department of Safety at 217-854-5550.

Individuals also have the option of contacting local law enforcement if they believe they have been the victim of a crime, such as Sexual Assault, Domestic Violence, Dating Violence, or Stalking. In an emergency, individuals should call 9-1-1. Individuals may also contact the Carlinville Police Department by calling 217-854-3221.

Students experiencing harassment or discrimination may also file a formal grievance with government authorities:

- Office for Civil Rights (OCR)  
Chicago Office  
U.S. Department of Education Citigroup Center 500 W. Madison  
Street, Suite 1475  
Chicago, IL 60661-4544  
Telephone: (321) 730-1560  
Facsimile: (321) 730-1576 Email:  
[OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov) Web:  
<http://www.ed.gov/ocr>

*a. Amnesty*

The College's amnesty provision provides immunity to any student or employee who reports, in good faith, an alleged violation of the higher education institution's comprehensive policy to a Responsible Employee, as defined by federal law (and in this handbook), so that the Complainant will not receive a disciplinary sanction by the institution for a student or employee conduct violation, such as underage drinking, that is revealed in the course of such a report, unless the College determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

## **2. Offer and Provision of Supportive Measures**

Upon receipt of a report, the Title IX Coordinator will promptly and confidentially reach out to the Complainant to discuss the availability of a variety of supportive measures. Supportive measures should

also be offered to the Respondent as necessary and appropriate.

Supportive measures are designed to restore or preserve equal access to the College's education programs and activities, protect the safety of all parties and the educational environment, or deter Sexual Harassment. These supportive measures should be non-disciplinary, non-punitive, individualized, and provided free of charge. They must be offered regardless of whether a Formal Complaint is filed, and must be kept confidential to the extent that such confidentiality would not interfere with providing the supportive measures.

Examples of supportive measures include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the campus community
- Altering housing arrangements
- Altering work arrangements for employees
- Providing campus escorts
- Providing transportation accommodations
- Implementing contact limitations between the parties
- Make arrangement to offer adjustments to academic deadlines, course schedules, etc.

### **3. Emergency Removal and Administrative Leave**

The College reserves the right to remove a student Respondent from its educational program or activity on an emergency basis. The College may also suspend a student organization pending completion of the grievance process. Likewise, a non-student employee Respondent may be placed administrative leave during the pendency of the grievance process described in this Policy. Such a removal may only occur if, after an individualized safety and risk analysis, the College determines an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. The Title IX Coordinator will make this determination in consultation with the Dean of Students. In the event a decision is made to remove Respondent, he or she will be provided with notice by the Title IX Coordinator, and given the opportunity to challenge that decision immediately following the removal by submitting a request in writing to the Title IX Coordinator.

In all cases in which an emergency removal is imposed, the student or employee or student organization will be given the opportunity to meet with the Title IX Coordinator, the Dean of Students or the Human Resources Designee prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause of why the suspension should not be implemented. The Title IX Coordinator, the Dean of Students or the Human Resources Designee have discretion to implement or stay an interim suspension under the previous section of the Equal Employment Opportunity & Nondiscrimination Statements, Policies, and Procedures and to determine its conditions and duration.

Violation of an interim suspension or other remedy provided under this policy is grounds for discipline, up to and including expulsion or termination. The Title IX Coordinator may refer violations to the Dean of Students to be pursued under the Student Conduct policy or Employee Conduct Handbook.

## **FILING A FORMAL COMPLAINT OF SEXUAL HARASSMENT**

In the event that a Complainant wishes for the College to proceed with an investigation and hearing into the allegations of Sexual Harassment pursuant to the grievance process procedures in this Policy, he or she must file a Formal Complaint. A Formal Complaint is a document alleging Sexual Harassment against a Respondent and requesting that the College investigate the allegation of Sexual Harassment. The Complainant must be participating in or attempting to access a College education program or activity at the time the Formal Complaint is submitted.

A Formal Complaint must be in written form, but it may be submitted in person, by mail, by email, or via the College's online form: <https://blackburn.edu/titleixreports/>. It must be signed by the Complainant but the required signature may be physical or digital. The College recommends including as much information as possible in the Formal Complaint, including a description of the alleged conduct, the identity of the Respondent, the identities of any witnesses, and any supporting documentation or evidence.

A Title IX Coordinator may also initiate a Formal Complaint by signing it. The Title IX Coordinator may consider the specific facts and circumstances and whether there is a pattern of misconduct involving a particular Respondent. A Title IX Coordinator may only sign a Formal Complaint after he or she has contacted the Complainant and discussed supportive measures and the Formal Complaint process with the Complainant. The Title IX Coordinator must consider the Complainant's wishes for how the College responds to the report of Sexual Harassment. The Title IX Coordinator should balance campus safety concerns with respect for survivor autonomy.

The Title IX Coordinator may consolidate Formal Complaints where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where a Formal Complaint includes more than one Complainant or more than one Respondent, any references in this policy to a single Complainant and/or Respondent will also refer to multiple Complainants and/or Respondents.

### **INFORMAL RESOLUTION**

After a Formal Complaint has been filed, if both Complainant and Respondent give voluntary, informed, written consent, the College will assist the parties in reaching an informal resolution to the allegations of Sexual Harassment in the Formal Complaint. An informal resolution cannot be used for Formal Complaints that contain allegations that an employee sexually harassed a student. Various conflict resolution mechanisms are available, including but not limited to counseling or mediation.

### **PROHIBITION OF RETALIATION**

The College expressly prohibits retaliation against any individual for exercising their Title IX rights under this Policy. No individual may be discriminated against, intimidated, threatened, or coerced for the purpose of interfering with his or her Title IX rights, or because the individual has made a report pursuant to this Policy, testified, assisted, participated, or refused to participate in a Title IX investigation, proceeding, or hearing. Encouraging others to retaliate also violates the policy.

Examples of retaliation include, but are not limited to:

- Unfair assignment, grading or evaluation
- Having information withheld or made difficult to obtain in a timely manner, such as class information, grades or work assignments
- Oral or written threats or bribes

- Refusal to meet with the person even though the person has a right to do so
- Further harassment

Such retaliation shall be considered a serious violation of College policy and shall be independent of whether a Formal Complaint of Sexual Harassment is filed or a Respondent found responsible. Encouraging others to retaliate also violates the policy. Any incidents of retaliation should be immediately reported to the Title IX Coordinator.

**SEXUAL HARASSMENT GRIEVANCE PROCESS PROCEDURES**

**1. General provisions**

The College is committed to ensuring that its Sexual Harassment Grievance Process is free from actual or perceived bias or conflicts of interest that would materially impact the outcome. Any party who feels that there is actual or perceived bias or conflict of interest that would materially impact the outcome may submit a written request to the Title IX Coordinator for the person’s removal from the process. The petition should include specifics as to the actual or perceived bias or conflict of interest and why the petitioner believes the bias or conflict could materially impact the investigation. The Title IX Coordinator will determine whether a conflict of interest or bias exists and will appoint an alternative official if appropriate. Such petitions may also be made to the College president in the event that the potential conflict or bias involves the Title IX Coordinator. In that case, the College president will determine whether a conflict of interest or bias exists and will appoint an alternative official if appropriate.

The Respondent will be presumed not responsible for the policy violation that is alleged in the Formal Complaint unless and until the Respondent is found responsible by the Hearing Body at the conclusion of the grievance process.

The grievance process generally will be completed within 90-100 days. However, extensions to this time frame may be granted at the request of either party, or at the discretion of the Title IX Coordinator when good cause exists for the delay. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities. The Title IX Coordinator will notify all parties in writing of the delay, the length of the extension granted and the reason for the extension.

**2. Preliminary Inquiry**

Upon receipt of a Formal Complaint, the Title IX Coordinator will conduct a preliminary inquiry that consists of reviewing the allegations set forth in the Formal Complaint to ensure they fall within the scope of this policy as set forth above. Formal Complaints of Sexual Harassment brought pursuant to this policy *must* be dismissed if:

1. The conduct alleged would not constitute Sexual Harassment as defined in this Policy;
2. The conduct did not occur in connection with a College education program or activity;
3. The conduct did not occur against a person in the United States.

Furthermore, the Title IX Coordinator may, in his or her discretion, determine that even though it meets the basic threshold requirements to proceed, a particular Formal Complaint should be dismissed. Specifically, a

Formal Complaint *may* be dismissed if:

1. Complainant notified Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations within;
2. Respondent is no longer enrolled or employed by the College;
3. Specific circumstances prevent the College from gathering evidence to reach a determination.

If the Title IX Coordinator determines that the allegations in the Formal Complaint falls within the scope of this policy and it does not fall into the mandatory dismissal categories, then the Title IX Sexual Harassment grievance process will proceed. If allegations in a Formal Complaint are dismissed, they may be still be investigated and resolved pursuant to the College's Equal Employment Opportunity & Nondiscrimination Statements, Policies, and Procedures or another applicable College policy. The Title IX Coordinator has the discretion to refer the allegations to the appropriate College official.

Following any dismissal of a Formal Complaint, the Title IX Coordinator will simultaneously send a written notice to the parties of the dismissal and the reasons for the dismissal.

To the extent the behavior alleged in the Formal Complaint could constitute a violation of another College policy, it may be pursued under that policy.

### **3. Notice**

Within 3 days of receipt of a Formal Complaint, the Title IX Coordinator will issue a written notice to the parties. The written notice should include, if known, the identity of the parties, the conduct alleged to be Sexual Harassment, and the date(s) and location(s) of the incident(s). The notice will also include a statement that the Respondent is presumed to be not responsible for any policy violations. The notice must also inform the parties that they have the right to an advisor of their choice during the grievance process, that they may inspect and review evidence gathered during the investigation, that the Student Conduct Code prohibits making false statements or submitting false information during the grievance procedure, available at: <https://blackburn.edu/student-handbook-pdf/>.

If during the course of the investigation, additional allegations are going to be investigated that were not included in the original notice, the Title IX Coordinator will issue a supplemental written notice to the parties.

Parties will also be provided with notice of all meetings, interviews, or hearings with sufficient time to prepare. Such notice will include the date, time, location, participants, and purpose of the meeting, interview, or hearing.

### **4. Advisors**

Each party has the right to select an advisor of their choice, and for that advisor to accompany the party to any part of the grievance process, including all meetings, interviews, and/or hearings. An advisor can be a friend, family member, faculty member, mentor, attorney, or any other person of the party's choice who is available and agrees to serve as advisor.

It is the goal of the College to maintain a pool of trained (non-attorney) advisors who are employees of the College who are available to the parties. A party may select an advisor from a list of individuals maintained by the Title IX Coordinator who have been trained and agreed to serve as advisors during the grievance process. A party's choice of advisor is not limited to those individuals on such a list. The parties may choose advisors from outside the pool, or outside the campus community, but those advisors may not have the same level of insight and training on the campus process as do those trained by the College. Outside advisors are not eligible to be trained by the College. The College cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide one. If a party does not have an advisor for the grievance process hearing, then the College will assign an advisor to conduct cross examination on behalf of that party. This assigned advisor may be a College employee, or may be an outside individual retained to provide advisor services.

All advisors are subject to the same campus rules, whether they are attorneys or not. Advisors may offer advice to and confer with the party during any meeting, interview, and/or hearing, but generally may not speak on behalf of the party. The only time an advisor may speak on behalf of the party is to conduct cross examination questioning during a grievance hearing. Advisors are expected to comply with the Rules of Procedure and Decorum for hearings and remain respectful throughout the entire grievance process. Advisors should request or wait for a break in the proceeding if they wish to interact with campus officials. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be given a timely opportunity to meet in advance of any interview or hearing with the administrative officials conducting that interview or meetings. This pre-meeting will allow advisors to clarify any questions they may have, and allows the College an opportunity to clarify the role the advisor is expected to take.

Advisors are expected to refrain from interference with the College investigation and resolution. Any advisor who steps out of his/her role in any meetings under the Sexual Harassment grievance process will be warned once and only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting. When an advisor is removed from a meeting, that meeting will typically end.

Subsequently, the Title IX Coordinator will determine whether the advisor may be reinstated or may be replaced by a different advisor.

The College expects that the parties will wish the College to share documentation related to the allegations with their advisors. In order for the College to be able to share records with an advisor, the parties must consent to this by signing our authorization form. The parties are not otherwise restricted from discussing and sharing information relating to allegations with others who may support them or assist them in preparing and presenting. Advisors are expected to maintain the privacy of the records shared with them by the College. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

The College expects an advisor to adjust his/her schedule to allow him/her to attend College meetings when scheduled. The College does not typically change scheduled meetings to accommodate an advisor's inability to attend. The College will, however, make provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video and/or virtual meeting technologies as may be convenient and available.

A party may elect to change advisors during the process, and is not locked into using the same advisor throughout. The parties must advise the Investigators of the identity of their advisor before the date of their first meeting with Investigators. The parties must provide subsequent timely notice to the Investigators if they change advisors at any time. No audio or video recording of any kind other than as required by institutional procedure is permitted during meetings with campus officials.

## **5. Investigation**

The Title IX Coordinator will designate two Investigators to conduct a fair, thorough, impartial investigation of the allegations in the Formal Complaint and to keep all parties regularly apprised of the status of the investigation as it unfolds. The Investigator will have received training as outlined in this policy. The College may designate outside investigators as Investigators.

The Investigator will provide written notice of any meetings or interviews to the parties and/or witnesses at least 3 days in advance of the meeting or interview, unless the party or witness requests to meet sooner. This notice will include the date, time, and location for the meeting, as well as who will be participating in the meeting and the purpose for the meeting.

The burden will be on the Investigators to fully and fairly investigate the allegation in the Formal Complaint. All parties will have an equal opportunity to present witnesses and evidence to the Investigators.

At the conclusion of the investigation, the Investigators will send a copy of the evidence that is directly related to the allegations in the Formal Complaint to the parties and their advisors for inspection and review. The parties will then have 10 days in order to submit a written response to the evidence, if they choose to do so. The Investigators will consider any written response to the evidence before the completion of the investigative report. The Investigators will make all evidence that is directly related to the allegations available at the grievance hearing.

The Investigators will prepare an investigative report that fairly summarizes all the relevant evidence. The investigative report should include a description of all steps taken in the investigation as well as summaries of all interviews with parties and/or witnesses and all relevant evidence reviewed by the Investigators.

The Investigators will send a copy of the report to the parties and their advisors at least 10 days prior to any hearing for the parties' review and written response.

### **1. Hearing**

After the conclusion of the investigation, a live hearing before a Hearing Body will be held. A Hearing Body is made up of five members of the campus community. A Hearing Body will always consist of two staff members, two faculty members, and the Conduct Officer all of whom have received training as set

out in this policy. The College will make every effort to maintain a trained pool of hearing body members that reflects the diversity of faculty and staff. In cases where both parties are students, the V.P. and Dean of Student Affairs will choose the appropriate staff and faculty hearing body members. In cases where both parties are employees, the Provost will choose the appropriate staff and faculty hearing body members. In cases of student and employee parties, the Provost and V.P. and Dean of Student Affairs will collaborate and choose the appropriate staff and faculty Hearing Body members.

The Conduct Officer will generally be a member of the campus community that is appointed by the President. This person will be trained and will typically serve a three-year term. When deemed necessary by the Title IX Coordinator, an individual outside the College community may be retained to serve as the Conduct Officer for a specific grievance process. An outside individual will also be trained as outlined in this policy. The Conduct Officer will be responsible for leading the hearing and delivering the appropriate sanctions when a policy violation is found.

The Hearing Body will be responsible for reading and understanding all aspects of the investigators' reports; asking appropriate and relevant questions of the Investigators, both parties, and any one present at the hearing; making a determination based on the preponderance of evidence standard as to whether a violation of the policy more likely or not occurred; making a prompt, fair, and reasonable decision on the findings; and determining appropriate sanctions. The goal of the College is to enlarge the pool of trained Hearing Body members.

The Conduct Officer will issue notice of the hearing to the parties, including the date, time, and location of the hearing. This notice will be provided at least 3 days before the hearing.

The hearing will be held pursuant to the Rules of Procedure and Decorum. All hearings are closed to the public (aside from party advisors and witnesses) and must be held in either a conference room or a classroom. At the request of either party, the hearing will be held with the parties in separate rooms or locations, with the parties and decision maker able to simultaneously see and hear each other through technology. Whether the hearing is conducted virtually or in person, it will be recorded.

The Hearing Body will take the following steps during a hearing:

- The Conduct Officer will read the charge(s) along with the name(s) of the person(s) or office bringing them.
- All parties present will be reminded that they are to tell the truth throughout the hearing.
- The Respondent will state whether or not he/she was responsible for the alleged offense(s).
- The Investigators will submit evidence related to the alleged offense(s) or to other actions that led up to or support the allegation as well as providing witnesses who can specifically speak to the alleged offense(s). The Investigators will make all evidence that is directly related to the allegations available at the grievance hearing. All parties may refer to such evidence and may use it in cross examination. The Investigators will provide a copy of the investigative report and all evidence that is relevant to the allegations in the Formal Complaint to the Hearing Body. However, the Hearing Body may not defer to the investigative report, and must objectively evaluate all relevant evidence and independently reach a determination regarding responsibility.
- The Complainant and Respondent may be asked to present their statements, provide clarification, or answer questions in regard to the allegations in the Formal Complaint.
- The Complainant and Respondent all have the ability to testify and call witnesses at the hearing, and to provide evidence to the Hearing Body.

- Witnesses will generally be asked to attend only that portion of the hearing which is relevant to their testimony, although in some cases witnesses may be asked to be present during the entire hearing.
- The Hearing Body may recall the Complainant, Respondent, any witnesses, or the Investigators at any point to clarify or challenge statements made during the hearing. The Hearing Body members are allowed to ask questions at any point throughout the hearing. Any member of the Hearing Body may request additional information.
- After the Hearing Body asks their questions, each party's advisor will have the opportunity to ask all relevant and follow up questions of the other party and all witnesses during cross examination. No party shall be questioned directly by the other party. Advisors must abide by this policy and the Rules of Procedure and Decorum in questioning parties and witnesses. Any advisor who does not abide by this policy and the Rules of Procedure and Decorum will be warned or dismissed from the hearing at the discretion of the Conduct Officer.
- The Hearing Body cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions during the hearing, including cross examination.
- The Conduct Officer will state whether each question is relevant before the question is answered by the party or witness to whom it is directed, and explain any decision to exclude a question as not relevant. Questions or evidence that are deemed irrelevant by the Conduct Officer will be excluded from the hearing. Formal rules of evidence shall not apply.
- The following types of evidence must be considered irrelevant by the Conduct Officer:
  - Evidence that is not pertinent to proving whether a fact material to the allegation is more or less likely to be true;
  - Information that is protected by privilege (e.g. attorney-client privilege);
  - Any party's medical, psychiatric, psychological, or counseling records without that party's voluntary, written consent;
  - Any information about the Complainant's sexual predisposition or prior sexual behavior, unless it is offered to prove that someone other than the Respondent committed the behavior alleged in the formal complaint or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
- The Hearing Body may evaluate and consider all relevant evidence, including, but not limited to, statements by parties and witnesses during the hearing, information presented by parties or witnesses at the hearing, information contained in the investigation report, and information gathered during the investigation. This could include statements in the investigation report, police reports, medical reports, text messages, social media posts or messages, or other documents.
- When making the determination on responsibility, the Hearing Body has the discretion to determine the weight to give statements and evidence, based on the reliability and/or credibility of the statements and evidence. When determining the reliability and/or credibility of statements and evidence, the Hearing Body should consider the totality of the evidence and context, including, but not limited to:
  - The reasonableness and inherent plausibility of the statement or evidence in light of all the evidence;
  - The witness or party's opportunity or ability to see or hear the things described in the statement;
  - Whether there is any other statement or evidence to corroborate the statement or evidence;
  - Whether there are inconsistencies in the statement or evidence;

- Whether other evidence or statements contradict or dispute the witness's statement or evidence;
- The witness or party's interest in the outcome and/or motive to provide a false statement or evidence, if any; The witness or party's demeanor and behavior while making the statement;
- The witness or party's memory of the information in the statement;
- The witness or party's bias or prejudice, if any.

## **2. Determination of Responsibility**

Decisions will be reached by a majority rule of the Hearing Body on the basis of the evidence presented during the hearing. The Hearing Body must determine the weight of the evidence and credibility of the parties in reaching a determination. The standard of proof will be "preponderance of the evidence," which means whether the evidence shows it is more likely than not that a policy violation occurred.

The Hearing Body will issue a written determination whether the Respondent is responsible for the policy violations alleged in the Formal Complaint within 7 working days of the conclusion of the hearing.

The written determination shall include:

- An identification of the allegations in the Formal Complaint;
- A description of procedural steps taken from the receipt of the Formal Complaint through the determination, including any notices, interviews, investigations, and hearings;
- Findings of fact that support the determination,
- Conclusions regarding the application of the policy to the facts;
- A statement and rationale for the result for each allegation including the determination of responsibility, any sanctions that will be imposed on the Respondent, and whether any remedies designed to restore and preserve equal access to the College's educational program will be provided to the Complainant; and
- The procedures and acceptable bases for appeal of this determination.

The written determination will be provided simultaneously to all parties. Once the notice of decision is received in person, mailed or emailed, it will be deemed presumptively delivered. The determination will become final and any sanctions will take effect after the resolution of any appeal, or if no appeal is filed, in 3 days (excluding weekends) after the issuance of the written determination.

## **3. Sanctions and Remedies**

If the Respondent is found responsible for any violations of policy, then the Hearing Body will determine what disciplinary sanctions will be imposed on the Respondent and what remedies designed to restore and preserve equal access to the College's educational programs will be offered to the Complainant.

The possible sanctions that can be imposed on a student Respondent found responsible include:

- No further action
- Completion of counseling programs

- Social probations,
- Suspension
- Expulsion

The possible sanctions that can be imposed on an employee Respondent found responsible include:

- Letter of reprimand
- Probationary status contingent upon completion of professional counseling and/or job training
- Termination of employment

If dismissal is recommended for a tenured faculty member, the process would follow the 1958 AAUP Statement of Procedural Standards in Faculty Dismissal Proceedings. Other appropriate sanctions as determined by the Hearing Body may be applied.

In addition to sanctions imposed on the Respondent, remedies can be offered to the Complainant in order to restore and preserve equal access to the College's educational program and activities.

Remedies may be, but are not limited to, a continuation of previously offered supportive measures.

Additionally, remedies may burden the Respondent or be punitive/disciplinary in nature.

#### **4. Appeals**

Either the Complainant or Respondent may appeal the Hearing Body's decision. The decision of the Hearing Body may be appealed by petitioning the Provost. (The V.P. and Dean of Student Affairs will hear an appeal if the Provost were involved in the allegations in the Formal Complaint, a witness during the hearing process, or recuses him/herself.) Any party who files an appeal request must do so in writing to the Office of the Provost, within 48 hours (excluding weekends) of the delivery of the written decision of the Hearing Body, for a review of the decision or the sanctions imposed. Only appeals based on the criteria established in this policy will be heard.

Appeals are limited to the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonable available at the time of the determination of responsibility or the dismissal of the Formal Complaint that would affect the outcome of the matter; or
- The Title IX Coordinator, Investigator, or hearing decision maker had a conflict of interest or bias for or against complainants or Respondents generally that affected the outcome of the matter.
- The sanctions imposed fall outside the range of listed sanctions and the cumulative conduct history of the Responding Party.

The request should include a short statement outlining the basis for appeal. The following are recommended elements of an appeal:

- Clear and concise description of the basis for the appeal and the facts supporting that basis;
- Any supporting documentation and evidence;
- Name and all contact information for the appealing party;
- Signed and dated by the appealing party.

The Provost will conduct an initial review of the appeal request – if the appeal request is not timely or does not meet the required bases for appeal, then the original finding and sanction, if any, will stand. The Provost will notify the parties in writing that an appeal has been filed. Each party will

then have 5 days to submit a written statement in support of, or challenging the outcome of the hearing. The party requesting appeal must show clear error as the original finding and/or a compelling justification to modify a sanction, as both finding and sanction are presumed to have been decided reasonably and appropriately during the original hearing. An appeal is not an opportunity for appeals officers to substitute their judgment for that of the original Hearing Body merely because they disagree with its finding and/or sanctions.

Appeals are not intended to be full re-hearings of the allegation. In most cases, the Provost will determine the appeal based on a review of the written documentation, record of the original hearing, and written appeal statements of the parties. If necessary, the Provost may request additional interviews with parties or witnesses in reviewing the appeal.

The Provost may alter the hearing decision with regard to responsibility, implement or modify remedies, and/or implement or modify sanctions. The Provost will issue a written determination of the outcome of the appeal, describing the result of the appeal and the rationale in support of that decision within 7 days of the deadline for parties to submit their written statements. The Provost’s written determination will be provided simultaneously to all parties. The Provost’s decision to deny an appeal request or modify a sanction is final.

#### TRAINING

Personnel tasked with implementing these procedures and in providing services to survivors, (e.g.: Title IX Coordinator, investigators, Hearing Body, advisors, Provost, mediators, etc.) will receive a minimum of 8 to 10 hours of training annually. This training will include:

1. The College’s Title IX Sexual Harassment Policy and Procedures and the Equal Employment and Nondiscrimination Statement, Policy, and Procedures;
2. Relevant state and federal laws;
3. The roles of the College, medical providers, law enforcement, and community agencies in providing coordinated response;
4. Effects of trauma on a survivor;
5. Types of conduct that constitute sexual violence, domestic violence, dating violence, and stalking (including same sex violence); and
6. Consent and the role drugs and alcohol can have on the ability to consent.

Training shall also seek to improve trainees ability to:

1. Respond with cultural sensitivity;
2. Provide services or assist in locating services for survivors; and
3. Communicate sensitively and compassionately with survivor.

The College will ensure that the Title IX Coordinator, Investigator, Hearing Body, appeals officers and any person who facilitates an informal resolution has received training on:

- The definition of Sexual Harassment as set out in this policy;

- The definition of Consent under this policy and how to apply the definition of Consent consistently and impartially;
- The scope of the College's education program or activity;
- How to conduct the grievance process, including investigations, hearings, appeals, and informal resolutions (as applicable); and
- How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

The Hearing Body will also receive training on:

- How to operate any technology used in conducting a hearing; and
- How to determine relevance of questions and evidence, including the provisions of this policy pertaining to the exclusion of evidence of a Complainant's previous sexual behavior

Investigators will also receive training on:

- How to determine if evidence is relevant to an investigation; and
- How to create an investigative report that fairly summarizes relevant evidence.

All training materials used by the College must not rely on sex stereotypes and must promote the impartial investigation and adjudication of Formal Complaints. All training materials used to train the Title IX Coordinator, Investigator, Hearing Body, appeals officer, and any individual who facilitates an informal resolution must be made publicly available. These materials will be published at: [www.blackburn.edu/titleix](http://www.blackburn.edu/titleix).

The College will also provide annual training to all students on sexual violence primary prevention and awareness, which will include: the definition of consent, inability to consent and retaliation; reporting to the institution, campus law enforcement and local law enforcement; reporting to the confidential advisor or other confidential resources; available survivor services; strategies for bystander intervention and risk reduction.

## **RECORDKEEPING**

The Title IX Coordinator must create and maintain for a period of at least seven years records of any actions, including any supportive measures taken in response to a report or formal complaint of Sexual Harassment. For each instance, the Title IX Coordinator must document: 1) the basis for the conclusion that the College's response was not deliberately indifferent, and 2) that the College has taken measures designed to restore or preserve equal access to the College's educational program or activity. If the Title IX Coordinator does not provide the Complainant with supportive measures, then the Title IX Coordinator must document why it was not clearly unreasonable to not provide supportive measures.

The Title IX Coordinator will also maintain the following records for a period of at least seven years:

- Records related to each Sexual Harassment investigation, including any determination regarding responsibility;
- Any audio or audiovisual recording or transcript from a grievance hearing;

- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal from a grievance process and the result of the appeal;
- Records related to any informal resolution and the result of the informal resolution;
- All materials used to train the Title IX Coordinators, Investigator, decision maker, and any individual who facilitates an informal resolution.

### **RESOURCES AND INFORMATION FOR VICTIMS OF SEXUAL HARASSMENT**

The College encourages members of the campus community who are victims of Sexual Harassment to take the following steps:

- Get to a safe place as soon as possible.
- Contact local law enforcement.
- Do not blame yourself. Sexual Harassment is never the victim/survivor's fault.
- Seek immediate medical attention at an area hospital or medical clinic.
- If possible, do not change clothes, shower, bathe, douche, or urinate. Emergency room personnel are trained to check for injuries, as well as to collect physical evidence. It is important to preserve evidence as it may be necessary should you decide to pursue criminal charges. Costs for providing and administering the "rape kit" are incurred by the Illinois Department of Public Health.
- Report the Sexual Harassment to the College, and utilize the College's resources to seek support. Incidents of Sexual Harassment are notoriously underreported on college campuses, often because the victims/survivors do not recognize their experience as a criminal offense and/or a college violation or their lack of knowledge of and/or discomfort with campus and community resources.
- By seeking assistance and reporting Sexual Harassment, you can begin your own healing process and promote standards of community and respect.

Please be aware that hospital personnel may be obligated to contact proper authorities regarding a sexual assault or other criminal behavior. Although you are not obligated to do so, victim/survivors of Sexual Harassment are highly encouraged to take advantage of the resources listed below, which can help you understand your options for off-campus proceedings, as well as make you aware of services such as counseling that are specific to your needs. Other options may be available to victim/survivors, such as obtaining an order of protection, no contact order, or restraining order from the court system.

#### **Off-Campus Crisis Hotlines (available 24/7)**

- 800-656-HOPE (Rape, Abuse and Incest National Network)
- 217-753-8081 (Prairie Center Against Sexual Assault)
- 800-799-7233 (Domestic Violence Hotline)
- 800-227-8922 (Sexually Transmitted Disease Hotline 8 a.m.—8 p.m. Monday—Friday)

#### **Individual and Group Counseling**

- 217-854-3166 (Locust Street Resource Center)
- 217-839-1526 (Maple Street Clinic)
- 217-854-4511 (Catholic Charities)
- 217-753-8081 (Prairie Center Against Sexual Assault) Other Help Lines

- 800-552-6843 (U.S. Attorney General for Hate Crime Reports)
- 800-552-7096 (Child Abuse Hotline)

### **Medical Issues**

- 217-839-1526 (Maple Street Clinic)

### **Hospitals**

- 217-788-3030 (Memorial Hospital Emergency Room—Rape Exams)
- 217-854-3141 (Carlinville Area Hospital—Internal Medicine—Will Not Do Rape Exams)

### **Legal Assistance**

- 217-753-4117 (IL Coalition Against Sexual Assault—Springfield)
- 888-259-6364 (Macoupin County Safe Families)
- 217-854-3221 (Police Non-Emergency)

### **In the case of an off-campus emergency situation, dial 911.**

*Revisions to the Policy Approved by Faculty and Staff Assemblies Spring 2017; additional revisions adopted Spring 2022*

#### **1.7.4 Immigration Reform and Control Act Policy Statement**

The College will employ only United States citizens and aliens who are authorized to work in the United States. These individuals must comply with the Immigration Reform and Control Act of 1986. The College will require that each new employee sign and date the first section of the Immigration and Naturalization Service Form I9; and if a previous I9 is more than three years old, it will become null and void.

#### **1.7.5 American With Disabilities Act (ADA)**

Blackburn College complies with the Americans with Disabilities Act (ADA) and with section 504 of the Rehabilitation Act of 1973 regarding its students with disabilities. It is the policy of Blackburn College that no student shall be denied access to or participation in the services, programs and activities of the College solely on the basis of her/his disability. The Director of Human Resources serves as the ADA Compliance Officer.

This policy applies to students with disabilities as defined by Section 504 and the ADA. A person is disabled if they:

- Have a mental or physical impairment which substantially limits one or more of such person's major life activities;
- Have a record of such impairment; or
- Are regarded as having such impairment.

##### **1.7.5.1 Students With Disabilities**

###### *Procedure for Obtaining Adjustments*

Blackburn College shall, upon request, consider adjustments for students who have been determined to have a disability. An adjustment is defined by this policy as any reasonable accommodation for a student's disability as required by Federal regulations.

The Director of Student Success Services serves as the primary contact for students requesting adjustments related to a disability; the Director of Human Resources is the College's Americans with Disabilities Act (ADA) compliance officer. Students requesting an adjustment must disclose their need for an adjustment to Disability Services, which is part of the Lumpkin Student Success Center. They may be expected to provide relevant, verifiable, professional documentation or assessment reports confirming the existence of the disability, and meet with the Director of Student Success Services in order to confirm the disability claim and to assist College officials in determining what adjustment(s) may be warranted. Information regarding a student's disability will be treated in a confidential manner in accordance with Blackburn College and Counseling Services policies as well as applicable Federal and state law.

After the existence of a disability has been confirmed, the Director of Student Success Services will notify appropriate college officials of the adjustment(s) as necessary to implement the adjustment(s).

#### *Academic Adjustments*

The Director may confer with the Provost to make specific recommendations regarding academic adjustments, as needed.

#### *Facilities Adjustments*

The Director will confer with the Director of Physical Plant and the VPAF to make specific recommendations regarding facilities adjustments.

#### *Work Program*

The Director will confer with the Dean of Work and Work Program General Managers to make specific recommendations regarding work adjustments.

The student will have two options for implementation of any recommended adjustments: they may deliver the letter describing the recommended adjustments to (and conferring with) the individuals involved in determining the implementation of a recommended adjustment. Or, the student may request the Director to contact those individuals involved in determining the implementation of recommended adjustments.

If an approved adjustment is not provided or followed as outlined by the Provost, the VPAF, or the Work Program, the student shall report the matter to the Director within fifteen business days of receiving their adjustment letter, or within 3 business days of an event when an adjustment should have occurred but did not, whichever comes first.

Participation in the Accommodations program is completely voluntary and no student may be forced to participate.

Students have the right to decline any accommodation afforded to them; however, Blackburn College is not liable for any associated consequences should a student be afforded an accommodation and refuse to use it. Accommodations requests are not retroactive.

If a student has followed the procedures identified in this policy and does not agree with the determination of the existence of a disability and/or the recommended adjustment, they may file a grievance by using the grievance procedures listed in this handbook.

### **1.7.5.2 Grievance Procedures**

#### **1.7.5.2.1 Civil Rights and ADA Violation Grievance Policy**

- All complaints should be filed with the Dean of Students, in writing, within 15 business days of the alleged violation;
- The written complaint should briefly describe the alleged violation;
- An investigation shall be conducted by the Dean of Students. This process will provide an opportunity for the complainant to submit evidence relevant to a complaint;
- A written determination as to the validity of the complaint and a description of the resolution shall be issued by the Dean of Students no later than fifteen (15) working days after its filing;
- Appeals may be made to the President, whose decision will be final.

#### **1.7.5.2.2 Other Grievance Procedures**

A student who has a complaint which falls outside the jurisdiction of the disciplinary system, the harassment policy or academic matters should contact the Director of Residence Life or Dean of Students for guidance in making a written complaint.

The Director of Residence Life or Dean of Students will offer mediation as an informal means of resolution. If the student chooses a formal resolution of the matter, the Director of Residence Life or Dean of Students will contact the appropriate hearing board.

Major, written complaints submitted by students to the College President, Vice President for Administration and Finance, Provost, and the Dean of Students must by regulation be recorded and shared with the College's accrediting commission. The identities of the student making the complaint and any other individuals involved in facts of the complaint will be shielded in order to protect confidentiality.

### **1.7.6 Harassment Policy**

The College is committed to the principle that each member of the campus community should be free to engage in academic pursuits, learning, work, and play in an environment free from any form of harassment. The College has adopted this policy in keeping with this principle. Allegations of harassment will not be taken lightly; therefore, all allegations of harassment should never be used as revenge or as a venue for settlement of personal disputes better handled through other formal or informal processes.

#### **1.7.6.1 Definition of Harassment**

Harassment is any act whether oral, written, or physical directed at an individual or group of individuals for the purpose of insulting, stigmatizing, or demeaning the individual or group of individuals on the basis of, but not limited to race, gender, religion, creed, color, sexual orientation, national origin, disability, pregnancy, military status, or age, and which creates a hostile, intimidating, or demeaning environment.

#### **1.7.6.2 Definition of Sexual Harassment**

Blackburn College reaffirms the principle that its students, faculty, and staff have a right to be free from gender discrimination in the form of sexual harassment by any member of the College community and by vendors and contractors. Protection from sexual harassment is extended to include members of the Blackburn community participating in College-sponsored off-campus programs. Sexual harassment is a form of sex discrimination, which is prohibited by Title VII of the Civil Rights Act of 1964 and by Title IX of the Education Amendments of 1972. Blackburn College's Equal Opportunity Policy also prohibits sex

discrimination. In addition, the College recognizes the right of members of the campus community to obtain redress from sexual harassment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when (a) submission to such conduct is made either explicitly or implicitly a term of condition for an individual's employment or education, (b) submission to or rejection of such conduct is used as a basis of employment or academic decisions affecting that individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or of creating an intimidating, hostile, or offensive educational or employment environment.

The College recognizes the right of members of the campus community to obtain redress from sexual harassment.

### **1.7.6.3 Harassment - In General**

Because of the sensitive nature of sexual and any other type of harassment charges, and the need to protect the privacy of the parties, the confidentiality of the reporting party and the accused will be observed provided it does not interfere with Blackburn's ability to investigate or take corrective action. [See handbook section 1.3.](#)

### **1.7.6.4 Intent**

The fact that someone did not intend to sexually harass an individual is generally not considered a defense to a complaint of sexual harassment. In most cases, it is the effect and characteristics of the behavior that determine if the behavior constitutes sexual harassment.

### **1.7.6.5 Retaliation**

Retaliation against anyone reporting or thought to have reported sexual harassment behaviors is prohibited. Such retaliation shall be considered a serious violation of the policy and shall be independent of whether a charge or informal complaint of sexual harassment is substantiated. Encouraging others to retaliate also violates the policy.

Examples of retaliation include, but are not limited to:

- unfair grading or evaluation;
- unfair assignments;
- having information withheld or made difficult to obtain in a timely manner, such as class information or grades;
- ridicule (public or private);
- oral or written threats or bribes;
- refusal to meet with the person even though the person has a right to do so;
- further harassment.

### **1.7.6.6 False Charges**

Due to the serious nature of sexual harassment charges, a false charge of sexual harassment shall be considered a serious offense, subject to disciplinary action by the College.

### **1.7.6.7 Sanctions**

The possible sanctions for anyone found guilty of harassing behavior have as their primary purpose to end the harassing behavior and prevent its recurrence. Such sanctions, depending on the severity of the offense, range from making an apology to the victim to suspension, probation, termination, or expulsion.

### **1.7.6.8 Time Frame for Filing a Complaint**

A complaint, either informal or formal, should be filed no later than 180 days after the alleged sexual harassment occurred.

### **1.7.6.9 Grievance Procedures for All Types of Harassment Cases**

Individuals who believe that they have been harassed may obtain redress through the established informal and formal procedures of the College. The College will respond promptly and equitably to complaints of harassment.

### **1.7.6.10 Complaints of Students Against Students**

When a student wishes to bring charges of harassment against another student or group of students, the student should report the incident to any resident director, resident assistant, staff or a faculty member.

The following procedure shall be followed if a formal complaint is to be filed:

- Following the initial contact with the charging party, the contact person will request a written statement from him or her, which will then serve as the formal complaint.
- Upon receipt of the formal complaint, the contact person will notify the President of the College that a formal complaint has been filed.
- The President will inform the respondent of their rights under the policy, and will ask the respondent to submit a written response to the President within 48 hours.
- The President will inform both parties of their right to resolve the complaint either informally or formally.

#### **1.7.6.10.1 Informal Resolution Procedure**

The President will appoint, on a case-by-case basis, a College Hearing Officer, selected from the following: Provost, Dean of Work, Dean of Students, or Chair of the Faculty Professional Relations Committee. An informal resolution shall be a mutually agreeable solution, arrived at in consultation with the College Hearing Officer. The College Hearing Officer shall notify the President whether the complaint has been resolved informally. The College Hearing Officer will be responsible for monitoring compliance with the terms of the informal resolution.

#### **1.7.6.10.2 Formal Resolution Procedure**

If either party refuses or fails to resolve the matter informally within ten (10) days after notification of the option of informal resolution, the President will convene the Harassment Board to hear the case. The Harassment Board will hear the allegations, review evidence, render a decision, notify all participants of the decision, and decide upon any disciplinary action to be taken, if any. Appeals may be made to the President.

#### **1.7.6.11 Complaints Against Faculty**

A faculty or staff member who has a complaint against, or dispute with, a member of the faculty will normally resolve the problem through informal channels. If this is not feasible or proves unproductive, the faculty or staff member may bring the matter to the Provost for consideration, who will convene an ad hoc Grievance Committee composed of the Provost and Chairs of Faculty Assembly and the Faculty Conditions of Service Committee with the Vice Chair of the Faculty Assembly serving as an alternate should any of the above parties be involved in the matter. Should the Grievance Committee be unwilling or unable to resolve the matter, the aggrieved faculty member or majority of the Committee may file a grievance with the Professional Relations Committee. Such a grievance must clearly state the nature of the complaint or dispute and state against whom the grievance is directed. The grievance will also include a summary of the Grievance Committee's findings concerning the matter. It will contain any factual or other data that the Committee deems pertinent to the case. The Professional Relations Committee may either schedule a formal hearing on the grievance or deny further consideration. In either case, the Committee will notify the parties involved and the President of its decision, normally within one week of receiving the grievance.

#### **1.7.6.12 Complaints Against Faculty and Staff Members Jointly**

A faculty or staff member who has a complaint against or dispute with both a member of the faculty and staff will normally resolve the problem through informal channels. If this is not feasible or proves unproductive, the procedure outlined previously will be followed with the following exceptions. The ad hoc Grievance Committee will be composed of the Provost and the Chairs of the Faculty and Staff Conditions of Services Committees. Grievances against the faculty member will be filed with the Professional Relations Committee. The Professional Relations Committee will follow the procedures outlined previously for hearing the case. The Employee Relations Committee will follow the procedure outlined in this Handbook.

1. The parties concerned should have a reasonably adequate time to prepare for the hearing. The Committee Chair should negotiate a mutually acceptable time for hearing the case. Every effort should be made to handle cases as quickly and expeditiously as possible.
2. During the proceedings, the faculty member would be permitted to have an academic advisor (anyone teaching six hours or more) of their choice.
3. The hearing will be audio recorded as long as consent is obtained by all parties present.
4. The faculty member would be afforded an opportunity to obtain necessary witnesses and documentation or other evidence, and the administration of the institution will, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control. The principal parties in the case would have the right to confront and cross-examine all the witnesses.
5. In the conduct of the hearing, the primary purpose would be to determine all facts relevant to the issue at hand. Every effort would be made to obtain the most reliable evidence available. The Committee would not be bound to strict rules of legal evidence.
6. Findings of fact and the decision must be based solely on the hearing record.
7. The Committee will report its findings and recommendations to the principal parties in the case and to the President of the College. The President will decide. There will be no appeal from the President's decision.

#### **1.7.6.13 Student Complaints Outside Jurisdiction of Harassment or Academic Matters**

A student who has a complaint which falls outside the jurisdiction of harassment or academic matters, but is a violation of a regulation in the Faculty and Staff handbooks, against a member of the faculty or faculty and

staff together, may discuss the matter with the Provost. If the Provost determines that there is sufficient cause to require a hearing, the Provost will file a charge with the Professional Relations Committee. The student may bring a faculty or staff member as personal counsel to the hearings conducted by the Professional Relations Committee on this charge.

#### **1.7.6.14 Complaints of Students Against Faculty**

When a student wishes to bring charges of harassment against a member of the faculty, the student should report the incident to any Resident Director, Assistant Resident Director, or any faculty member. When a member of the faculty wishes to bring charges of harassment against a student or group of students, the member should notify the Provost, the Chaplain, or the College Hearing Officer.

##### **1.7.6.14.1 Formal Resolution Procedure**

If either party refuses or fails to resolve the matter informally within ten (10) days after notification of the option of informal resolution, the President will convene a Hearing Board consisting of three representatives from the Professional Relations Committee (designated by the President) and the members of the Student Conduct Board. This Board will hear the accusation(s), review any evidence, reach a verdict, notify all participants of the decision, and decide on any disciplinary action to be taken, if any. The Board will follow steps 1-7 as in *handbook section [1.7.6.12](#)*.

#### **1.7.6.15 Complaints of Faculty and Staff Against Faculty and Staff**

When a member of the faculty or staff wishes to bring charges of harassment against another member of the faculty or staff, the charging party should report the incident to the Provost, the College Chaplain, or the College Hearing Officer.

##### **1.7.6.15.1 Formal Complaint:**

1. Following the initial contact with the charging party, the contact person will request a written statement from him or her which will then serve as the formal complaint.
2. Upon receipt of the formal complaint, the contact person will notify the President of the College that a formal complaint has been filed.
3. The President will inform the respondent of their rights under the policy, and will ask the respondent to submit a written response to the President within 48 hours.
4. The President will inform both parties of their right to resolve the complaint either informally or formally.

##### **1.7.6.15.2 Informal Complaint**

An informal resolution shall be a mutually agreeable solution, arrived at in consultation with the College Hearing Officer. The College Hearing Officer shall notify the President whether the complaint has been resolved informally. The College Hearing Officer will be responsible for monitoring compliance with the terms of the informal resolution.

- If either party refuses or fails to resolve the matter informally within ten (10) days after notification of the option of informal resolution, the President will convene the Professional Relations Committee to hear the case. This Committee will hear the case, review evidence, render a decision, notify all participants of the decision, and decide on disciplinary action to be taken, if any.
- Appeals of the Professional Relations Committee's decision may be made to the President.

### **1.7.6.16 Records**

All complaints and the outcome of all complaints (resolved formally or informally) will be treated as confidential and will not be noted on the student's or employee's personal records. However, a confidential record of harassment proceedings will be kept by the President's Office. Accessibility will be determined by the current provisions of the Family Educational Rights and Privacy Act with regard to students and by applicable law with regard to employees.

### **1.7.6.17 Titles VII and IX**

The Office of the President has institutional responsibility for monitoring compliance with Title VII and Title IX; any individual who contends that a sexual harassment complaint did not receive prompt and equitable response should contact the President of the College or their designated representative.

### **1.7.7 Consensual Relations Policy**

The institutional position is that sexual relationships between faculty or staff and students are not condoned and that institutional support will not be provided to faculty and staff to defend themselves in legal disputes resulting from such relationships.

Sexual relations between students and faculty or staff members with whom they also have an academic or evaluative relationship are fraught with the potential for exploitation. The respect and trust accorded a member of the faculty or staff by a student, as well as the power exercised by the faculty or staff member in an academic or evaluative role, make voluntary consent by the student suspect. Even when both parties initially have consented, the development of a sexual relationship renders both the faculty/staff member and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between faculty and staff members and students. Further, such relationships almost invariably undermine other students' perception of fairness and equity.

In their relationships with students, members of the faculty and staff are expected to be aware of their professional responsibilities and avoid apparent or actual conflict of interest, favoritism, or bias. When a sexual relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision of the student. Failure to ensure unbiased evaluation and supervision will be considered a basis for termination for cause and the matter will be referred to the appropriate Professional Relations Committee.

In hiring counselors, chaplains and similar professionals, the College assumes that the work of those professionals will be governed by the standards appropriate to their professions. Violation of those standards, will be considered cause for termination for cause even in cases where the professional standards are higher than the College standard outlined above.

### **1.7.8 Violence in the Workplace**

The safety and security of the College's employees, students, vendors, contractors, and the general public are of vital importance. Therefore, acts of violence made by an employee against another person's life, health, well-being, family or property will not be tolerated. Employees found guilty of acts or threats of violence will be subject to discipline, up to and including immediate termination.

The College prohibits the following:

- Any act or threat of violence made by any employee against another;
- Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion;

- Any act or threat of violence which endangers the safety of employees, students, vendors, contractors, and the general public;
- Any act or threat of violence made directly or indirectly by words, gestures, or symbols;
- Use or possession of a weapon on the College’s premises;
- Sexual violence.

**1.7.8.1 Staff and Faculty Sexual Violence Policy**

1. Acts of sexual violence include acts of rape and sexual assault. “Rape” is defined as any act or attempted act of nonconsensual sexual intercourse. “Sexual assault” is defined as any act or attempted act of nonconsensual sexual contact. “Nonconsensual Sexual Acts” do not necessarily involve physical and/or psychological threats. An act is non-consensual when one of the individuals has not given consent or is unable to give consent (*e.g.*, age of individual and/or mental reasoning abilities of individual, including affected reasoning due to consumption of alcohol and/or other drugs). Ignorance of the state or inability of the other person to give consent meets the definition of rape and/or sexual assault.
2. If any member of the college community believes themselves to have been a victim of sexual violence perpetrated by a member of the faculty or the professional staff, the incident should be reported to a Resident Director, the Dean of Students, the Director of Counseling Services, the Director of Security, the Provost, or the President.
3. Any such allegation should be reported to the President or their designee, who will then convene an ad hoc committee to informally investigate the matter. All reports will be investigated immediately and kept confidential except where the President or Provost deems there is a legitimate need to know.
4. The ad hoc committee should include the Provost, at least three members of the Faculty Professional Relations Committee or Staff Employee Relations Committee depending on which group the defendant belongs to, and the Dean of Students, if the accuser is a student.
5. The purpose of the ad hoc committee is to determine whether there is a factual basis for the allegation sufficient to recommend to the President that a formal hearing before the Employee Relations Committee should be held.
  - i. The ad hoc committee has the authority to review all documents collected after the allegation of sexual violence and speak with any individuals involved in the allegation. When the committee meets with the individual making the accusation and the individual being accused, each of these individuals have the right to have a member of the college community present at the meeting to serve as their support and counsel.
  - ii. If the ad hoc committee concludes, by a simple majority, that immediate harm to any member of the campus community is threatened pending an ultimate determination of the accused employee’s status, the President may immediately suspend the accused, with pay.
  - iii. If the ad hoc committee concludes that there is reasonable cause to bring the matter before the Faculty Professional Relations Committee or Staff Employee Relations Committee, the President will convene the committee to consider a recommendation for dismissal.
  - iv. A hearing before the Faculty Professional Relations Committee or Staff Employee Relations Committee will follow the procedures for that body as described in *handbook section 1.6.2.10* for Faculty or *handbook section 1.6.4.3* for Staff.
  - v. Legal ramifications may include being charged with a misdemeanor or a felony.

It is a requirement that employees and students report to the administration, in accordance with this policy, any behavior that compromises the College's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential except where the President or Provost deems there is a legitimate need to know.

### **1.7.9 Compliance with the Federal Omnibus Drug Initiative Act of 1988**

Unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is specifically prohibited on the campus of Blackburn College, and as a condition of employment, all personnel are required to comply with this regulation.

Individuals within the College community who are alleged to have violated such prohibition will be referred to civil authorities for appropriate action.

Such individuals are also subject to disciplinary action by Blackburn College. Procedural due process as specified in this handbook and elsewhere is to be provided in each case.

Persons concerned about their possible involvement with controlled substances are encouraged to consult confidentially with campus counseling personnel. The College will seek to assist individuals in need of special help.

All campus personnel are urged to become thoroughly aware of the dangers of drug abuse in the workplace and to utilize appropriate campus programs in order to further their awareness.

Under federal law, all personnel are required within five days to advise campus authorities of any knowledge they may have concerning criminal drug statute conviction for violations occurring in the workplace. In turn, Blackburn College is required within ten days to notify federal funding agencies of any knowledge of such conviction and to take appropriate personnel action in the cases, which may include discipline, termination, or mandatory drug abuse assistance.

### **1.7.10 Drug-Free Schools and Campuses Act Statement**

Blackburn strictly prohibits the unlawful possession, use, or distribution of drugs and alcohol by students and employees on College property or as a part of College activities. Unlawful is defined in accordance with local, state, and federal laws. Each student and employee will be expected to meet these standards of conduct.

Although recreational and medical marijuana use has been legalized in the state of Illinois, it is still not permitted under Federal Law. In order for Blackburn and its students to remain eligible for Federal aid, we are obligated to comply with Federal Law. Therefore, marijuana and its derivatives may not be possessed, stored, distributed or used on College property or at any College function. In addition, employees are prohibited from reporting to work or working with cannabis in their system such that their performance or conduct is impaired. Cannabis use off the job, including medical cannabis use, that impairs performance or other conduct on the job is prohibited.

Individuals found to be in violation of this policy will be subject to judicial action. This action will include a hearing in front of the appropriate board, possibly resulting in referral for drug or alcohol treatment. Individuals found to be selling or trafficking drugs will be subject to the most serious judicial

action/termination of employment/suspension from the College and referral to legal authorities for prosecution. Legal ramifications, in general, for unlawful possession, use, or distribution of illicit drugs and alcohol may include being charged with a misdemeanor or a felony with resulting penalties of supervision, probation or assessment of a monetary fine, imprisonment, or a combination of these.

One of the goals of this policy is to encourage employees to voluntarily seek help with alcohol and drug problems. Therefore, the College will also provide educational programs and referral services for the College community.

The College will be consistent in enforcing its policies against drugs and alcohol on campus.

### **1.7.11 Safety Policy**

A safe work environment and safe work habits are absolutely essential. Safety is the first priority and is everyone's responsibility. Due to the different types of work performed, specific safety guidelines are described in the individual department guidelines. Please read and follow them carefully. Employees are to report any safety concerns to their department head or a member of the Risk Management/Safety Committee.

### **1.7.12 Sports-Like Conduct Policy**

Sports-like conduct is defined as:

- playing fair
- following the rules of the game
- respecting the judgment of referees and officials
- treating opponents with respect

Some people define good sports-like conduct as the "golden rule" of sports—in other words, treating the people you play with and against as you'd like to be treated yourself. You demonstrate good sports-like conduct when you show respect for yourself, your teammates, and your opponents, for the coaches on both sides, and for the referees, judges, and other officials.

But sports-like conduct isn't just reserved for the people on the field. Cheerleaders, fans, and parents also need to be aware of how they behave during competition. Sports-like conduct is a style and an attitude, and it can have a positive influence on everyone around you.

We encourage fans to enthusiastically support their team, recognize the outstanding performance of opponents, and always exhibit good sports-like conduct in their words and actions.

Blackburn College wholeheartedly embraces the NCAA position that in order for good sports-like conduct to prevail, coaches, student-athletes, and fans must display respect, fairness, civility, honesty, and responsibility before, during, and after all athletic contests.

#### *Code of Conduct for Spectators*

- Spectators are an important part of the games and are encouraged to conform to accepted standards of good sports-like conduct.

- Spectators should at all times respect officials, visiting coaches, players and cheerleaders as guests in the community and extend all courtesies to them.
- Enthusiastic cheering for one's own team is encouraged.
- Throwing of debris, confetti or other objects from the stands is prohibited.
- Spectators should encourage each other to observe courteous behavior. Improper behavior should be reported to school authorities.
- Spectators will respect and obey all school officials and supervisors at athletic contests.

Profanity, racial, ethnic, or sexist comments or other intimidating action or comments directed at officials, student-athletes, coaches, or team representatives will not be tolerated and are grounds for removal from the site of competition.

### **1.7.13 Drug Testing**

The College conducts drug and alcohol testing as part of its substance-abuse prevention efforts.

Employees whose performance or behavior gives rise to a reasonable suspicion that the individual is under the influence of illegal drugs, cannabis, or alcohol in violation of *handbook section 1.7.10* may be asked to undergo an immediate evaluation to determine their fitness for work and/or appropriate tests designed to detect the presence of illegal drugs or alcohol. Testing may also be required if an employee is involved in an accident that results in personal injury or damage to property. Such testing may be conducted by any means selected by the College and/or the testing vendor administering the test, in their sole discretion. Such methods may include, without limitation, urine, hair, breath, and/or blood tests. Testing under this policy may also include an evaluation by a qualified health care provider to assess whether the employee is impaired.

Refusing to be tested, failing to sign the required forms, or refusing to cooperate in the testing process in a way that prevents timely completion of the test or evaluation will be regarded as a violation of this policy. Attempting to falsify the result of a test, providing false information in connection with a test, or any other dishonesty in connection with the testing process will result in discipline up to and including immediate termination of employment.

An employee will be subject to discipline, up to and including immediate termination, if they:

- Test positive for the presence of illegal drugs, at any level;
- Test positive for alcohol with a blood alcohol level of 0.02% or above; or
- Are determined to have used or been impaired by alcohol or cannabis during working hours, while conducting any business for the College, in any College vehicle, or while traveling in connection with College business.

The College is committed to maintaining confidentiality with respect to testing and evaluations under this policy. Access to such information is limited to personnel with a need to know. Please be advised, however, that results may be used in arbitration, administrative proceedings, and court cases to which they may be relevant. All drug and alcohol tests will be conducted in a manner that complies with relevant federal, state, and local laws.

### **1.7.14 Blackburn College Policy on the Protection of Minors on Campus**

#### **I. Statement of Policy and Purpose**

Blackburn College is committed to maintaining a safe and secure environment for minors on campus. Sexual abuse is unacceptable and will not be tolerated at Blackburn College. This policy outlines the responsibilities and expectations for all faculty, staff, student employees, and volunteers related to the protection of minors during their participation in programs and activities sponsored by, affiliated with, or occurring at the College. In addition to conduct prohibited under the College's Title IX Sexual Harassment Policy and the Equal Employment Opportunity & Nondiscrimination Policy, this policy specifically prohibits sexual abuse of minors, which includes serial child molestation and sexual misconduct:

- Child molestation means illegal or otherwise wrongful sexual conduct with a minor by a person who is covered by this policy.
- Serial sexual misconduct is any illegal or otherwise wrongful sexual conduct: (a) with more than one victim and (b) committed by or alleged to have been committed by any perpetrator who is covered by this policy.

Sexual abuse with respect to a minor includes the intent to arouse or satisfy the sexual desires of either the minor or the perpetrator. This policy also prohibits sexual abuse defined by Illinois law as: Criminal Sexual Assault (720 ILCS 5/11-1.20(a)), Aggravated Criminal Sexual Assault (720 ILCS 5/11-1.30), Predatory Criminal Sexual Assault of a Child (720 ILCS 5/11-1.40(a)), Criminal Sexual Abuse (720 ILCS 5/11-1.50), Aggravated Criminal Sexual Abuse (720 ILCS 5/11-1.60).

This policy defines minor and child as an individual who has not yet reached the age of majority (18 years old). The terms minor and child are used interchangeably in this policy.

## **II. Mandated Reporter Requirements**

Under Illinois law, all employees of Blackburn College are mandated reporters. Mandated reporters are required to call the Illinois Child Abuse Hotline when they have reasonable cause to believe that a child known to them in their professional or official capacity may be an abused or neglected child. Abuse of a child includes both physical abuse and sexual abuse. The Hotline worker will determine if the information given by the reporter meets the legal requirements to initiate an investigation.

If you are not sure whether or not to report a situation or incident to the Hotline, it should be reported. Blackburn College's policy is to err on the side of overreporting.

Reporters may contact the Illinois Child Abuse Hotline at 1-800-25-ABUSE (1-800-252-2873). The Hotline operates 24 hours per day, 365 days a year. Reporters should be prepared to provide phone numbers where they may be reached throughout the day in case the Hotline must call back for more information. If a report is not an emergency, the report may be submitted through the Illinois online reporting system at:

<https://dcfsonlinereporting.dcf.illinois.gov/>.

For more information on making a report to the Hotline, see the reporting instructions in Section V.1 of this policy.

## **III. Prohibition on Retaliation**

Blackburn College prohibits retaliation against any individual who in good faith reports an incident of sexual abuse or possible warning signs of sexual abuse.

Blackburn College prohibits retaliation against a person who engages in activities protected under this policy. Reporting, or assisting in reporting, suspected violations of this policy and cooperating in investigations or proceedings arising out of a violation of this policy are protected activities under this policy.

#### **IV. Scope of Policy**

All members of Blackburn College's community regardless of role, tenure, or compensation, including, but not limited to students, student-employees, faculty, staff, medical personnel, volunteers, and independent contractors are subject to this policy. Medical personnel or counselors working in any on campus health centers, or other College facility are also subject to this policy. All on-campus activities and College sponsored activities off-campus are subject to this policy.

This policy does not address sexual harassment or sexual misconduct that is not considered sexual abuse under this policy. That conduct is addressed in the Title IX Sexual Harassment Policy and/or the Equal Employment Opportunity & Nondiscrimination Policy. For more information on the application of Title IX, see these policies, located at [www.blackburn.edu/titleix](http://www.blackburn.edu/titleix).

Please do not let confusion over which policy may apply stop you from reporting. Any report of suspected sexual abuse can be made to the Title IX Coordinator (or designee) who can assist in assessing the application of Blackburn College's policies.

#### **V. Reporting Procedures**

##### **1. Emergency Situations**

If a minor is in imminent danger, employees should contact 911 for immediate assistance.

##### **2. Report to Illinois Department of Children & Family Services**

If an employee has reasonable cause to believe that a child known to them in their professional or official capacity may be an abused or neglected child, then the employee must make a report immediately to the Illinois Child Abuse Hotline operated by the Illinois Department of Children & Family Services ("DCFS").

Illinois Child Abuse Hotline can be reached at 1-800-25-ABUSE (1-800-252-2873). The Hotline operates 24 hours per day, 365 days a year. Reporters should be prepared to provide phone numbers where they may be reached throughout the day in case the Hotline must call back for more information. If your call is not an emergency, please submit your report online through our online reporting system at <https://dcfsonlinereporting.dcf.illinois.gov/>.

The employee should be prepared to give the Hotline as much information as possible, including:

- Names, birth dates (or approximate ages), races, genders, etc. for all adult and child subjects.
- Addresses for all victims and perpetrators, including current location.
- Information about the siblings or other family members, if available.

- Specific information about the abusive incident or the circumstances contributing to risk of harm—for example, when the incident occurred, the extent of the injuries, how the child says it happened, and any other pertinent information.

If this information is not readily available, the reporter should not delay a call to the hotline. The reporter should call the Hotline and provide as much information as the reporter can.

When an employee speaks to the Hotline, the employee should document the date and time of the call, the name of the Hotline worker with whom the employee spoke, and the response from the Hotline (whether a report was taken or not, and any explanation from the Hotline as to why a report was not taken). The employee will need to provide this information in writing to the Title IX Coordinator, Deputy Coordinator, or HR Designee.

After the report is made to the Hotline, mandatory reporters must confirm their telephone report in writing within 48 hours using the form provided by DCFS. The required form is available at: <https://www2.illinois.gov/dcf/aboutus/notices/documents/cants5.pdf>.

### **3. Report to Title IX**

In addition to reporting to DCFS, all employees must report if they have reasonable cause to believe that a child known to them in their professional or official capacity may be an abused or neglected child to Title IX Coordinator, Deputy Coordinator, or HR Designee. Reporting to the Illinois Child Abuse Hotline should be immediate, and reporting to the Title IX Coordinator, Deputy Coordinator, or HR Designee should follow a report to the Hotline.

Reporting only to the Title IX Coordinator, Deputy Coordinator, or HR Designee does not satisfy an employee's mandated reporter requirement. Employees must also report to the Illinois Child Abuse Hotline.

The Title IX Coordinator, Deputy Coordinator, or HR Designee will confirm that the employee has reported to Illinois Child Abuse Hotline. If the employee has not yet contacted the Hotline, the Title IX Coordinator, Deputy Coordinator, or HR Designee will immediately contact the Hotline to make a report.

Title IX Coordinator, Deputy Coordinators, and HR Designees may be contacted at:

Title IX Coordinator  
217-854-5519  
DCC 125  
[titleix@blackburn.edu](mailto:titleix@blackburn.edu)

Deputy Title IX Coordinator (Student Life)  
Director of Inclusive Housing  
217-854-5618  
DCC 133

Deputy Title IX Coordinator (Work Program)

217-854-5536  
DCC 115

Deputy Title IX Coordinator (Athletics)  
217-854-5698  
Woodward Athletic Center

HR Designee  
217-854-5514  
Ludlum 215  
[hr@blackburn.edu](mailto:hr@blackburn.edu)

The Title IX Coordinator will be responsible for reviewing all reports to the Illinois Child Abuse Hotline, and any other internal report regarding sexual abuse, and shall maintain documentation of all reports.

#### **4. Failure to Report**

Under Illinois law, a mandated reporter's failure to report suspected child abuse or neglect is a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation. Further, a failure of an employee or volunteer to report sexual abuse as required by this policy may result in discipline up to and including termination.

#### **VI. Investigation Procedures**

All reported alleged incidents of sexual abuse will be reviewed by the Title IX Coordinator or designee. When necessary and appropriate, the Title IX Coordinator will appoint an appropriately trained investigator(s) to conduct a thorough, impartial investigation of a report of sexual abuse. All employees are required to cooperate with any investigation into allegations of sexual abuse. The investigator(s) will prepare a written report to be provided to the Title IX Coordinator or designee, who will take any further steps that are necessary and appropriate to address the report of sexual abuse. The College will coordinate any investigation with state officials from DCFS and/or law enforcement to avoid any interference with their investigations.

Where reports of sexual abuse fall under the scope of the College's Title IX Sexual Harassment Policy or the Equal Employment Opportunity & Nondiscrimination Policy, any investigation will be conducted pursuant to those policies.

#### **VII. Prevention Efforts**

##### **1. Background checks/screening**

Blackburn College performs pre-employment background checks on all new employees, including temporary employees, as a condition of employment. The College also performs background checks for all volunteers. Current employees have an on-going obligation to inform the HR designee if the employee is charged with a crime during employment.

This policy defines background checks as including, but not limited to, the following:

- A search for sex-related offenses in an individual's counties of residence for the past seven years;
- A search of the Department of Justice National Sex Offender records of sex offenders; and
- A database search for criminal activity in the individual's states of residence for the past seven years

## **2. Acknowledgement of Mandated Reporter Status**

Under Illinois law, all individuals who become mandated reporters by virtue of their employment shall sign statements acknowledging that they are mandated to report suspected child abuse and neglect pursuant to Illinois law. All employees of Blackburn College must sign an acknowledgment of mandated reporter status, which will be kept by the College as a permanent part of the employee's personnel record.

## **3. Training requirements**

All employees must complete mandated reporter training within three months of their hire and at least every three years thereafter. All employees will also have training on the requirements of this policy. Additional training may be required of employees and volunteers who work directly with minors in any Blackburn College sponsored programs or events.

For more information on the requirements for mandatory reporters, employees should review the Illinois DCFS Manual for Mandatory Reporters, available online at:

[https://www2.illinois.gov/dcf/safekids/reporting/documents/cfs\\_1050-21\\_mandated\\_reporter\\_manual.pdf](https://www2.illinois.gov/dcf/safekids/reporting/documents/cfs_1050-21_mandated_reporter_manual.pdf).

### **1.7.15 Family Education Rights and Privacy Act [FERPA]**

#### **1.7.15.1 Family Educational Rights and Privacy Act of 1974**

FERPA deals specifically with the educational records of students who reach the age of 18 or who attend a postsecondary institution, granting them certain rights with respect to these records. The student has a right to:

- Inspect and review their educational records;
- Seek to amend their educational records if appropriate;
- Have some control over the disclosure of information from those records.

#### **1.7.15.2 Applicable Educational Institutions**

FERPA applies to all educational agencies and institutions that receive funds under any program administered by the Secretary of Education.

#### **1.7.15.3 Student**

A student is any person who attends or has attended Blackburn College.

#### **1.7.15.4 Educational Records**

Records containing a student's name, social security number, student number, or other personally identifiable information are covered by FERPA unless identified in the Act's excluded categories. An educational record

is any record in whatever form (handwritten, taped, print, film, or other medium) which is maintained by the College and is directly related to a student. Exceptions include:

- Personal records kept by a College employee if the records is not revealed to others and is kept in the sole possession of the employee;
- Student employment records that relate exclusively to the student in the capacity of a College staff employee (does not apply to Work Program records);
- Records maintained separately from educational records solely for law enforcement agencies of the same jurisdiction;
- Counseling records maintained by the College Chaplain or the Director of Counseling Services/College Counselor.
- Medical records maintained by the College solely for treatment and made available only to those persons providing treatment;
- Alumni Office records.

#### **1.7.15.5 Disclosure of Student Educational Record Information**

The College will disclose non-directory information contained in a student's educational record only with written consent of the student, with the following exceptions:

- To school officials, including instructors, who have a legitimate educational interest in the records;
- To officials of another school in which the student seeks or intends to enroll;
- To federal, state, and local agencies as provided under law;
- To the parents of an eligible student if the student is claimed as a dependent for income tax purposes;
- To accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- In case of emergencies affecting the health or safety of the student or other persons.

#### **1.7.15.6 Directory Information**

Disclosure of directory information may not be made without the student's consent. Directory information includes the student's name, school and full time home address, campus extension and full-time home telephone number, campus housing assignment and campus mailbox number, dates of attendance, campus e-mail address, major field of study, classification by year, degrees(s) earned, if any, dates of conferral and dates of attendance, photograph, athletic rosters, name, weight, height, and/or work program participation.

A housing roster is distributed to College offices and is for internal use only.

#### **1.7.15.7 Release of Directory Information**

A student who wishes to have directory information withheld must complete a Registration Information Card each semester. The student will have the option of withholding or releasing directory information and Dean's List information. Students who do not want the College to release directory information will be flagged in the CAMS system.

#### **1.7.15.8 Disclosure**

Upon request, faculty and staff may disclose only Directory Information providing they have evidence that the student has not restricted the release of information. Faculty and staff must check the CAMS system prior to releasing any directory information.

#### **1.7.15.9 Release of Non-Directory Information**

Other information may be released with the student's written consent. Such written consent must specify the records to be released, state the purpose of the disclosure, identify the party or class of parties to whom disclosure may be made, and be signed and dated by the student or by proper legal authority.

#### **1.7.15.10 Penalties for Non-Compliance**

Non-compliance may terminate the institution's eligibility to receive Federal funding

#### **1.7.15.11 FERPA Information Availability**

The text of the Blackburn College FERPA Policy may be found in the Student Handbook, the Registrar's Office, and the Dean of Students' Office.

### **1.7.16 Blackburn College Hiring Policy**

#### **1.7.16.1 The Vacancy and the Position Analysis**

The final approval of a new hire or for refilling any position which is vacated by resignation, retirement, or for any other reason needs to be made by the President. This decision should be preceded by a position analysis of what the job entails.

The decision to refill will depend on the importance and urgency of the tasks for serving students or other primary customers, anticipated changes in the area, enrollment trends, and budget resources. Hiring and rehiring will be reviewed in light of the long-range plan for the College. All options for re-filling, including leaving the position vacant for a period of time or indefinitely, restructuring the tasks among the other employees of the department or even among other college offices, discontinuing the position, changing the position to a part-time position, or outsourcing the tasks of the position will be considered. Consideration will be given to whether the position is filled via an internal or external search. In all cases, decisions to rehire or to hire a new position must define the desired and required expertise, experience, skills and abilities, certifications and degrees, traits and aspects of institutional fitness appropriate to the job, including consideration of diversity.

The position analysis will be conducted by and through meetings and consultations between the appointing officer (normally the appropriate vice-president having a supervisory function over the position), the relevant department head or other members of the department, and key committees. For faculty, the appropriate participants in the position analysis include the Provost, the department/department head, and CAP. As part of its oversight function across the entire academic program, CAP has an important role to play especially with respect to decisions to create new positions or decisions to eliminate or significantly modify existing positions (e.g., CAP maintains a prioritized list of desired additions to the faculty). For staff, the appropriate participants include the appointing officer, the department head or other members of the department, and the Staff Council (especially in its capacity as custodian of the priority list of new staff hires which should be consulted during the position analysis).

#### **1.7.16.2 Job Description and Advertisement**

Once the need for a position is determined via the position analysis, each position requires a job description authorized by the President. The specification of responsibilities and qualifications of a job description is one of the substantial outcomes of the position analysis, and becomes the basis for the position advertisement. The advertisement is drafted by the search committee, and the human resources designee ensures compliance

with legal requirements. The appointing officer approves the advertisement. Staff position descriptions should be updated to include the relevant CUPA benchmark position number.

### **1.7.16.3 The Search Committee**

The president will designate the appointing officer (normally the appropriate vice president) and appoint the search committee and its chair in consultation with the appropriate vice president. It is preferable that the chair of a faculty search committee be a faculty member and that the chair of a staff search committee be a staff member. In the case of a faculty search, the appointing officer will be the Provost. In each search, at least one person from outside the department should be on the committee.

**Full-time Faculty Searches:** The search committee will be composed of five to seven persons: three faculty members (at least one representing the department, and at least one from outside the department), one staff person, and one student. Representation from outside the department and outside the division may overlap.

**Part-time Adjunct Faculty Searches:** The final responsibility for hiring adjunct faculty will rest with the Provost. Department chairs and/or the division chair will be asked to identify, contact, and assess prospective adjunct faculty and to make recommendations to the Provost.

**Full-time Staff Searches:** The search committee will be composed of no less than four persons, including two staff members, at least one representing the affected department or area of hiring, one faculty member, and one student. Non-exempt positions do not necessarily require a search committee. Staff leadership positions are defined as members of the President's cabinet and Directors.

**Part-time Staff Searches:** The search committee will be composed of the direct supervisor and department director for the area in which the vacancy exists.

The appointing officer gives the committee a charge before the search begins. The charge includes the character of the position, the tasks and role of the search committee, any limits of the search (internal vs. external), preferred timeline, any legal concerns (affirmative action, equal opportunity), how the appointing officer will be involved, resources available to the search committee, and record keeping and correspondence related to the search. The appointing officer should be present for the initial meeting of the search committee to deliver the charge, but not thereafter, unless specifically invited. The appointing officer may request additional meetings with the search committee when necessary or appropriate.

The committee should keep minutes of its meetings (or at least a summary of its decisions). It is very important that the search committee keep its deliberations and information about candidates confidential. No information about the search committee deliberations should be shared with people outside the search committee.

### **1.7.16.4 The Search**

The following decisions need to be made at the outset of a search:

1. Is an external search required? The answer to this question depends on availability of candidates, timing, position level, affirmative action and other regulations, and executive preference. All vacancies should be advertised on campus.

2. If an external search is pursued, decisions need to be made during the task analysis about advertising the position (what the advertising copy says and where it will appear). In the case of faculty hires, efforts should be made to announce the search through the most common source of academic positions such as The Chronicle of Higher Education and Higher Education Jobs, and “networking.” Networking done with the affirmative-action objectives in mind should be documented. Networking might include announcing the position through internet listservs, websites, target phone calls, and church-related organizations. All advertisements must meet the legal requirements relating to affirmative action and equal opportunity. The appointing officer approves the advertisement and a human resources designee places the advertisement.

#### **1.7.16.5 The Application**

All candidates must submit an updated resume, names of three to five references (with physical and e-mail addresses and phone numbers), and a cover letter. The search committee can decide whether or not to require letters of reference on the basis of when it is customary in the field to do so. Candidates should be advised that we reserve the right to contact former and current employers and co-workers (unless they tell us not to).

#### *Faculty Searches*

The search committee should request a letter from the candidate describing teaching philosophy and a work sample (e.g., course syllabus).

#### **1.7.16.6 Screening Applications**

The committee may find it useful to have the major qualifications/expectations of the job on a checklist and to ask each member to individually rate each candidate on the checklist before the committee meeting. The committee may establish a set of criteria to be used to screen the applicant pool, such as degree requirements and experience in a relevant field. Applicants that do not meet the minimum standard criteria will not be given additional consideration. Discussion about the final ranking of the candidates may take more than one meeting. The results of the rating form might guide the committee’s discussion, but the committee’s judgment in the end is most important. Finalists should then be identified and cleared with the appointing officer before interviews are arranged. The appointing officer makes initial phone contact with the individual (to ensure continued interest in the position, gain permission to contact references and others identified in the resume, and to establish basic understandings about the nature of the position, matters of compensation and benefits, and so on). Search committee members may conduct phone interviews with candidates on a short list and will check references typically by phone before the candidate is invited to campus. Those checking references are reminded that they may ask only questions that are directly relevant to job performance. The Search Committee will identify a short list of candidates to be invited to campus for interviews. *See [Appendix 1G](#)* for a procedural checklist, candidate evaluation forms, guidance on performing reference calls, and information on Interviewing Do’s and Don’ts.

#### **1.7.16.7 Interview Arrangements**

The Committee Chair should provide a human resources designee with information on who is coming, suggested interview/lecture times, who the Committee wishes to be included in the interview process, specific sessions the Committee wishes to be held, etc. A human resources designee will personally work with the candidate to make scheduling arrangements, which include housing, transportation, and room reservations and the most desirable date for the interview. A human resources designee will also set up and distribute interview schedules and handle all paperwork associated with the interview. Lunch and dinner interviews with candidates may be limited to one or two persons, except in the instance when lunch interviews are held in the Auxiliary Dining Room and participants may go through the line on their own.

Candidates are expected to make their own travel arrangements if they live within a commutable distance. Candidates who live more than sixty miles from campus will be reimbursed for airfare or their mileage at the College rate.

#### **1.7.16.8 Interviews**

The committee should agree in advance on what questions are to be asked. Only job-related questions can be asked. Questions and/or discussions about family members, religion, national origin or ethnic background, age, or marital status cannot be initiated by the committee. [See Appendix 1G](#) for appropriate interview questions.

In addition to meeting with the search committee, each candidate must meet with the President (as available), the department head, a human resources designee (who will explain the benefits package, pay schedules, starting dates and related subjects), a representative from the work office, the appointing officer, the Chief Diversity Officer/Executive Director of DEIB and the search committee chair (in the case of faculty). In addition, a campus tour and a tour of Carlinville should be arranged.

#### *Faculty Searches*

In the case of faculty members, a “teaching presentation” (varying by discipline, *e.g.*, a choral-directing session for faculty in music) will be required. All faculty as well as students majoring in the department are to be advised of the time and place of the teaching presentation. It is expected that department and division faculty will make a particular effort to attend. An effort will be made to find a good time for the presentation, but this can be difficult. Where appropriate, representatives of external key constituencies should be included in the interview and evaluation process.

#### *Staff Searches*

Candidates applying for certain leadership positions may be required to do a presentation on a specific topic related to their professional field.

Candidates are guests of the College and should be hosted as we would any other guest. Normally the department is responsible for the hosting function. If that is not possible, the appointing officer should make arrangements for the hosting function. All candidates should be escorted to and from their appointment destinations throughout the campus.

Efforts will be made to keep expenses low during the interview process. Meals can be provided by food service, but when off-campus meals are arranged, they are to involve only one or two other persons besides the candidate.

#### **1.7.16.9 The Appointment**

The search committee makes its final recommendation to the appointing officer. In the case of faculty, the recommendation may be with or without a specific ranking of up to three candidates. The appointing officer (the Provost) may have a different ranking and choose a different final candidate from the committee’s recommendation. In the case that the appointing officer’s ranking or choice differs from that of the search committee, both rankings must be forwarded to the President. In the case of staff, the search committee gives an unranked recommendation of up to three candidates to the appointing officer. The appointing officer consults with the President who makes the final decision to hire or not.

#### **1.7.16.10 Offer Letter**

A human resources designee will create an offer letter outlining the date of appointment, start date, title, salary, fringe benefits, length of term, work hours, reporting and supervisory responsibilities, and criteria for performance evaluation.

##### *Faculty Appointments*

The offer letter will include title, salary, fringe benefits, exact start date and length of term, work hours, reporting and supervisory responsibilities, criteria for performance evaluation (granting of tenure), other expectations or conditions, such as the completion of a terminal degree.

##### *Staff Appointments*

The offer letter will include title, salary, fringe benefits, exact start date and length of term, work hours, reporting and supervisory responsibilities, criteria for performance evaluation.

#### **1.7.16.11 Follow up**

After the appointment has been accepted and confirmed, unsuccessful interviewed candidates should be notified by the appointing officer, and should be informed by letter sent by the human resources designee thanking the candidate for their interest on behalf of the College. All applicants for the position should receive a letter or e-mail with thanks and notification of the completion of the process. All documents on applicants should be provided to the human resources designee responsible for proper retention or disposal of such materials.

#### **1.7.16.12 Interim Hiring Policy**

“Interim” is a temporary assignment of title and duties to fill a vacant position at the college. Whenever possible, interim positions should be filled with current employees. Under rare circumstances, the President may appoint an external person to fill the interim position. The external person would preferably have extensive knowledge of Blackburn. The title of interim should never exceed one calendar year. Once an interim appointment is made, it must be followed by a public internal or external search that adheres to the hiring policy found in section 1.7.16. An interim appointment does not guarantee or imply that a permanent appointment will follow.

## **1.8 Benefits**

### **1.8.1 Relocation Expenses**

Blackburn College will reimburse one-half of approved household moving expenses (up to a total reimbursement of \$1,000.00 for physical residence moves 500 miles and under and up to a total reimbursement of \$1,500 for physical residence moves 501 miles and over) to full-time employees moving into the area. Such expenses must be incurred within 18 months of the commencement of employment. Expenses will be limited to actual documented (receipts, invoices, etc.) costs; reimbursement for the use of personal vehicles will be limited to the cost of fuel purchased in the course of the move. Reimbursement requests are to be submitted to the Human Resources Office, using the form provided by that office.

### **1.8.2 School Visitation Rights Act**

Under the School Visitation Rights Act, 820 ILCS 147/1-49, of July 1993, employees have the right to take up to eight hours of unpaid leave in each school year to attend school conferences or classroom activities

involving their children. If employees have questions regarding their rights under this law, please contact the Vice President for Administration and Finance.

There are several conditions:

- Employees are not entitled to more than four (4) hours of school visitation leave on any single day;
- Employees are entitled to the leave only if the conference or classroom activity cannot be scheduled during non-working hours;
- Before school visitation leave is available, employees must first have exhausted all accrued vacation leave (when eligible for paid vacation days);
- Employees must give at least seven days' advance notice to their supervisor, although 24 hours will suffice in case of an emergency;
- Employees are required to consult with their supervisors about scheduling the leave to avoid disrupting normal operations;
- School visitation leaves are unpaid, but when possible you may be given the opportunity to make up the leave time on a different day as long as the make up time is made during the same pay week;
- Employees may be asked to submit verification of the school visit. The school administrator can provide verification for this purpose. When required, such verification must be submitted within two days after the visit. Failure to provide required verification may result in standard disciplinary procedures that apply to unexcused absences;
- Employees' request for School Visitation Leave must be submitted in a handwritten or e-mailed request to their supervisor.

### **1.8.3 Jury Duty**

When a full-time employee is called for jury or witness service, the person shall be granted a paid leave less any pay received from the court for the performance of these duties. The time absent from work will not be deducted from time allowed for vacation or sick days. The employee must notify their supervisor or department head of their dates of required service.

### **1.8.4 Military Leave**

Employees should notify their supervisor immediately after notification of orders for active duty. A copy of the military notice or orders should be submitted to your department head. Upon return from such leave, the employee should be offered back the original position and/or one of similar type at a pay raise equal to the cost of living index since the employee left.

Employees who belong to the National Guard or reserves will be allowed to take time off from their employment duties to attend training seminars scheduled by the National Guard or Reserves. When the employee has any choice as to the time of service, the employee should request a time that will be favorable to the needs of the College.

Military Leave is unpaid unless the employee chooses to use any unused vacation time.

### **1.8.5 Family and Medical Leave**

In compliance with the federal Family and Medical Leave Act (FMLA) of 1993, the College will grant a leave of absence to any eligible employee:

1. For the birth of a child or placement of a child for adoption or foster care;

2. To care for an immediate family member with a serious health condition (“Immediate family member” in this policy only includes the employee's spouse, child, or parent. The term “parent” does not include a parent "in-law." The term “child” refers to a son or daughter. However, it does not include sons or daughters "in-law." It also does not include a son or daughter over the age of 18 unless they are "incapable of self-care" due to mental or physical disability that limits one or more of the "major life activities.");
3. To take medical leave when the employee is unable to work because of a serious health condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:
- Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or
  - A period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
  - Any period of incapacity due to pregnancy, or for prenatal care, or
  - Any period of incapacity (or treatment thereof) due to a chronic serious health condition (*e.g.*, asthma, diabetes, epilepsy, etc.); or
  - A period of incapacity that is full-time or long-term due to a condition for which treatment may not be effective (*e.g.*, Alzheimer's, stroke, terminal diseases, etc.); or
  - Any absence to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (*e.g.*, chemotherapy, physical therapy, dialysis, etc.).

Depending on the condition, leave may be granted on a continuous, intermittent, or reduced schedule basis according to a doctor's leave specifications on the required medical certification.

To be eligible for family or medical leave, an employee must be employed at the College for at least 12 months and have worked at least 1,250 hours during the preceding 12 months. The maximum time allowed for family or medical leave is a total of 12 weeks in a 12-month period. The 12-month period will be counted from the start of the first day of any FMLA leave (a rolling 12-month period). Employees should contact the Office of the President regarding questions about eligibility or available FMLA leave.

Whenever possible, employees must notify the Office of the President at least 30 days prior to the leave so Blackburn can arrange for the necessary approval and find someone to perform the employee's work during the employee's absence. The employee is required to submit sufficient information so the College can reasonably determine if the leave request is for FMLA purpose. Medical certification to support a request for leave because of a serious health condition is required within 15 calendar days.

While an employee is on FMLA leave, the employee must contact the Office of the President to report the status of their situation and intent to return to work. Certification of fitness for duty may be required prior to the employee's return to work. Failure to return to work on the day after the expiration of leave can result in termination of employment.

Employees must use any earned vacation and/or paid leave in conjunction with any family and medical leave. Family and medical leave begins on the first day missed, regardless of whether any of the time missed is covered by a form of paid leave. A family or medical leave of absence is without pay when paid leave and vacation are exhausted.

Any absence for FMLA purpose, whether paid or not (including absences paid by worker's compensation), will automatically count against the employee's 12-week FMLA allowance, if the employee is otherwise eligible and has not exhausted his/her allowance. If there is a question about whether an absence should have been counted as FMLA leave and was not or an employee would like to appeal any decision regarding this issue, they should contact the Office of the President.

If applicable, the College will continue to provide health insurance benefits for employees on family and medical leave on the same terms as such benefits are provided to other employees.

Under normal circumstances, employees returning from family or medical leave will return to their former position or an equivalent position.

This is only a summary of the policy. For more information, employees should contact the Director of Human Resources.

### **1.8.6 Victim Leave Policy**

In order to comply with the Victim's Economic Security and Safety Act, Illinois Public Act 93-591, the College will allow up to 12 weeks of unpaid leave to employees who are victims of domestic or sexual violence or family members who are victims of such violence.

Valid reasons for requesting such leave include:

- To seek medical attention for, or recovery from, physical or psychological injuries caused by domestic or sexual violence;
- To obtain services from a victim services organization;
- To obtain psychological or other counseling;
- To participate in safety planning, to temporarily or permanently relocate, or to take other actions to ensure the safety of the employee from future domestic or sexual violence or to ensure economic security;
- To seek legal assistance or remedies to ensure the health and safety of the employee, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Employees may also take such leave to help a family or household member who is a victim of domestic or sexual violence. Employees are entitled up to 12 weeks of such leave during a rolling 12 month period and are entitled to take leave with at least 48 hours notice. When applicable, this leave will be taken in conjunction with FMLA leave. Thus, no employee will be allowed more than 12 weeks leave during a rolling 12 month period for a reason that falls under both leave policies concurrently. An employee is required to use all paid time off in conjunction with the 12 weeks prior to commencement of unpaid leave. Employees are required to provide certification that leave is for a qualifying reason.

Employees who take such leave are entitled to be restored to the same or an equivalent position with equivalent benefits, pay and other terms and conditions of employment after the completion of the leave as long as the leave does not extend beyond the 12 weeks. An employee shall retain all benefits accrued prior to the date the leave commences. However, employees will not be entitled to accrue seniority or additional employment benefits during the leave. The employee is also entitled to continued health insurance during any period of leave on the same terms and conditions as if the employee remained continuously employed. Employees will need to pay the College the employee's portion of the insurance during each payroll cycle in order to keep the policy in force.

If an employee fails to return from leave, the College will require the employee to pay the premium the College paid for health insurance during their leave, provided the reason the employee has not returned does not include the continuation, recurrence, or onset of domestic or sexual violence or other related circumstances beyond the control of the employee. The College will require certification of such reasons to release the employee from this financial obligation.

### **1.8.7 Retirement Plans**

#### **1.8.7.1 Blackburn Retirement Plan**

Employee contributions are made through payroll deduction, and may be deducted before application of federal or state income tax, at the employee's election. The plan is funded through Teachers' Insurance Annuity Association and Colleges Equities Retirement Fund (TIAA-CREF), which has a number of investment opportunities from which to choose.

#### *Eligibility*

All full-time employees of the College who have completed one year of full-time service to the College may participate in the Blackburn Retirement Plan. New employees who have come to Blackburn from employment at another College may receive credit for full-time service at that institution.

#### *Contributions*

The employee contributes an amount equal to 2.5% of their gross salary, while the College makes a contribution of 5% for a total contribution equal to 7.5% of the employee's gross salary.

#### **1.8.7.2 Supplemental Retirement Annuity (SRA)**

Employee contributions to SRA are made through payroll deduction on a pre-tax basis only; the College makes no contribution. The plan is funded through TIAA-CREF. All employees may participate in the SRA without regard to full/part-time status, length of service, or participation in the Blackburn Retirement Plan.

### **1.8.8 Insurance and Income Continuation Insurance Coverage**

#### **1.8.8.1 Workers' Compensation Insurance**

Workers' compensation is a mandated benefit paid entirely by the College. It provides for payment of medical expenses and partial lost wages resulting from injuries or illnesses suffered as a direct result of an on-the-job employment-related incident. All employees of the College, including students, are covered by Workers' Compensation Insurance for injuries they may receive while working for the College.

On-the-job injuries should be reported to the employee's supervisor, even if the injury does not require medical treatment. An approved incident report should be filed with the person designated as the coordinator for Workers' Compensation claims (currently, the Physical Plant Coordinator).

Personnel who are unable to resume their regular duties due to employment-related injuries may be assigned alternative duties (as possible, with the permission of the attending physician) until able to resume regular duties.

In compliance with Illinois House Bill Number 3528, addresses and phone numbers are provided in [Appendix 1C](#).

### **1.8.8.2 Group Health Insurance Plan (GHIP)**

The College provides a voluntary GHIP through a commercial insurance carrier as a non-mandated voluntary benefit available to eligible employees. Only full-time employees are eligible to participate in Blackburn College's GHIP(s).

Three GHIPs are offered; eligible employees may choose any of the plan options. The plans are a PPO low deductible plan, an EPO mid deductible plan, and a HSA high deductible with a Health Savings Account option.

Effective January 1, 2006, Domestic partners may be covered under an eligible employee's GHIP if certain criteria are met. [Questions about this benefit may be addressed to Matt Dowland at Dowland Financial, 854-9213.]

To select GHIP coverage, eligible employees must complete enrollment forms both with the HR Office and through the Board of Pensions Online Portal during the first 30 days of employment. If GHIP coverage is not selected within the first 30 days of employment; coverage may not be initiated until the next open enrollment period, unless there is a qualifying event such as a change of family status.

Under federal law, pre-existing medical conditions may not be covered by the GHIP for up to one year unless the employee can provide proof of coverage under another health insurance plan immediately prior to commencement of coverage under Blackburn's GHIP.

When both spouses of a legally married couple are employed by the College, and both are otherwise eligible to participate in the GHIP, each may enroll as a "single" participant. However, if "family" (or "employee and spouse") coverage is chosen, only one of the couple may enroll as the eligible employee; the other will be covered under the plan as a spouse. Generally, the person whose birthday falls earlier in the calendar year will enroll as the eligible employee; the other will be covered as a spouse.

Effective January 1, 2019, Blackburn College Employee Health Plans will no longer permit working spouses with available ACA compliant employer sponsored coverage to be covered on the Blackburn College Employee Health Benefit Plans. Employee Spouses who do not have available coverage will need to complete a Working Spouse Affidavit prior to the end of open enrollment period in order to continue on Blackburn's plans.

Visit the HR Office for a summary of benefit levels, premium rates, broker, forms, and other information about the current GHIP.

### **1.8.8.3 Other Health-Related Insurance**

Cancer, dental, vision, and long-term and short-term care insurance are offered on a voluntary basis through payroll deduction. The College makes no contribution.

### **1.8.8.4 Supplemental Health Insurance Premium for Retirees**

The College will pay a 50% contribution for a basic individual supplemental health insurance premium for retirees who have served the College for at least 15 years. The participating retirees will pay the remaining 50% of the premium.

See the College Business Office Manager for more information.

### **1.8.8.5 Health Care Continuation**

Medical Plan coverage is available to certain persons who are no longer otherwise eligible to participate in the organization's group health plan due to termination of employment, dissolution of marriage, dependent age limit, etc.

Visit the HR Office for more information.

Medical Plan participants should notify the Business Office of any changes in personal or family situations that may affect an employee's or dependent's eligibility for coverage.

Employees whose Medical Plan coverage is ending may enroll in medical continuation coverage for themselves (and their eligible family members). This coverage is available for a limited time and the College does not pay anything toward the cost of this coverage.

Surviving and former covered spouses, children losing their eligibility status, and employees who retire before they are Medicare-eligible also may be eligible to enroll in medical continuation coverage.

To enroll in or waive medical continuation coverage, return the completed Medical Continuation Enrollment or Waiver form to the Board of Pensions *within 60 days* of the event that caused coverage to end. If enrolling for coverage, include the initial monthly payment for coverage. The Board of Pensions provides the Medical Continuation Enrollment or Waiver form when employment/Medical Plan eligibility ends. Current monthly rates for medical continuation coverage are available at [pensions.org](http://pensions.org). The College does not contribute to the cost of medical continuation coverage. The Board of Pensions will send a monthly invoice to the employee (or former covered spouse, former covered child, etc.) for the cost of medical continuation coverage.

Medical continuation coverage for terminated employees typically lasts up to 18 months. Former spouses, and children who lose their eligibility at age 26 (or later, if disabled), may elect medical continuation coverage for up to 36 months.

This medical continuation coverage from the Board of Pensions is based on special rules that apply to plans sponsored by churches and church-related entities and is not subject to federal rules governing COBRA coverage.

#### **1.8.8.6 Section 125**

This program allows the participant to elect to pay group health, life, and disability insurance premiums, and/or set aside funds for unreimbursed medical and child care expenses before application of federal or state income tax, at the employee's election. This can amount to substantial tax savings for participants.

See the College Business Office Manager for more information.

Participant eligibility requirements are the same as for the group health coverage.

All funds set aside must be through payroll deduction. Funds set aside must be used during the calendar year and claimed by March 1 of the following year or they will be forfeited.

Participants can enroll only during the enrollment period in December of each year, or for new employees, during the first month of employment.

By IRS regulations, this is an irrevocable annual election, unless there is a change in family status.

#### **1.8.8.7 Life Insurance**

The College offers a \$15,000 voluntary term life insurance plan to full-time employees. The premium is paid one-half by the College and one-half by the employee through payroll deduction. Additional employee life insurance coverage and spouse and/or child insurance may be purchased by payroll deduction through alternative plans offered by the College; however, the College makes no contribution to premiums for such coverage.

Visit the HR Office for more information.

#### **1.8.8.8 Disability Insurance**

Voluntary short-term and long-term disability insurance plans are available. All full-time employees with one year of service to the College are eligible to participate. New employees who have come directly to Blackburn from employment at another College, and who participated in a disability insurance program there, may be eligible to participate immediately. Premium rates vary with the employee's income and are paid by the employee through payroll deduction. The College makes no contribution.

After a period of 6 months of disability, a monthly income benefit provides for a portion of the employee's salary to be paid through the remaining disability period. If the disabled employee also participates in the Blackburn Retirement Plan, contributions to their retirement plan will continue through the disability period or until age 65, when the disability benefits discontinue and retirement benefits can begin.

For further information regarding Disability Benefits, see the Human Resources Office.

#### **1.8.9 Social Security**

All Blackburn College personnel are covered by the Federal Social Security Act. This means that deductions are made from each paycheck and these are matched by an equal contribution from the College. The total is credited to the employee's social security account. For details on the salary levels covered and the percentage deducted, consult the Vice President of Administration and Finance. This is a mandated benefit.

### **1.8.10 Unemployment Compensation**

Unemployment compensation is a mandated benefit, paid entirely by the College. It provides persons who have been terminated under certain conditions with a weekly benefit through the State of Illinois for a limited period of time.

As a not-for-profit organization, Blackburn College has chosen to make no regular unemployment tax payments to federal or state unemployment funds. Instead, the College makes payments only when unemployed former Blackburn employees receive benefits through the state. The state then bills the College for the full amount of the claim paid to the unemployed person. For more information, contact:

Illinois Department of Employment Security  
116 South Plum, Carlinville, IL 62626  
(217)854-6115

### **1.8.11 Waiver of Tuition for Employees, Their Spouses and Dependent Children**

#### **1.8.11.1 Full-Time Employees**

Blackburn College will waive the cost of tuition for full-time employees, their spouses, and dependent children who attend classes at the College with the following restrictions:

- A dependent child is defined as a child who is a dependent of the employee by Internal Revenue Service rules at the time of attendance;
- If tuition is waived while the employee is on leave of absence and the employee does not return to full-time service to the College, the waived tuition becomes a charge to the employee due and payable to the College;
- The student must apply for any state and/or federal grants through the Financial Aid Office in a timely manner. Failure to apply in accordance with standing financial aid policies for filing will result in full tuition being charged to the student;
- The tuition waiver pays tuition charges that are not covered by a combination of Pell grants, MAP grants, and other outside grants and scholarships (state, federal, etc.); Work Program tuition credits; and Blackburn Merit Scholarships/BC Scholarships. If a combination of grants and scholarships from outside sources and from Blackburn results in overpayment of tuition, the overpayment may be applied to student activity fees and/or room and board charges, or be refunded to the student;
- Other costs of attendance not paid for under the previous bullet (books, student activity fees, room and board charges, etc.) will be the responsibility of the student. Loans may be available for those charges.

#### **1.8.11.2 Part-Time Employees**

Part-time employees may also receive tuition waivers for themselves, their spouses, and/or their dependent children. Waivers will be proportional to the employee's service, *i.e.*, a one-half time employee could receive 6 credit hours (1/2 time) of waived tuition. The same restrictions apply as above.

#### **1.8.11.3 Death of Full-Time Employee**

In the event of the death of a full-time Blackburn employee who has ten (10) years or more of continuous full-time service with the College, the College will waive the cost of Blackburn College tuition for the deceased employee's dependent children and legal spouse as follows:

- A child(ren) must be a dependent at the time of the death of the eligible employee. Tuition may be waived for that child(ren) for a period not to exceed five (5) years, or until the child(ren) reaches the age of 23, or until the child(ren) has earned a College degree, whichever occurs first;
- Tuition will be waived for a legal spouse for a period of five (5) consecutive years commencing with the first term following the date of the employee's death or until the spouse has earned a College degree, whichever occurs first. Restrictions listed in the Full-Time Employee section also apply.

#### **1.8.11.4 Dependent Children**

Dependent children of full-time employees may also be eligible to participate in either of two tuition exchange programs: Presbyterian Colleges program or the Council of Independent Colleges (CIC) program. Dependent children are defined in the full-time employee section above; some other restrictions may also apply. See the College's Financial Aid Administrator for details.

#### **1.8.12 Paid Leave for All Workers Act**

In March 2023, the Illinois Governor signed the Paid Leave for All Workers Act into law to mandate that all employees receive a certain minimum amount of paid time off to be used for any reason. This new Act will take effect as of January 1<sup>st</sup>, 2024. Blackburn College has adopted the following policy to ensure compliance with this Act:

##### **1.8.12.1 Full-Time Staff**

The first 40 hours of paid sick leave used in each year will be treated as leave under the Paid Leave For All Workers Act and will be subject to this Policy and to the Act, to the extent that they differ from the College's Sick Leave policy. This means that up to 40 hours of paid sick leave may be used for any reason at the employee's discretion each year, without the need to provide medical certification or other supporting documentation.

- All additional paid sick leave beyond the first 40 hours per year will be subject to the College's existing policy and procedures related to the use of sick leave.
- For additional information regarding the vacation time and sick time policies, please go to sections 3.4.4 and 3.3.1.16 of the Employee Handbook.

##### **1.8.12.2 Full-Time Faculty and Coaches**

Full time Faculty and Coaches will receive 40 hours of Paid Time Off (PTO) under the Paid Leave For All Workers Act, at the start of every calendar year, that can be used for any reason. PTO will not carry over from one calendar year to the next

- PTO cannot not be cashed out or paid out.
- The PTO can only be used during your normal contract or offer letter employment period.
- The front-loaded PTO will be prorated if an employee starts midway through the year.

##### **1.8.12.3 Adjuncts and Assistant Coaches**

Adjuncts and Assistant Coaches will receive 40 hours of Paid Time Off(PTO) per calendar year under the Paid Leave For All Workers Act.

- PTO will not carry over from one calendar year to the next
- PTO cannot be cashed out or paid out.
- The PTO can only be used during your normal contract or offer letter employment period.
- The front-loaded PTO will be prorated if an adjust employee is only scheduled to work for one semester.

#### **1.8.12.4 Hourly Staff**

Hourly staff will accrue PTO under the Paid Leave For All Workers Act at a rate of 1 hour of PTO for every 40 hours worked. This policy will not apply to short-term employees and contractors as defined in the Paid Leave for All Workers Act.

- Hourly employees can carry over PTO from one calendar year to the next. However, no more than 40 hours of accrued PTO may be used in a single calendar year.
- PTO cannot be cashed out or paid out.
- Students
- Students in the work program are not considered covered employees under this act. As such, students in the work program will not be eligible to accrue PTO.
- Summer Seasonal Student Workers
- Pending additional clarification from the State and from legal counsel

#### **1.8.12.5 Other Key Provisions**

Employees may take leave under this policy for any reason of their choosing. Employees are not required to provide a reason or supporting documentation for this leave. If use of leave is foreseeable, the employee must provide 7 calendar days' notice before the leave is to begin. If use of the leave is not foreseeable, the employee must follow the College's established procedures for reporting unplanned absences. Requests for time off may be made orally, in writing, or via eSelfServe. Oral and written requests should be directed to the employee's direct supervisor and Human Resources.

Requests for sick leave, vacation, or any other leave beyond the leave provided under the Paid Leave For All Workers Act will remain subject to the College's existing policies and procedures.

Contact Marshall Petty, Director of Human Resources if you have any questions regarding this policy.

## **1.9 Other Employment Policies**

### **1.9.1 Access to Employee Personnel Files**

Upon reasonable written notice, all faculty and staff shall have access to their personnel files retained in the Office of the President within 7 business days. This request can be made up to twice per academic year. This right to access excludes letters of reference provided on a confidential basis.

### **1.9.2 Resignation**

A faculty member who does not plan to continue their services at the College for the succeeding year is asked to notify their department chair and the Provost of the College as soon as possible. Generally, the expectation is the prior academic year for a faculty member not returning in the upcoming academic year. An official letter of resignation must be sent to the President.

A staff member who does not plan to continue their services at the College is asked to notify their supervisor, the Director of Human Resources, and the Provost or President of the College (as appropriate) as soon as possible. Generally, the expectation is two weeks minimum. An official letter of resignation must be sent to the President.

### **1.9.3 Volunteer Policy**

The purpose of this policy is to provide clarity of the role of those who are appointed to act as volunteer workers for Blackburn College. Volunteer applicants must complete and submit to the President's Office the Volunteer Application Form and Background Check Authorization ([See Appendix II](#)). Once approved, each volunteer will receive an official letter of appointment from the President of the College. That letter must set forth the following terms and guidelines:

Volunteers:

- Will work for a specific term;
- Receive no salary or benefits;
- Will be provided with a shared space to do the assigned work and access to a telephone and a computer (if the position requires these amenities);
- Receive a faculty/staff parking permit for their personal vehicle;
- Will be covered by the College's liability and workers' compensation insurance as long as they are acting within the scope of their duties as a volunteer when the occurrence takes place;
- Are recognized as an agent of the College and for that reason must abide by all College policies, regulations, and practices, including such things as being approved as a driver, if they are going to operate any College motor vehicle while conducting College business;
- Will be provided copies of all relevant College handbooks;
- Must not make arrangements with other entities on behalf of the College or engage in development work without discussing (and receiving approval for) such proposed arrangement(s) with the Director or Chair of the department under which the volunteer is working as well as with the President or Provost (and the Vice President for Development and Public Relations as appropriate) before any action is taken.

Each volunteer's charge letter must contain the following:

- The name of the person or persons to whom the volunteer will directly report;
- A detailed and comprehensive list of tasks and requirements the volunteer will assume.

### **1.9.4 Professional Internship Policy**

At Blackburn College, professional internships are working situations in which an individual who has already completed at least a baccalaureate degree at an accredited institution commits to full or part-time work for a period of time of no more than one semester or one academic year, during which they will typically receive nominal compensation. The purpose of such an internship is to provide the intern with substantial hands-on experience in their field of professional endeavor and aspiration.

All policies governing the conduct of employees and agents of the college pertain to interns.

A formal plan must be prepared for professional learning and development, including plans for mentoring, specific learning goals and evaluation of the same, and long term career direction and placement assistance. The plan must be signed off on by the supervisor, the intern, and the Provost, each of whom will maintain a

copy of the plan in their files. Upon completion of the internship, an exit interview will be conducted. The purpose of the interview will be to review the progress and outcomes of the internship.

Professional interns who agree to a full time internship experience will be offered a total compensation arrangement consistent with prevailing norms at peer institutions, and will not be eligible for benefits available to full time employees.

Time commitments for tasks to be completed by professional interns will not exceed 40 hours per week for full time interns.

Internships will be reviewed at the end of each semester. At the end of the first semester, a long-term recommendation may be made for renewal of the internship up to a maximum of four consecutive academic semesters.

Offices wishing to set up such internships must prepare a written statement of the purpose, benefits, costs and how they will be managed within existing budget resources, and the expected duration of the internship. This statement must be submitted to the Office of the President. The President, in consultation with the Office of the President Staff, will approve or deny such requests.

## **1.10 Campus Facilities, Services, and Routines**

### **1.10.1 Use of College Facilities and Buildings**

Scheduling College rooms and facilities for special meetings or activities needs to be arranged through Auxiliary Services (*see handbook section [1.11.4.3](#)*)

Notice of all activities including athletic and cultural events, conferences, guest lectureships, exhibitions, music programs, meetings, etc., should be registered on the College's master activities calendar by contacting Auxiliary Services and by filling out an event registration form (*see [Appendix 1E](#)*). It is important to assure that the master activities calendar is up-to-date in order to avoid schedule conflicts. The campus calendars and event form can be found on the shared (s) drive under Administrative, Bookstore, Public.

Auxiliary Services Office can be found in Demuzio Campus Center in the Bookstore/Mailroom, phone ext. 5577.

### **1.10.2 Lumpkin Learning Commons and Student Success Center Library**

During campus holidays and the summer months, Lumpkin will be open for faculty and staff use on a limited schedule as posted at the Library.

Faculty and staff members are requested to sign out library books and periodicals for their use. While customary time restrictions do not apply except in special circumstances, faculty members should expect to receive and honor requests for return of materials, which the students or other faculty need. Faculty members wishing to order books for their department should place their orders with the Librarian.

The Student Success Center provides a variety of resources to support students and help them be successful, including:

- Mental health counseling
- Disability Services (*see handbook section [1.7.5](#)*)

- Holistic success coaching
- Subject tutoring (provided through a partnership with Academics)
- The Writer's Block
- Library assistance and research support
- Workshops and other programming related to student success and retention

Faculty and staff are encouraged to refer students to the Student Success Center for any of the above resources except Disability Services (students must self-disclose in order to seek accommodations and support from Disability Services). Questions about any services or resources offered should be directed to the Director of the Student Success Center.

### **1.10.3 Student Absence from Class and Work**

The College may grant excused absences for certain co-curricular and extra-curricular activities. Field trips involving students who would be absent from other classes are to be arranged through the Provost. Students are not to use their personal cars for transportation on official field trips, since the College cannot be insured against liability in case of accident.

The Provost is to be notified of field trips or any events requiring students to miss class or work assignments during the first 10 days of class each semester. Dates, location, and names of participants are to be included in the notification. This confirmation becomes the basis for the official notices issued by the Provost.

#### **1.10.3.1 Rationale**

The faculty and administration of the College have recognized the value of permitting individuals and groups of students to participate in activities, which enrich their education and their overall College experience. Historically, the College policy for absences, which are officially excused, has embraced a variety of events including course-related field trips, sports competitions, course-related performance groups, and functions where students officially represent the College. Officially excused absences are those, which have been formally scrutinized by appropriate staff or faculty and have further been approved by the Provost.

It is inevitable that there will be conflicts between class schedules, Work Program schedules, and schedules for co-curricular and extra-curricular events. The College's primary purpose is to deliver the curriculum. In recognition of the primacy of the curriculum, the College has created guidelines to determine what activities will be officially excused.

#### **1.10.3.2 Athletic Competitions**

In the case of athletics, the Athletics Committee has had as its long term charge the responsibility of approving all sports practices and competitions. Therefore, all proposed sports schedules must conform to committee guidelines which set forth the number of practices and competitions, distances for travel and itineraries. Coaches must submit their proposed schedules each semester. With the exception of emerging sports, scheduling is usually done two years in advance. Itineraries are refined in the semester preceding competition. Some outdoor competitions will be affected by inclement weather. On these occasions, last minute changes will occur that produce other conflicts. Coaches are obligated to notify the faculty of emergency changes. The Director of Athletic Programs and/or Athletics Committee will evaluate all proposed changes in the schedule prior to their publications. At the beginning of each sports season, the faculty, under the signature of the Provost, is provided with a team roster and a schedule of competitions. Since it is not known at the beginning of the season whether or not a team will qualify for the conference

tournament, those games are not put on the schedule of competitions. However, if a team qualifies for a conference or national tournament, the team members are to be given an excused absence to participate in the competition. Limited competition is allowed in the nontraditional season, with no missed classes. In the fall golf schedule, no more than four single-day competitions may result in missed class time.

#### **1.10.3.3 Course-Related Trips and Performances**

Faculty who require students to participate in field trips and performances that will cause conflicts with the class schedule, must first receive approval of their academic division. The Provost will evaluate and approve recommendations received from the division chairs. Once approval is granted, the Provost will issue an official excuse statement.

#### **1.10.3.4 Official College Representation at Non-Course Related Non-Athletic Events**

When students are selected to represent Blackburn College in an official capacity, (*i.e.*, Work Program conferences, meeting with government officials, alumni functions, etc.) that takes these students out of class, the sponsor of that event must request of the Provost to grant an officially excused absence. Once approval is granted, the Provost will issue an officially excused statement.

#### **1.10.3.5 Student and Faculty Response to Officially Excused Absence Statements issued by the Provost**

In all of the above instances, students are obliged to inform their instructors and work supervisors of upcoming absences. Within the first ten calendar days of the semester, it is the student's responsibility to notify the instructor of all classes to be missed due to officially recognized co-curricular and extra-curricular activities. If the instructor believes the number to be excessive or the placement is detrimental to the student's course performance, the instructor may appeal to the Provost for problem solving. Students are responsible to complete all work associated with classes they may miss. Faculty and supervisors, in turn, are obligated to make arrangements with the student to complete missed work, including examinations.

#### **1.10.4 Work Requisitions**

Requests for repair to physical facilities should be submitted to the Physical Plant Office using the School Dude system and not via email or phone. Direct communication to Physical Plant Supervisors regarding work orders will not be accepted. Emergencies relating to health, safety, or major damage to physical facilities should be reported by telephone to the Physical Plant Office. *See section [1.11.5](#) for Physical Plant contact information and [Appendix 1J](#) for School Dude instructions.*

#### **1.10.5 Public Relations**

Faculty and staff should approach the news media through the Public Relations Office rather than making direct contact with news personnel to enable that office to maximize press coverage for any given news item.

Drafts of all releases and features are to be sent to the Public Relations Office for editing and distribution. Absolutely no material will be released to any media except by the Public Relations Office. The Public Relations Office will not process any draft release unless every page is signed by the Athletic Director or the appropriate coach to show their knowledge and approval of its content.

Faculty and staff are encouraged to keep the Public Relations Office informed of topics on which they could present talks to organizations and service clubs, etc.

### **1.10.6 Advisors of Student Organizations**

All student organizations and clubs, including class organizations, require a faculty advisor or sponsor. Names of faculty advisors or sponsors are to be submitted to the Student Life Office annually. The Student Life Office is to issue an official list of clubs and organizations, their officers, their faculty advisor or advisors, and information on time and place of meeting by September of each academic year.

### **1.10.7 Smoking**

The Blackburn campus has been designated a smoke-free campus with the exception of individual residence hall rooms and faculty/staff offices with the doors closed except when an entire building has been designated tobacco-free. Smoking is not allowed in residence hall parlors, hallways, restrooms, or other public areas. Smoking is allowed outside campus buildings.

### **1.10.8 Persona Non Grata Policy**

Persona non grata (“PNG”) status shall be given to an individual internal or external to the Blackburn College campus who has exhibited behavior that has been deemed harmful to the Blackburn College community and is no longer welcomed on campus or specified campus locations.

The Director of Campus Safety has full authority to execute PNG notices to any person (student or non-student) who poses a safety risk and/or threat to the community. The President, Provost, and Dean of Students also have full authority to execute PNG notices.

### **Notification of PNG Status**

1. Notification shall occur at the first opportunity by the best means possible and shall include full explanation and meaning of the status. The effective date, purpose of the restriction, code violation, and individual’s descriptive data will be included on the notice.
2. Notification shall, when possible, be acknowledged by the individual’s signature. If not acknowledged by such individual’s signature, the signature of the official implementing the barring notification must appear on the notice. A copy of the notice is provided to the individual.

### **Violation of PNG Status**

If an individual designated as PNG is found/reported on campus in violation of the terms of the restrictions, local law enforcement may be summoned to remove the individual from campus.

### **Appeal Process**

A written request for appeal to lift an individual’s PNG status shall be made to the office that issued the notice.

1. The written request should come from the barred individual and include reasoning and objectives to re-enter the campus community. One request per year may be made to lift the PNG status.
2. Depending on the circumstances, the Director of Campus Safety will collaborate with internal personnel to consider the appeal. The Director will remain in contact, when possible, with the individual during the review process.
3. The PNG status shall remain in effect pending the decision of the review. The Director of Campus Safety shall render a decision within ten working days of receipt of the request for review. Depending on the circumstances and dialogue, the decision timeframe may exceed ten working days. During such time, the Director will continue to remain in contact with the individual during the review.

## **Recordkeeping**

Records are maintained and regularly updated by the Director of Campus Safety.

1. Individual records will include the following information: (i) name; (ii) date PNG status issued; (iii) status (e.g., suspended student); (iv) rationale; (v) duration; and (vi) documentation provided.
2. Names currently on the PNG list will be flagged (i) “do not hire” in Human Resources; (ii) “do not enroll” in the Office of Admissions; and (iii) in the Alumni database.
3. The following administrators will have standing access to the PNG list: (i) Provost; (ii) Dean of Students; and (iii) Vice President for Institutional Advancement.

*Created 1-2022*

### **1.10.9 Service Animal Policy**

Definition: A service animal is any dog (or, in some cases, a miniature horse<sup>1</sup>) that is trained, or in training, to do work for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Students can initiate the interactive process by self-disclosing their disability to the Student Success Director. From there, a reasonable accommodation will be made in accordance with the ADA.

Types of service animals include, but are not necessarily limited to:

- a. Guide Dogs: carefully trained dogs who serve as a travel tool by persons with severe visual impairments
- b. Hearing Dogs: dogs who have been trained to alert a person with significant hearing loss when a sound (such as a knock on the door) occurs
- c. Service or Assistance Dogs: dogs that have been trained to assist a person who has a mobility or health impairment by carrying, fetching, opening doors, ringing doorbells, activating elevator buttons or steadying a person while walking
- d. Seizure Alert/Response Dogs: dogs trained to assist a person with a seizure disorder. The dog may stand guard over the person during the seizure, indicate to their handler in advance of a seizure, or the dog may go for help.
- e. Psychiatric Service Dogs: dogs trained in helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors
- f. Miniature horses trained as a service animal

A requesting individual must have a disability as defined by the ADA, and the work that the animal has been trained to do must be directly related to the person’s disability. Service animals are not “pets.” Animals that only provide comfort or emotional support do not qualify as a service animal. However, it is important to

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<sup>1</sup> The use of a miniature horse may be required as a reasonable accommodation if the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability. In order to determine whether a reasonable accommodation can be made to allow a miniature horse, we must consider the following factors: (1) the horse’s type, size, and weight and whether the facility can accommodate these features, (2) whether the handler has sufficient control, (3) whether the horse is housebroken, and (4) whether the presence of the horse compromises legitimate safety requirements that are necessary for safe operation.

note that a service animal can be trained to assist persons with psychiatric disabilities. For example, a dog can be specifically trained to sense an oncoming panic attack and put its paws on the person's shoulders helping them implement certain strategies to eliminate or lessen the panic attack.

Generally, no inquiries will be made when it is readily apparent that the animal is trained to do work or perform tasks for a person with a disability. However, when it is not readily apparent, staff and faculty may ask two questions: (1) is the service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

If you utilize a service animal and would like to bring it on campus, please contact the Office of Disability Services at [blackburn.accomodations@blackburn.edu](mailto:blackburn.accomodations@blackburn.edu). We will need to set up a brief appointment with you to collect some information about your animal (such vaccination records) and go over the rights and responsibilities regarding service animals on campus.

## **RIGHTS & RESPONSIBILITIES OF STUDENTS WITH SERVICE ANIMALS**

Students, faculty, and staff with service animals have the following rights on Blackburn's campus:

- The right to have their service animal present for any events or activities on campus, including classes, work, meals, living in the residence halls, and at special events, EXCEPT in restricted areas (see below)
- The right for other members of the campus community (including students, faculty, staff, and campus visitors) to refrain from approaching, touching, or feeding their service animal without asking for and receiving permission from the animal's handler. As a general rule, if an animal is wearing a vest or badge denoting it as a service animal, the animal is working and should NOT be approached, petted, or otherwise interacted with unless the owner/handler gives explicit permission. However, please be aware that it is not required that a service animal wear a vest or patch identifying the animal as a service animal.
- The right for other members of the campus community (including students, faculty, staff, and campus visitors) to refrain from deliberately startling or distracting the service animal OR attempting to separate the animal from the student or handler

### *RESTRICTED AREAS*

Blackburn College may prohibit the use of service animals in certain locations, on a case-by-case basis, because of health and safety restrictions (e.g., when the animal's presence could present a health or safety risk, or activities that take place in the area could put the service animal in danger). Restricted areas may include, but are not limited to: laboratories, vivariums, custodial closets, boiler rooms, facility equipment rooms, wood and metal shops, and rooms with heavy machinery or ongoing construction.

All students, faculty, staff, and visitors to the College who utilize a service animal and believe they will need to access a restricted area must first request access by contacting the Disability Services office (for students and visitors) or Human Resources office (for faculty and staff). Requests should be made as far in advance as possible to allow adequate time for review of the request through an interactive process with the requester and for consultation with relevant College officials in order to ensure the safety of the animal and/or others using the restricted area.

Students, faculty, and staff with service animals have the following *responsibilities* on Blackburn's campus. Failure to fulfill any of these responsibilities may result in the animal being removed from campus until such time as these responsibilities can be fulfilled by the owner or handler of the animal.

- The owner/handler is responsible for the overall health and well-being of the animal, including all costs associated with the animal's care, living arrangements, and any property damage caused by the animal.
- Service animals on campus must:
  - be current on all vaccinations;
  - wear an owner identification tag at all times;
  - be housebroken;
  - be licensed per local laws and ordinances;
  - be in good health;
  - be under the full control of the owner/handler at all times.
- The owner/handler is responsible for cleaning up the service animal's waste, unless the individual's disability prevents them from being physically able to clean up the animal's waste.
- Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- **If a service animal is behaving out of the owner's or handler's control (i.e. jumping on, barking/growling at, or sniffing others), the animal may be removed until such time as the owner/handler is able to maintain control over the animal.** (An isolated bark or a bark in response to provocation will not result in an animal being regarded as out of the owner or handler's control.) This policy is for the protection of the service animal as well as the protection of other members of the campus community and of the learning environment.

### **RIGHTS & RESPONSIBILITIES OF ALL BLACKBURN STUDENTS, FACULTY, AND STAFF (with respect to service animals)**

Students, faculty, and staff have the following *rights* on campus with regard to service animals:

- The right to not be jumped on, growled/barked at, or distracted by the behavior of a service animal (note that this right involves the animal's behavior - not simply their presence)
- The right to politely ask an animal's handler to better control the animal's behavior, if the animal is behaving in an uncontrolled or boisterous manner
- The right to share any concerns about a service animal's behavior with Disability Services

Students, faculty, and staff have the following *responsibilities* on campus with regard to service animals:

- The responsibility to recognize that a service animal is a working animal, not a pet
- The responsibility to refrain from approaching, touching, or feeding a service animal without asking for and receiving permission from the animal's handler. As a general rule, if an animal is wearing a vest or

badge denoting it as a service animal, the animal is working and should NOT be approached, petted, or otherwise interacted with unless the owner/handler gives explicit permission. However, please be aware that it is not required that a service animal wear a vest or patch identifying the animal as a service animal.

- The responsibility to refrain from deliberately startling or distracting the service animal, or attempting to separate the animal from the student or handler
- **Failure to adhere to these responsibilities may result in disciplinary action.**

*Passed 2-2022*

## **1.11 Special Offices**

### **1.11.1 College Marshal**

Appointed by the President, the College Marshal shall plan and supervise the processional and other arrangements relevant to Commencement, Baccalaureate, and official convocations. They shall be assisted by a Student Marshal, who shall be elected by faculty ballot at the first Faculty Assembly meeting of each academic year (exclusive of first-year faculty).

### **1.11.2 International Student Advising**

The Director of Intercultural Programs and Services performs international student advising. This advising seeks to assist international students in their adjustments to life in the United States and also provide them with information about legal regulations that affect students' stay.

### **1.11.3 Career Development Center**

The Career Development Center provides one-on-one career counseling and job-related services for students and alumni of Blackburn College. In addition, pathways to such career events as career fairs, virtual and on-campus interviews, resource materials for professional document development, cover letter and resume preparation assistance, and access to employment listings.

### **1.11.4 Campus Bookstore/Mailroom/Auxiliary Services**

The campus store provides supplies to the college departments. All college departments have accounts for faculty and staff to charge supplies. Most commonly used items are stocked. If there is an item they do not have, it can be ordered.

#### **1.11.4.1 Mailroom**

Full-time faculty and staff are assigned mailboxes. The bookstore/mailroom staff will be happy to issue you a key. Part-time faculty and staff generally get their mail through their department. If you receive mail or packages too large for your mailbox a package notice slip will be placed in your mailbox. We ask that incoming mail and packages be addressed with your name and department on the parcel to avoid mailroom delays:

Blackburn College  
(your name)/ (Department)  
700 College Ave.  
Carlinville, IL 62626

Mail pickup is generally around 11 a.m. Mon. thru Fri. Any package or mail requiring special attention needs to be at the mailroom by 10:00 a.m. We utilize USPS, UPS and Fed-Ex. The cost for mail or package shipments will be billed to their respective departments.

For employees not required to be on campus during the summer months, first class mail will be forwarded if a written request is left with the manager of the Bookstore. Other mail will be held for returning employees. Written authorization should be received for disposal of any unwanted materials.

#### **1.11.4.2 Campus Calendar**

The campus calendar is organized by staff in the mailroom. This calendar is a conglomeration of each department's calendar in an effort to avoid double bookings and incompatible events. To ensure a successful event with a clean room and comfortable environment, please contact ext. 5577 or e-mail [Bookstore@blackburn.edu](mailto:Bookstore@blackburn.edu) when you need to schedule any event. The updated campus calendar can be found anytime on the shared drive (s drive) under administration, bookstore, public.

#### **1.11.4.3 Auxiliary Services**

##### **1.11.4.3.1 Auxiliary Services - Facility Requests**

The following are the procedures that should be followed when anyone needs to book a space for any type of meeting or event held on the Blackburn Campus.

1. Contact the Bookstore staff to reserve the space at [bookstore@blackburn.edu](mailto:bookstore@blackburn.edu) or x5577.
2. An event registration form ([see Appendix 1E](#)) needs to be filled out for the event. Please make sure that all relevant information is included. \*this includes date, event start time, set-up and tear down time, equipment that will be needed, room floor plan, how many people will be attending, etc.
3. Auxiliary Services will contact the necessary departments (i.e. physical plant, tech services, etc.) in order to fill the physical or technical needs given in the original discussion.
4. If an event occurs after college business hours (8:00am-5:00pm) and is an inside event (individuals or groups associated with the college), the individual requesting the space will need to go to Physical Plant to request any keys that might be needed for the space. Outside events will be coordinated by Auxiliary Services.
5. The Individual requesting the event is responsible for returning the keys to the Physical Plant when the event is finished.
6. You are responsible for the condition of the space. Any materials brought into the space must be removed completely, and all furniture should be put back the way it was. All spills (water, food, paint, etc.) must be cleaned. No food should be left behind and all trash taken out. Your department, club or organization may be charged (\$50.00) if actions are required to restore the space to its original condition.

##### **1.11.4.3.2 Auxiliary Services - Equipment Reservations**

The following are the procedures that should be followed when anyone needs to check out A.V. equipment for use on the Blackburn Campus. (No help in setup or operation is needed)

1. Faculty or staff just wanting to check out AV equipment for use should contact Kim Peterson to make arrangements. Equipment can be picked up in the Bookstore during normal business hours 8am-5pm.
2. The person requesting the equipment from Auxiliary Services is responsible for taking care of the equipment and for returning it on time.

### 1.11.4.3.3 Conference Rooms/Event Spaces

[See Appendix 1K](#) for a list of campus conference rooms, their capacity, and what building they are located in. Please ensure you contact Kim Peterson ([kim.peterson@blackburn.edu](mailto:kim.peterson@blackburn.edu)) if you want to reserve a room.

Bookstore Staff

[bookstore@blackburn.edu](mailto:bookstore@blackburn.edu)

(217)854-5577

Kim Peterson, Manager of Auxiliary Services

[kim.peterson@blackburn.edu](mailto:kim.peterson@blackburn.edu)

(217) 854-5577

### 1.11.5 Physical Plant

#### 1.11.5.1 Location and Contacts

The office and shops are located on the east side of campus behind Lumpkin Learning Commons in a large tan and green metal building. The main office is on the north end.

#### To request service/repairs

Non-urgent requests should be made via the School Dude Work Order system ([see Appendix 1J](#))

Urgent requests, e.g. overflowing toilet, smell of smoke inside a building, etc., Physical Plant Office, ex.5503 or 854-5503. If no answer, leave a voicemail and follow up with an email to Gena Ober at [gena.ober@blackburn.edu](mailto:gena.ober@blackburn.edu)

#### To request a College vehicle

Reservations should be made by contacting the Motor Pool Department located in the Physical Plant at [motorpool@blackburn.edu](mailto:motorpool@blackburn.edu) ([see section 1.12.5](#) for more information). Each campus vehicle is assigned a fuel card.

#### To be issued College keys

In person only at the Physical Plant Office, located at the north end of the Physical Plant building that is the large tan and green metal building behind Lumpkin Learning Commons. Open hours are 8:30 am-Noon and 1:30-4:30 pm Monday-Friday. A signed key request form is required. These are available at the Physical Plant Office or the Human Resources Office.

#### To report an emergency

- Physical Plant Office: x. 5503 or 217-854-5503 **after hours the Physical Plant Staff on call cell 217-556-1211**
- Security Office: x. 5550 or **security on-call phone number 217-825-3042**
- If no answer at above numbers: Dial 911 and stay on the phone until the 911 operator says you can hang up (Note: When calling 911 from a campus phone you must dial 7-911)

#### 1.11.5.2 Physical Plant Staff and Offices

Nick McKorkle, Director of Physical Plant, P-Plant 107, x. 5617

Gena Ober, Physical Plant Coordinator, P-Plant Main Office, x. 5503

Michael Troutt, Campus Services Supervisor, P-Plant 115A, x. 5624

Mike Jones Utilities Supervisor, P-Plant 105, 5649

Cody Dunn, Grounds and Events Supervisor, P-Plant 106, 5581

Jorge Stewart Building Maintenance and Carpentry Supervisor, P-Plant 117A, 5583

### **1.11.5.3 General Information**

Physical Plant is the department of the College administration that oversees all facilities operations, maintenance and housekeeping. It is the largest employer of student labor. Two student work program departments serve the Physical Plant Department-Campus Services (housekeeping/janitorial) and Campus Maintenance (carpentry, building maintenance HVAC, utilities, new con, and grounds). Physical Plant is also responsible for all facility planning and construction, and it supplies all the major utilities (electricity, natural gas, water, and sewer) throughout the campus.

### **1.11.5.4 Standard Services Provided**

#### **Campus Services**

General cleaning of all public areas and heavy floor maintenance for all public areas. (Note: general cleaning of offices and residence rooms is the responsibility of the occupant(s). Cleaning of window blinds, carpets or hard floors can be arranged with Campus Services during Christmas or summer breaks.)

#### **Campus Maintenance**

Painting, general carpentry, masonry and roofs, electrical, plumbing, heating/ventilation/air-conditioning, roads and grounds care, snow removal, set-ups for special events and convocations.

### **1.11.6 Duplicating**

Photocopier/printers are located in most buildings on campus, including Ludlum, Hudson, Jaenke, Stoddard, Bothwell, Dawes, and Lumpkin. They are actuated by departmental access codes, which are programmed by Technology Services.

It is the responsibility of all employees to be familiar with copyright laws and to be certain that copying for classroom use is not in violation of the law. Blackburn holds the users of its facilities and equipment responsible for their appropriate use.

### **1.11.7 Technology Services**

Blackburn College provides information technology for educational, research, and administrative applications used by its students and employees. For help with instructional technology and support, individuals should contact Technology Services; for assistance with event technology and support such as conference phones or public presentation set-up, individuals should contact the Auxiliary Services Manager. Individuals and/or departments should consult with the Director of Technology when considering equipment purchases.

The following *Acceptable Use Policy* stems from Blackburn's more general policies and procedures governing employees, students, and facilities. With only a few exceptions, the present policy simply applies these larger policies and procedures to the narrower information technology context. It balances the individual's ability to benefit fully from information technology and Blackburn's need for a secure and reasonably allocated information technology environment.

#### **Acceptable Use Policy**

##### **1.11.7.1 Definitions**

*College Information Technology*: Any computer, networking device, telephone, copier, printer, fax machine, or other information technology which is owned by Blackburn or is licensed or leased by Blackburn is subject to College policies. In addition, any information technology which connects directly to Blackburn data or telephone networks, uses College network/dialup facilities, connects directly to a computer or other

device owned or operated by Blackburn, and/or otherwise uses or affects College information technology facilities is subject to College information technology policies, no matter who owns it.

*Users:* Three broad classes of potential users have different privileges:

- *Regular Users*, who are entitled to use all or most College technology and services, in general, only current students and employees of Blackburn. This status *does not extend to family members or colleagues who are not themselves Regular Users*.
- *Special Users*, who are entitled to use specific limited services for specific purposes under specific conditions, to which Blackburn provides a limited subset of College information technologies and services. Library patrons, persons at Blackburn for a seminar or other special event, retired employees, volunteer workers, software contractors and consultants are all examples of special users. The Director of Technology Services authorizes special user classes and individual special users, under the authority of the President. Special users are subject to all regular user policies, may also have other restrictions, and implicitly relinquish their right to use Blackburn technology resources when they leave the campus.
- *Excluded Users*, who are not entitled to use College information technology. These are all individuals or organizations that are not Regular Users or Special Users.

*Applications:* Here again three distinct categories are important:

- *Core* applications support College instruction, research, service, and administration. Classroom use, computer-based assignments, research applications, communication among faculty, students, and administrators, administrative applications, access to College-related information, and similar applications all are Core applications.
- *Restricted* applications, those clearly unrelated to Blackburn's core purposes, or which violate general College policies, jeopardize its tax-exempt or other circumstances, or otherwise interfere with core applications, including:
  - Those that threaten Blackburn's tax-exempt status, such as certain kinds of political activity and those whose purpose is to generate profit or other personal gain for individuals, those that are illegal, such as fraud, harassment, copyright violation, and child pornography;
  - Those that deprive other users of their fair share of College information technology or interfere with the functioning of central networks and systems, such as mass mailings, chain letters, unauthorized high-bandwidth applications, or denial-of-service attacks;
  - Those that violate more general College statutes, bylaws, and policies.
- *Ancillary* applications, which are those neither explicitly permitted nor explicitly restricted, and with one other essential attribute: they are invisible to other users, to network and system administrators, and to other College offices. The Windows Solitaire game is an example of this class. Ancillary applications consume only resources that would otherwise go to waste, and never require any action or intervention by anyone at Blackburn other than their user. As a rule, Ancillary applications that become visible to others or burden systems are *ipso facto* no longer Ancillary, but Restricted.

Where definitions of user or application status are unclear or where patterns of use appear to be out of compliance with this policy, the Director of Technology Services provides interpretations or direction as appropriate on behalf of the President and Blackburn. Where necessary, the Director of Technology Services consults the President, other officers of Blackburn, and the Technology Users' Group for further advice and guidance.

### **1.11.7.2 Agreement**

Blackburn College supports networked information resources to further its mission of research and instruction and to foster a community of shared inquiry. All members of the Blackburn community must be cognizant of the rules and conventions that make these resources secure and efficient. Users of College information technology take responsibility for:

- Using resources efficiently, and accepting limitations or restrictions on computing resources—such as storage space, time limits, or amount of resources consumed—when asked to do so by system administrators;
- Protecting passwords and respecting security restrictions on all systems;
- Backing up files and other necessary data on their computers regularly, since these are not part of the College’s system of backing up data on file servers;
- Preventing unauthorized network access to or from their computers or computer accounts;
- Recognizing the limitations to privacy afforded by electronic services;
- Respecting the rights of others to be free from harassment or intimidation, to the same extent that this right is recognized otherwise on campus;
- Honoring copyright and other intellectual property rights.

When any use of information technology at Blackburn presents an imminent threat to other users or to Blackburn's technology infrastructure, system operators may take whatever steps are necessary to isolate the threat, without notice if circumstances so require. This may include changing passwords, locking files, disabling computers, or disconnecting specific devices or entire sub-networks from College, regional or national voice and data networks. System operators restore connectivity and functionality as soon as possible after they identify and neutralize the threat.

Use of information technology that violates this Policy and rules based on it may result in disciplinary proceedings and, in some cases, in legal action. Disciplinary proceedings involving information technology are the same as those for violations of other College policies, and may have serious consequences. Unauthorized use of College information technology by Excluded Users may result in police intervention or legal action.

Proposed by the Technology Users’ Group—October 2002; ratified by the All-College Assembly—February 2003; reviewed by Technology Services July 2021.

Modeled after the *Eligibility and Acceptable Use Policy* posted on the University of Chicago’s Website.

## **1.12 Business Procedures**

### **1.12.1 Salary Payments**

Salaries are paid in semi-monthly installments as indicated on employees' hire letters or annual contracts. Each year, the Office of the President issues a schedule of pay dates and holidays. This is sent out with the June paychecks. It is also included in the new faculty orientation materials passed out at the new faculty orientation meeting each fall. Copies may be picked up in the Business Office or the Office of the President.

Individuals may elect to have their paychecks direct deposited at any bank. Forms are available in the Business Office. If checks are not electronically deposited, they must be picked up in the Business Office.

### **1.12.2 Payroll Deductions**

With appropriate authorizations completed by each employee, the Business Office handles deductions from each paycheck for employee contributions to Social Security, Medicaid, Illinois Income Tax, Federal Income Tax, Retirement, Dependent Medical Insurance, and Disability coverage.

### **1.12.3 Departmental Budget Cycle**

Around the first of October each year, the Business Office sends out to department heads/chairs the forms on which they will request their operating budget for the following academic year (July to June). These forms are due to the appropriate chair for review approximately two weeks later, and then forwarded to the Chair of the Planning and Budget Committee one to two weeks later. The Planning and Budget Committee makes budget-related recommendations to the President before the February meeting of the Board of Trustees. In February, the Board of Trustees gives tentative approval to the College-wide budget, focusing on tuition and fees issues and salary increase decisions. At their June meeting, the Board of Trustees gives final approval of the budget. Shortly thereafter, the Business Office sends to each department head/chair their approved departmental budget for the fiscal year beginning July 1 and ending June 30.

### **1.12.4 Purchase of Materials, Equipment and Supplies**

## **PURCHASING**

### **Departmental Policy**

Communication is required for each purchase in order to obtain consent from the corresponding approver, based on the limits listed directly below.

### **Limits for purchases and approvals**

1. All purchases over \$5,000 must be approved by the appropriate budget manager, cabinet member and the Vice President of Administration & Finance.
2. Purchases between \$500 and \$5,000 must be approved by the appropriate budget manager and cabinet member.
3. Purchases less than \$500 must be approved by the appropriate budget manager.

All purchases must be made for the purpose of College-related activities. Purchasing goods or services for personal use is prohibited.

## **GENERAL POLICIES**

### **A. Categories**

1. Fuel: Wright Express (WEX) fuel cards must be used to purchase fuel. Fuel purchased by the College is only to be used in College owned or rented vehicles/equipment.
2. Office supplies: Office supplies must be purchased online at Staples or at Wal-Mart with use of a Wal-Mart card.
3. Wal-Mart purchases: Corporate credit cards cannot be used at Wal-Mart and items purchased at Wal-Mart will not be reimbursed as they must be made with the Wal-Mart credit card for tax-exempt purposes. Exception: Corporate credit cards can be used at WalMart if the user presents a pre-approved tax-exempt card authorized to Blackburn from WalMart.

4. Furniture purchases: Furniture purchases must be coordinated through the Physical Plant Director even if they do not rise to the level of capitalization. Furniture purchases can only be approved and made by the Physical Plant Director. Department budgets will be charged for their furniture purchases.
5. Technology purchases: Technology purchases must be coordinated through the Director of Technology Services. Only the Director of Technology Services can approve and purchase technology, including but not limited to computers, printers, and software. Unless it is a preplanned technology purchase, the purchase will be charged to the department making the request.

### **C. Capitalization**

1. Items costing more than \$5,000 with a life expectancy of seven years or greater must be capitalized. Purchase of such items must be pre-approved by Facilities and/or the VPAF. The \$5,000 limit is per item, not in aggregate. For example, 50 chairs costing \$100 each is not a capital expense and is not depreciated.
2. An item costing less than \$5,000 or with a life expectancy of less than seven years is an operating expense and will come from the department's operating budget. These purchases must be approved by the head of the department.

**D. Receipts** – Receipts must be itemized and any guest name must be included.

### **E. Contracts**

1. Services performed by outside services, vendors, individuals, etc. must be formalized with a contract. Per Blackburn's by-laws, the VPAF, the Provost, and the President are the only employees allowed to enter into contracts on behalf of Blackburn. Contracts must be formalized BEFORE services are received.
2. Employment contracts require approval from the President's Office prior to any agreement.

### **F. Year End**

1. If you order an item and it is delivered prior to 6/30, the expense belongs in this fiscal year no matter when you actually pay for the item. If it is not paid for, it is a payable and the expense is recorded to your current year operating budget. If you order an item and it is not delivered prior to 6/30, it is not a current year expense. If it has been paid for, it is a prepaid expense and is not recorded to your operating budget until the next fiscal year.
2. All current year transactions must be submitted to the Business Office by 7/10 in order for audit preparations to begin. Anything submitted after 7/10, will be recorded in the following fiscal year.

**G. Tax-exempt certificates** – tax-exempt certificates will be provided and must be used for all College-related purposes. Sales tax paid in error will not be reimbursed. Tax-exempt certificates cannot be used for personal purchases.

**H. Corporate credit cards** – can only be used by the person named on the front of the card. The back of each card should be marked "Ask for ID" so the cashier is required to see identification matching the name on the card.

## **DEPARTMENTAL OFFICE SUPPLY PURCHASES**

### **Policy**

All College Departments are required to purchase office supplies through the institution's preferred vendor to maximize our ability to manage inventory and cost. The current vendor is Staples. See the Accounts Payable Supervisor to set up access.

## **Procedure**

Each department has access to create their orders online and submit them for approval electronically through Staples at <https://www.staplesadvantage.com>. The Department Head is responsible for placing the order. A copy of the packing slip needs to be signed, dated, and returned to Accounts Payable to match to the invoices. You are responsible for any discrepancies (items missing, not ordered, returned, etc.).

## **CHECK REQUESTS**

### **Policy**

Check requests are used to request reimbursement for travel, advance for expenses or payment for supplies and services.

### **Procedure**

#### **Travel Reimbursement (If a corporate credit card is not used)**

**For additional information see the Travel Policy**

1. Complete a Travel Expense Report and attach all receipts to support the expenses. MapQuest is preferred, but odometer readings are accepted, to document mileage and should be calculated by using the lesser of mileage to and from Blackburn or home. Missing or lost receipts are subject to nonreimbursement. The employee and supervisor must sign the Travel Expense Report and submit it to the Accounts Payable Office.
2. Allow two weeks for a reimbursement check.

### **Advance for Expenses**

1. Employees who are traveling on official College business may request an advance for their expenses. Employees who have corporate credit cards should use them for traveling expenses. Gas cards must be used for fuel purchases.
2. Complete a Cash Advance Form and attach all details for the request including the dates of travel, purpose of travel, destination, expected expenses and budget account number(s).
3. The Cash Advance Form and documentation must be signed by the employee and supervisor and submitted to the Accounts Payable Office at **least two weeks prior to departure**. Late requests will not be processed. Limits and approval requirements apply.
4. Subject to budget approval, the Accounts Payable Office will process a check.
5. Upon return, a Travel Expense Report must be completed and all receipts and supporting documentation submitted to the Accounts Payable Office for reconciliation within 5 business days. The person given the advance is responsible for returning the receipts and unused cash to equal the amount originally given. There

will be a \$5 charge per day to the department or club for each day the advance paperwork is not returned unless other arrangements have been approved by the Business Office.

6. Additional Advances will not be provided until the current one is reconciled.

### **Payment for Supplies**

Blackburn College is a not-for-profit organization and not subject to Sales Tax. Employees will not be reimbursed for tax on supplies and therefore, we highly encourage you to use the preferred provider (Staples) or Wal-Mart.

Wal-Mart cards can be checked out for one day at a time, unless other arrangements are made in advance. The card and the receipts are due back the next day. There is a \$5 charge for every business day the card is late.

Tax-exempt letters are available in the Accounts Payable Office and at the counter in the Business Office.

### **Payment for Services**

Payment to individuals or vendors for services MUST begin with a formal contract, prior to the rendering of services. The President, Provost, or VPAF must sign all contracts BEFORE services are received. You do not have authority to enter the College into any contract. Signed contracts will be retained in the Accounts Payable Office. *The President must sign employment agreements.*

Payment to individuals and new vendors requires a completed W-9 Form; a blank form is available in the Accounts Payable Office or on the shared drive in the Business Office, Public, Forms folder. The completed W-9 must be attached to the check request for payment; the check request must be signed by the person making the request and the department supervisor approving the request. All check requests & reimbursements must have backup attached. An invoice may be required; please check with the Accounts Payable Supervisor. Subsequent requests will not require a new W-9 form for the same individual, unless their status (name or address) has changed.

## **PETTY CASH REIMBURSEMENT OR ADVANCE**

### **Policy**

Petty cash advance or reimbursement forms can be used instead of a check request form to request small amounts for emergency purchases or reimbursement subject to cash on hand.

### **Procedure**

A Petty Cash reimbursement or advance form is available at the counter in the Ludlum Business Office.

The form must be filled out and signed for approval by a Department Supervisor or Advisor on the “approved by” line at the bottom of the form. The “requested by” line will be the person requesting the reimbursement or cash advance. The left side needs to be filled in and must include the name of the person being reimbursed or getting the cash advance on the “pay to” line, the person’s contact number, a description of what the reimbursement or advance is for, the account number to be charged, and the amount to be reimbursed or

advanced. The person picking up the cash advance or reimbursement must sign and print their name agreeing to the amount they were given. For reimbursements, receipts must be attached to the report to match the amount being paid. For advances, the person given the cash advance is responsible for returning the receipts and unused cash, if any, within five days of their return or a \$5 per day late fee will be charged to the department or club. The amount of the receipts and unused cash must match the total that was originally given.

## **CORPORATE CREDIT CARD PURCHASES**

### **Policy**

Corporate credit cards may be used for qualifying expenses. An interface has been established with US Bank to allow you to review, approve or dispute your credit card purchases. Receipts must be attached as a PDF to the same interface. You will also code your purchases. After you code, attach receipts, and approve your activity, you will send your transactions to the appropriate cabinet member for approval. If you are a cabinet member, please send your transactions to the Accounts Payable Supervisor for approval. Transactions should be approved weekly but must be approved monthly by the 10<sup>th</sup> of the following month.

Personal expenses are prohibited, even with intention to reimburse the College.

Credit card purchases without receipts will be treated as personal charges and the cardholder must repay the College for those charges.

Fuel purchases should not be paid for using the corporate credit card. All fuel purchases must be purchased using the WEX fuel card, which allows for a discount of federal excise tax that the corporate credit card does not provide.

Corporate credit cards are a privilege and procedures must be followed. If the policies and procedures are not followed, the card will be revoked.

### **Procedure**

You will sign into your credit card via access on-line. You can review, code, approve, dispute, attach receipts, and request approval using this site.

Further instructions will be provided later.

## **ACCOUNT NUMBER FORMAT**

In regards to corporate credit cards, the account numbers will default to supplies and your department. You can change the default if necessary. There will be a drop down menu to assist you in choosing the correct expense code.

The account number format used to record expenses includes a sequence of identifying numbers in four sections. The first section is a 3-digit number that represents the fund to which the expense will be charged. All departments will normally use fund "100", as that is the fund for the general operating budget. The second section is a 4-digit number that represents the type of expense, such as supplies or travel. Student clubs and

organizations will use “2020” to indicate the expense when using an agency account. The third section is a 4-digit number that represents the department to which the expense will be charged. The fourth section is a 4-digit number that is used to identify a restricted purpose or a club. Following are a few examples.

	<b>Fund Number</b>	<b>Expense Type</b>	<b>Department</b>	<b>Restriction or Club</b>
Number Range	100	6000-6999	1000-2999	1000-9900
<b><i>Example for Normal Department Expense:</i></b>	<b><i>General Fund</i></b>	<b><i>Travel</i></b>	<b><i>Business Office</i></b>	<b><i>No Restriction</i></b>
<i>Account Number</i>	<i>100</i>	<i>6360</i>	<i>2120</i>	<i>9900</i>
<b><i>Example for a Club Expense:</i></b>	<b><i>General Fund</i></b>	<b><i>Agency/Club</i></b>	<b><i>NO Department</i></b>	<b><i>Butler House Council</i></b>
<i>Account Number</i>	<i>100</i>	<i>2020</i>	<i>9900</i>	<i>5120</i>
<b><i>Example for a Restricted Gift Expense*</i></b>	<b><i>General Fund</i></b>	<b><i>Expense Type</i></b>	<b><i>Art Department</i></b>	<b><i>Restricted Gift for Art Department</i></b>
<i>Account Number</i>	<i>100</i>	<i>6330</i>	<i>2020</i>	<i>3006</i>

## TRAVEL

### Policy

Travel at the expense of the College must be in connection with official College business. Travel by employees on College business or by students traveling for official purposes must be approved in advance by the Department Director or equivalent supervisor.

Coverage begins at the actual start of the trip, whether it is from the traveler’s home or the College campus. It terminates when the traveler reaches either home or the campus.

Travel should be by the most economical means, considering travel time, costs, and meeting agenda. Unless a corporate credit card is used, a properly completed Travel Expense Report and receipts must be submitted within a week of returning to campus.

Expenses for spouses and/or dependents are personal expenses and are not reimbursable.

Approved volunteers for Blackburn College can travel with an employee for business purposes.

Purchases without receipts will not be reimbursed.

### **AIR/TRAIN TRAVEL**

When the most efficient means of transportation is air travel, reimbursement will be limited to coach fare. The traveler will be reimbursed for the cost of one checked bag. Please contact the Administrative Assistant to the Provost and VP for Administration and Finance in securing tickets.

### **FOREIGN TRAVEL**

Foreign travel requires specific review and prior approval by the VP for Administration and Finance. Additional considerations may be required under the College's insurance company.

### **USE OF COLLEGE VEHICLES FOR TRAVEL**

Travelers should make every effort to request the use of a College vehicle for travel. Reservations should be made by contacting the Motor Pool Department located in the Physical Plant at [motorpool@blackburn.edu](mailto:motorpool@blackburn.edu). Each campus vehicle is assigned a fuel card.

### **USE OF PERSONAL VEHICLES FOR TRAVEL**

In the event that a College vehicle is not available for the extent of the trip, a personal vehicle may be used. Travelers will be reimbursed at the College's current mileage reimbursement rate not the purchase of gas. MapQuest or actual mileage documentation will be required. The reimbursement rate is .50. Mileage reimbursement is intended to accommodate the cost of fuel, maintenance, depreciation and insurance expenses related to the use of a personal vehicle. The College does not reimburse for any additional expenses related to use of a personal vehicle for business travel (i.e.- insurance claim deductible) and because personal insurance limits will accommodate any liability claim, the College discourages the use of personal vehicles when an employee is transporting any passengers.

Employees, such as Physical Plant staff, who use personal vehicles on campus and around town on a regular basis may submit reimbursement requests with starting and ending miles per day without delineating every trip as long as the Physical Plant Director signs off on it.

### **AUTOMOBILE RENTALS FOR TRAVEL**

Automobile rentals should be limited to situations where other means of transportation are not practical, economical, and available, or an emergency situation exists. The most economical car should be used. Travelers should present the College's auto insurance card, instead of purchasing additional collision coverage, when renting a vehicle. A card can be acquired from the Administrative Assistant to the Provost and VPAF.

If a vehicle must be rented, the preferred rental company is Enterprise. Contact the Administrative Assistant to the Provost and VPAF for account and booking information.

## **TAXI/BUS TRAVEL**

Appropriate expenses for taxi and bus transportation will be reimbursed, as long as receipts are provided. Please contact the Administrative Assistant to the Provost and VP for Administration and Finance in securing tickets with a corporate credit card.

## **LODGING**

When traveling overnight, travelers are expected to stay in the most economically appropriate lodging, unless the travel is for a conference/meeting/event hosted at a specific hotel. The Business Office or the Administrative Assistant to the Provost and VPAF can assist in securing hotel reservations with a corporate credit card.

Please make sure to get a copy of the hotel bill when checking out; this shows what is actually charged to your credit card. The email you usually get when making your reservations may change due to taxes, meals, parking, etc., so it will not be accepted in lieu of the actual invoice.

## **ENTERTAINMENT**

Reimbursement will not be made for entertainment expenses not related to College business, such as, but not limited to, in-room movies, theatre, or optional conference-related side trips.

## **MEALS**

The College will reimburse meal expenses, including tips, according to the actual costs, up to the following limits. Reimbursement ONLY applies when the employee is actually on official business or is entertaining a guest of the College.

	Regular	Metropolitan
Breakfast	\$8	\$15
Lunch	\$10	\$20



If you have any questions, please contact the Accounts Payable Office at ext. 5682.

### **THIRD PARTY REIMBURSEMENTS, REBATES, PROMOTIONS**

When an employee's travel has or will be paid by another party and the employee's travel costs are also reimbursed by the College, the third party reimbursement becomes the property of the College. Similarly, any discounts, rebates, promotions, or similar benefits resulting from travel paid by the College, becomes the property of the College. Examples include free or reduced airfare, cash rebates, free or reduced hotel stays and credit card points. However, the employee may request the redemption of such benefits for subsequent College travel.

#### **1.12.5 Vehicles**

The College maintains several motor vehicles, which are intended to serve the transportation needs of its employees. College departments and organizations are charged 50 cents per mile (including fuel) for van usage. The Physical Plant is responsible for van maintenance, scheduling, and charges.

Anyone driving a College vehicle must be an approved driver. To be approved, a Motor Vehicle Report (MVR) is obtained for the prospective driver. This report shows the person's driving record for the past four years. Driving records and/or the age of the person are the factors, which are used to approve/disapprove a driver.

When personal vehicles are used for College business, reimbursement will be made at the rate of 50 cents per mile. Even though the College carries liability insurance, which covers privately owned vehicles used for College Business, the vehicle owner's insurance is primary in case of an accident. All persons driving personal vehicles on College business must be approved drivers and have evidence of their vehicle's insurance on file in the Security Office.

#### **Vehicle Use Policy**

1. All persons who drive college-owned, rented, leased or borrowed vehicles for college-related business must be an approved driver. To become an approved driver a person must first apply to become an approved driver by contacting Human Resources and completing the online DMV Check Form. Human Resources can be reached at HR@blackburn.edu.
2. Upon completion of the background check, Motorpool will provide you with online training modules to complete. All training modules must be completed prior to driving a College Vehicle.
3. Any person driving a personal vehicle on college-related business must:
  - a. Have a valid driver's license;
  - b. Show proof of insurance for the vehicle to be driven;
  - c. Sign and have on file in the Motor Pool Office (Physical Plant) a Private Vehicle Use Permission Form.
  - d. Use of a personal vehicle for college related transportation is strongly discouraged and should only be approved for extenuating circumstances.
4. If 15 passenger vans are to be utilized, the following policies will be enforced regarding the operation of the said passenger vans:
  - e. No more than 15 people, including the driver, may ride in the van
  - f. All passengers must wear seatbelts while traveling in vans – there are no exceptions, and no van should move from its spot until all passengers are buckled up.

- g. Safe following distances and speed limits are to be strictly adhered to.
5. College-sponsored activities with more than 15 (including the driver) passengers should utilize either the 32-passenger bus or the 46-passenger bus. If the number of passengers exceeds 15 but is less than 20 and if the college bus is unavailable, then two college vehicles of lesser size may be used.
  6. Commercial transportation should only be considered if:
    - a. A single day trip will exceed five hours driving time each way (ten hours' round trip);
    - b. The total number of participants exceeds 46, regardless of distance or time.
    - c. College owned vehicles are unavailable for use at the time of the trip.
  7. Blackburn College faculty, staff, students, or volunteers driving vehicles carrying passengers on college-sponsored trips will be limited to four hours of continuous driving time. After four hours, the driver should be relieved by another approved driver or must take at least a 20-minute break from driving. No driver may drive more than ten hours in any 24-hour period.
  8. Bus drivers are required to adhere to federal laws regarding drive time, if your total trip time is 14 hours or more, you will need to arrange a hotel room, if necessary, for bus driver rest.
  9. Drivers shall not utilize cell phones, PDA's or any other electronic device while operating a vehicle. Hands free devices which may be legal according to state law. The only acceptable electronic device is one used for GPS navigation and it MUST be programmed prior to moving the vehicle.
  10. If you are traveling on Blackburn business and are involved in an accident you must immediately contact the local police, and notify the Director of Physical Plant (636-582-0355), if he is unavailable, then contact the Physical Plant Professional on call (217-556-1211).
  11. If you are in a vehicle that is part of the Blackburn Motor Pool Fleet and experience mechanical issues notify the Director of Physical Plant (636-582-0355). If he is unavailable, then contact the Physical Plant Professional on call (217-556-1211).
  12. It is the responsibility of the requester to ensure that all trash/debris is removed from the vehicle. If the vehicle is found to be excessively dirty, Motorpool has the right to charge your department up to \$50 to clean the vehicle.
  13. Return vehicles to the Motorpool location.
  14. Departmental Policies may exist; however, this policy is to be recognized as the College policy and will prevail unless the departmental policy is stricter in its requirements in which case the departmental policy would be followed. The on-line policy located on the S:\Administrative\Motor Pool\Public drive is considered to be the most up to date copy and supersedes any printed versions prior to date of the file.

**The following rules apply to users of college vehicles:**

**Reserve vehicles early.** Priority for use of vehicles will be in the following order: Academic, Athletic, Other, College Use, Student Organizations, and Off Campus Organizations. Within that priority structure, a first-come, first-serve basis will be observed. It is highly recommended (and in some cases required) that a faculty or staff member be present when College vehicles are in use.

**Vehicles will be checked out to approved drivers only.** The driver will sign out for a vehicle and no other driver will be authorized to operate the vehicle during that trip. Blackburn College reserves the right to refuse any individual for driving college vehicles. If you want to be approved, you must bring your driver's license to the Security Office for approval. This can take from 2 – 5 days.

**Vehicle drivers will observe all speed limits and other laws regarding the operation of motor vehicles. The maximum capacity of the vehicle will not be exceeded.** Maximum capacity of the 12-passenger vans is 10 if athletic equipment is being transported. Drivers are responsible for the safety of the passengers in the vehicle: drivers (and passengers) are expected to use good judgment. The driver is responsible for making sure every passenger wears his/her seatbelt at all times. In case of an accident or breakdown, drivers will immediately report the accident to the police department, which has jurisdiction at the place of the accident. As soon as possible, drivers will call the person whose name and number is posted inside the vehicle for emergency contact.

**Persons will not operate college vehicles if they have been consuming alcoholic beverages or using intoxicating drugs (legal or otherwise).** Alcoholic beverages or illicit drugs will not be consumed or transported in any college vehicle at any time. If there is any evidence that there has been alcohol or drugs in the vehicles, drivers will automatically lose all driving privileges.

**Upon return, the driver must park and lock the vehicle in the designated location of the college parking lot; then complete a mileage slip and bring it along with the keys to the Security Office. If the driver has taken the van for 1 mile or 1000 miles the driver is still required to fill out a mileage slip.**

**Every attempt must be made to keep the vehicles clean - inside and out. The cooperation of all vehicle users is requested.** A \$15 clean up charge will be assessed to any department, organization, or person returning a vehicle, which has not been cleaned of all trash or other debris. In order to keep vans clean, and for the comfort of other riders, **NO SMOKING IS ALLOWED IN THE VEHICLES AT ANY TIME!**

**If all college vehicles have been booked and we have to rent a vehicle, we will only rent vehicles if the person requesting the vehicle makes arrangements to pick up and return the vans to the rental company.** Generally, the vehicles must be returned first thing the following day unless rented on Friday, and then they must be returned first thing Monday.

#### **1.12.6 Reimbursement for Official Travel**

It is the policy of the College to reimburse travelers for every legitimate expense incurred in traveling on College business. Travel should be the most economical means, considering travel time, costs and meeting agenda.

Travel expense forms are available in the Business Office. The purpose of the travel must be stated; this allows the College to justify travel reimbursements (as non-taxable income) in the event of an IRS audit. Travel advances are available through a check request to the Business Office 24 hours prior to departure, or you may request a cash advance in the Business Office if the amount of the advance is \$75.00 or less.

#### **1.12.7 Blackburn Credit Cards**

College credit cards are to be used for College business related to travel expenses. Personal use of the card, even with the intention to reimburse the College, is unacceptable; this includes the purchase of fuel for non-College vehicles. It is not acceptable to use a College credit card for purchases that could be made by using the College Purchase Order system. All receipts for purchases made with a College credit card must be turned in for reconciliation. Credit card charges that are not backed up by receipts will be treated as personal charges and billed to the cardholder.

When submitting credit card statements for payment, employees are to note charges that are to be applied to departments other than their own (e.g., charges for fuel used by a College-owned vehicle).

Credit card statements are sent monthly to the individual cardholder. To ensure the cards will be paid on time, statements (and receipts) must be sent to the Business Office at least ten business days before the due date using the credit card reimbursement form supplied by the Business Office. Failure to do so will result in the cardholder being charged for any interest and/or late charges.

### **1.12.8 Fundraising**

Many clubs and organizations on the Blackburn campus have a need for funds to support their activities during the year. In some cases, the Student Senate allocates funds (collected as part of the student activities fee) to organizations, but organizations often need additional funds from other sources. Therefore, a fundraising project is usually undertaken. “Fundraising” means the offering of a product, service, or “chance” (e.g., raffle ticket) in exchange for cash or other valuables. The solicitation of gifts (cash, services, physical property) is the responsibility of the Office of Institutional Advancement. All fundraising and solicitation activities must be coordinated with the Office of Institutional Advancement to ensure that such efforts do not conflict with official College advancement campaigns. Since all fundraising and solicitation activities must be approved by the Business Office, applications for fund-raising efforts are to be submitted to that office (*see [Appendix 1F for application form](#)*). If permission to solicit gifts is sought, the Business Office will forward the application for additional approval.

#### **1.12.8.1 Application Process**

All organizations seeking to begin a fundraising project must obtain an application form from the Business Office (*see [Appendix 1F](#)*). The form requires a full description of the project and a detailed budget for both the project itself, and a budget for the intended use of the funds. The form must be signed by both the Vice President for Institutional Advancement, or appropriate designee, and the Vice President for Administration and Finance. Full approval must be granted before the project begins.

#### **1.12.8.2 General Guidelines**

The application for fundraising will constitute agreement, on behalf of the club or organization and its members, to conduct all fundraising activities in accordance with Blackburn College policies, procedures and guidelines.

- All fundraising activity will be in good taste and reflect the high standards of Blackburn College.
- Products and services will be of high quality and good value.
- Individuals working with the project will conduct themselves in a manner consistent with generally accepted standards of appropriate behavior.
- All business/financial matters will be conducted through the College Business Office. Purchase of supplies, etc. will be handled through normal College purchasing procedures. If the organizer(s) are not familiar with those procedures, they must contact the Business Office.
- All contracts with companies or individuals must be signed by the Vice President for Administration and Finance.
- All funds raised by the group’s activity will be deposited into appropriate revenue accounts.

#### **1.12.8.3 Food Sales**

Projects involving food require adhering to approved food handling and sanitation standards. The Food Service Director will assist the organization with the information, equipment, and/or supplies. For the

protection of the consumer and the College, activities not meeting food preparation and handling standards will be closed immediately.

#### **1.12.8.4 Raffles**

Activities involving “chance” require additional information and may even require additional licensing and fees. Organizations must meet with the Vice President for Administration and Finance to discuss the scope of the project in detail.

#### **1.12.8.5 Solicitation of Gifts**

Groups who wish to solicit funds in the form of gifts (cash, services or physical items), must complete the application process outlined above. In addition, all funds received must be turned into the Institutional Advancement Office for proper recording and receipt. The Business Office will then deposit the funds as appropriate.

Groups/organizations that deviate from acceptable fundraising practices may be barred from future fundraising activities and risk forfeiture of all funds raised.

### **1.13 Social Activities**

#### **1.13.1 Regular Meals**

Employees are welcome at other meals served in the College dining hall, but they are expected to pay the rates established by the College food service for employees. Employees may bring guests and pay the rates established for guest meals.

#### **1.13.2 Public Programs and College Events**

Employees and their families may attend without charge all public lectures and concerts and other events sponsored by the College such as convocations, musical programs, theater productions, athletic contests, dances, and other occasions not restricted by special membership and purpose or by special invitation, or for which a special fee has been established for employees.