



AGENDA
BOARD OF TRUSTEES
Personnel and Student Services
Tuesday January 22, 2019 1:30 p.m.

1. Call to Order
2. Trustee Attendance
3. Trustee Business

Action Items

- a. Adoption of the Agenda
- b. Approval of minutes from the previous meeting
- c. Professional Development Policy
- d. Employment/Student Relationship Policy

Updates

4. Announcements
5. Adjournment



**Minutes
Personnel and Student Services Committee
October 29, 2018**

Members Present: Trustee Michael Felt
Trustee John Smith
Trustee Fannie Greene

Member Absent: Trustee Jennifer Locke

Others Present: Dr. Michael Elam, President/CEO
Kimberly Mack, Executive Assistant to the President and Board of Trustees
Dr. David Forester, Vice President of Administrative Services

Call to Order

Trustee Fannie Greene called the Personnel and Student Services Committee meeting to order on October 29, 2018 at 3:00 p.m. in the president's conference room.

Trustee Business

Action Actions

a. Approval of Agenda

Trustee Felt made the motion to approve the agenda. Trustee Smith seconded the motion. The motion carried.

b. Approval of Minutes

Approval of minutes from the previous meeting-Trustee Smith made the motion to approve the minutes from the previous meeting. Trustee Felt seconded the motion. The motion carried.

Informational Items

- a. Amendment of the 1C SBCCC 300.98 "Evaluation of presidents"**-The Elam shared on September 21, 2018, the State Board of Community Colleges voted to amend 1C SBCCC 300.98 - "Evaluation of Presidents." On the recommendation of the System Governance Task Force, the SBCC deemed it important for all local community college trustees to have a copy of their president's evaluation. Additionally, it is important for the full board to have the opportunity to review the president's contract on an annual basis, if the

president has a contract. Mr. Felt mentioned HCC was not reviewing the president's contract annually. HCC will begin to review the contract when the board does the president's evaluation.

- b. Adoption of 1C SBCC 300.1 "Presidential Selection Process"**-President Elam mentioned the adoption of 1C SBCC 300.1 "Presidential Selection Process" by the state board was the things HCC already did in the search for the last president.
- c. Finish Line Grant**-Dr. Elam shared with the committee that HCC did not receive the Finish Line Grant. Another application has been sent through the Workforce Development Board. HCC should know in a few weeks if HCC was awarded. The grant is for \$50,000 to aid students in emergencies. If a student is approved for aid, the funding will go directly to the vendor.

Adjournment

Trustee Smith made the motion to adjourn. Trustee Felt seconded the motion. The motion carried. The meeting was adjourned at 3:32 p.m.

DRAFT

Halifax Community College
Board of Trustees
January 29, 2019

Action Item

Item:	Professional Development Policy
Area:	Administrative Services
Presenter (s):	Margaret Murga, Human Resources Director
Recommended Action:	Board Approval
Background:	<p>The North Carolina Community College System made changes to “Tuition and Registration Fee Waiver”</p> <p>G.S. 115D-5; G.S. 11D-39 May 16, 2004 “The State Board of Community Colleges shall not waive tuition and registration fees for community college faculty or staff members. Community colleges may, however, use State or local funds to pay tuition and registration fees for one course per semester for full-time community college faculty or staff members employed for a nine-, ten-, eleven-, or twelve-month term. Community colleges may also use State and local funds to pay tuition and registration fees for professional development courses and for other courses consistent with the academic assistance program authorized by the State Human Resources Commission.”</p> <p>Halifax Community College’s current policy states that “Full-time employees may enroll in one class each semester offered by the College and have the tuition waived.”</p>

9. Professional Development

Professional development refers to the ongoing commitment to ensure that employee skills and their ability to perform their jobs are always relevant and up to date. For faculty it includes a comprehensive and sustained approach to improving instructors' effectiveness in raising student achievement. For staff it is a comprehensive and sustained approach to increasing their knowledge and skills to enhance the quality of their performance.

Faculty and staff are required to engage in at least twenty (20) clock hours annually of professional development activities. Professional growth may be enhanced through a variety of activities including, but not limited to, the following:

- Participation in graduate work or other course work.
- Participation in relevant workshops, conferences, webinars, and professional meetings.
- Participation in relevant return-to-industry experiences.
- Other appropriate activities.

The opportunity to permit such activities may include educational leave with or without pay and/or financial assistance (example: NCCCS Faculty Upgrade Funds), if available. The conditions for educational leave with pay are set forth in Section 206.10 and those for leave without pay in Section 206.11.

It is the responsibility of each employee to pursue and fund their professional development activities. However, when funds are available, the College may elect to supplement employee professional development activities. ~~Full-time employees may enroll in one class each semester offered by the College and have the tuition waived.~~

When applicable, the College will provide professional development activities on campus for faculty and staff. The President shall appoint a Professional Development Committee to identify professional development opportunities and plan professional develop activities on campus.

History Note: Amended Nov 17, 2009

SUBCHAPTER 800. WAIVERS

1E SBCCC 800.1 Definitions

The following definitions apply to this subchapter:

- (a) "Tuition and Registration Fee Waiver" - A waiver that exempts an individual from paying curriculum tuition or continuing education registration fees that would otherwise be required to enroll in a course and deposited with the State Treasurer. The amount waived represents revenue foregone by the State. A tuition and registration fee waiver shall not be construed to mean inclusion of any other fees or charges (i.e. local fees, textbooks/supplies, and insurance) that are required for enrolling in a course or program. The amount charged to students who qualify as a resident for tuition purposes pursuant to G.S. 115D-39 and G.S. 116-143 is not a tuition waiver for the purposes of this Subchapter.
- (b) "Authorized Group or Organization" - A category of students or organizations that are authorized by law to be granted a tuition or registration fee waiver.
- (c) "Eligible Training" - Training that the State Board of Community Colleges has approved that is eligible to be waived for a specific authorized group, consistent with law.

History Note: Authority G.S. 115D-5; G.S. 115D-39;

Eff. May 16, 2014.

1E SBCCC 800.2 General Provisions

- (a) Proof of Eligibility. To obtain a waiver for a curriculum course section that begins at any point during an academic term, an individual must establish proof that he or she is a member of an authorized group or organization as of the first day of the applicable academic term to meet the criteria provided in 1G SBCCC 200.93. To obtain a waiver for a continuing education course, an individual must establish proof that he or she is a member of an authorized group or organization as of the first day of the course section to meet the criteria provided in 1G SBCCC 200.94.

- (a1) Notwithstanding subsection (a), trainees enrolled in Basic Law Enforcement Training (BLET) courses must obtain a letter of sponsorship from a state, county, or municipal law enforcement agency that is effective as of the first day of the course section to be eligible for a tuition or registration fee waiver and meet the criteria provided in 1G SBCCC 200.93 or 1G SBCCC 200.94. The college must maintain documentation of the sponsorship on file. A sponsorship letter shall remain effective for one year from the date of issuance unless the law enforcement agency rescinds its sponsorship earlier. If the law enforcement agency rescinds its sponsorship prior to the student completing the course section, the student shall be in class membership if he or she otherwise meets the criteria for class membership provided in 1G SBCCC Subchapter 200 and any applicable local policies adopted pursuant to 1D SBCCC 400.2(c). The student must pay the applicable tuition or registration fees to remain enrolled in the course section.
- (b) Admission Requirements. Persons in an authorized group or organization must meet the same admission requirements as students that are not in an authorized group to enroll in courses for which the student is eligible for a waiver.
- (c) Proof of Eligibility. To obtain a waiver, individuals must establish proof of eligibility as a member of an authorized group or organization. To be eligible for a tuition or registration fee waiver, trainees enrolled in Basic Law Enforcement Training (BLET) courses must obtain a letter of sponsorship from a state, county, or municipal law enforcement agency prior to enrollment and uphold the terms of the sponsorship until completion of the BLET course. The college must maintain documentation of the sponsorship on file.
- (d) Reporting FTE: Unless otherwise prohibited by law, students eligible for an authorized waiver shall be counted in the computation of enrollment for funding purposes (BFTE) in a manner consistent with non-waived students, assuming all applicable reporting requirements are met.
- (e) Self-Supporting Courses: Community colleges shall not grant tuition and registration fee waivers to students enrolled in self-supporting courses. The community college shall charge the student the self-supporting fee or use institutional funds to pay for the self-supporting fee on the student's behalf.

(f) Annual Reporting Requirement. As directed by the System Office, the college shall report the amount of tuition and registration fees waived by the college on behalf of individuals who are members of authorized groups or organizations on an annual basis to the System Office.

History Note: Authority G.S. 115D-5; G.S. 115D-39;

Eff. May 16, 2014;

Amended Eff. August 1, 2017; February 1, 2017.

1E SBCCC 800.97 Tuition and Fees for Curriculum Programs

REPEALED by State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508; S.L. 1995, c.

625; S.L. 2010-31, s. 8.6;

Eff. February 1, 1976;

Amended Eff. September 1, 1993; December 1, 1984;

Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. June 1, 1994;

Temporary Amendment Eff. June 1, 1997;

Amended Eff. April 1, 2011; August 1, 2010; April 1, 2005; August 1, 2002; August 1, 1998;

Repeal Eff. May 16, 2014.

1E SBCCC 800.98 Fees for Extension Programs

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625;

Eff. February 1, 1976;

Amended Eff. September 1, 1993; August 1, 1983; August 17, 1981;

Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. June 1, 1994;

Temporary Amendment Eff. June 1, 1997;

Amended Eff. September 1, 2011; August 1, 2002; July 1, 1998;

Repeal Eff. May 16, 2014.

1E SBCCC 800.99 Fee Waivers for the Human Resources Development Program

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; S.L. 2001, c.424, s.30.3(b) and (e);

Eff. February 1, 1976;

Amended Eff. August 17, 1981;

Temporary Amendment Eff. October 4, 2001;

Amended Eff. April 1, 2003.

Repeal Eff. May 16, 2014.

§ 115D-5. Administration of institutions by State Board of Community Colleges; personnel exempt from North Carolina Human Resources Act; extension courses; tuition waiver; in-plant training; contracting, etc., for establishment and operation of extension units of the community college system; use of existing public school facilities.

(a) The State Board of Community Colleges may adopt and execute such policies, regulations and standards concerning the establishment, administration, and operation of institutions as the State Board may deem necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The State Board of Community Colleges shall establish standards and scales for salaries and allotments paid from funds administered by the State Board, and all employees of the institutions shall be exempt from the provisions of the North Carolina Human Resources Act. Any and all salary caps set by the State Board for community college presidents shall apply only to the State-paid portion of the salary. Except as otherwise provided by law, the employer contribution rate on the local-paid portion of the salary, to be paid from local funds, shall be set by the State Treasurer based on actuarial recommendations. The State Board shall have authority with respect to individual institutions: to approve sites, capital improvement projects, budgets; to approve the selection of the chief administrative officer; to establish and administer standards for professional personnel, curricula, admissions, and graduation; to regulate the awarding of degrees, diplomas, and certificates; to establish and regulate student tuition and fees within policies for tuition and fees established by the General Assembly; and to establish and regulate financial accounting procedures.

The State Board of Community Colleges shall require all community colleges to meet the faculty credential requirements of the Southern Association of Colleges and Schools for all community college programs.

(a1) Notwithstanding G.S. 66-58(c)(3) or any other provisions of law, the State Board of Community Colleges may adopt rules governing the expenditure of funds derived from bookstore sales by community colleges. These expenditures shall be consistent with the mission and purpose of the Community College System. Profits may be used in the support and enhancement of the bookstores, for student aid or scholarships, for expenditures of direct benefit to students, and for other similar expenditures authorized by the board of trustees, subject to rules adopted by the State Board. These funds shall not be used to supplement salaries of any personnel.

(a2) The State Board of Community Colleges shall comply with the provisions of G.S. 116-11(10a) to plan and implement an exchange of information between the public schools and the institutions of higher education in the State.

(a3) The State Board of Community Colleges shall adopt the following rules to assist community colleges in their administration of procedures necessary to implement G.S. 20-11 and G.S. 20-13.2:

- (1) To establish the procedures a person who is or was enrolled in a community college must follow and the requirements that person must meet to obtain a driving eligibility certificate.
- (2) To require the person who is required under G.S. 20-11(n) to sign the driving eligibility certificate to provide the certificate if he or she determines that one of the following requirements is met:
 - a. The person seeking the certificate is eligible for the certificate under G.S. 20-11(n)(1) and is not subject to G.S. 20-11(n1).
 - b. The person seeking the certificate is eligible for the certificate under G.S. 20-11(n)(1) and G.S. 20-11(n1).

- (3) To provide for an appeal through the grievance procedures established by the board of trustees of each community college by a person who is denied a driving eligibility certificate.
- (4) To define exemplary student behavior and to define what constitutes the successful completion of a drug or alcohol treatment counseling program.

The State Board also shall develop policies as to when it is appropriate to notify the Division of Motor Vehicles that a person who is or was enrolled in a community college no longer meets the requirements for a driving eligibility certificate. The State Board also shall adopt guidelines to assist the presidents of community colleges in their designation of representatives to sign driving eligibility certificates.

The State Board shall develop a form for the appropriate individuals to provide their written, irrevocable consent for a community college to disclose to the Division of Motor Vehicles that the student no longer meets the conditions for a driving eligibility certificate under G.S. 20-11(n)(1) or G.S. 20-11(n1), if applicable, in the event that this disclosure is necessary to comply with G.S. 20-11 or G.S. 20-13.2. Other than identifying under which statutory subsection the student is no longer eligible, no other details or information concerning the student's school record shall be released pursuant to this consent.

(b) In order to make instruction as accessible as possible to all citizens, the teaching of curricular courses and of noncurricular extension courses at convenient locations away from institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata portion of the established regular tuition rate charged a full-time student shall be charged a part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of Community Colleges shall establish a uniform registration fee, or a schedule of uniform registration fees, to be charged students enrolling in extension courses for which instruction is financed primarily from State funds. The State Board of Community Colleges may provide by general and uniform regulations for waiver of tuition and registration fees for the following:

- (1) Persons not enrolled in elementary or secondary schools taking courses leading to a high school diploma or equivalent certificate.
- (2) Courses requested by the following entities that support the organizations' training needs and are on a specialized course list approved by the State Board of Community Colleges:
 - a. Volunteer fire departments.
 - b. Municipal, county, or State fire departments.
 - c. Volunteer EMS or rescue and lifesaving departments.
 - d. Municipal, county, or State EMS or rescue and lifesaving departments.
 - d1. Law enforcement, fire, EMS or rescue and lifesaving entities serving a lake authority that was created by a county board of commissioners prior to July 1, 2012.
 - e. Radio Emergency Associated Communications Teams (REACT) under contract to a county as an emergency response agency.
 - f. Municipal, county, or State law enforcement agencies.
 - g. The Division of Adult Correction and Juvenile Justice of the Department of Public Safety for the training of full-time custodial employees and employees of the Division required to be certified under Article 1 of Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission.

- h. Repealed by Session Laws 2017-186, s. 2(hhhhh), effective December 1, 2017.
 - i. The Eastern Band of Cherokee Indians law enforcement, fire, EMS or rescue and lifesaving tribal government departments or programs.
 - j. The Criminal Justice Standards Division of the Department of Justice for the training of criminal justice professionals, as defined in G.S. 17C-20(6), who are required to be certified under (i) Article 1 of Chapter 17C of the General Statutes and the rules of the North Carolina Criminal Justice Education and Training Standards Commission or (ii) Chapter 17E of the General Statutes and the rules of the North Carolina Sheriffs' Education and Training Standards Commission. The waivers provided for in this sub-subdivision apply to participants and recent graduates of the North Carolina Criminal Justice Fellows Program to obtain certifications for eligible criminal justice professions as defined in G.S. 17C-20(6).
- (2a) Firefighters, EMS personnel, and rescue and lifesaving personnel whose duty station is located on a military installation within North Carolina for courses that support their organizations' training needs and are approved for this purpose by the State Board of Community Colleges.
 - (3) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.
 - (4) Trainees enrolled in courses conducted under the Customized Training Program.
 - (5) through (9) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.
 - (10) Elementary and secondary school employees enrolled in courses in first aid or cardiopulmonary resuscitation (CPR).
 - (11) Repealed by Session Laws 2013-360, s. 10.6, effective July 1, 2013.
 - (12) All courses taken by high school students at community colleges, in accordance with G.S. 115D-20(4) and this section.
 - (13) Human resources development courses for any individual who (i) is unemployed; (ii) has received notification of a pending layoff; (iii) is working and is eligible for the Federal Earned Income Tax Credit (FEITC); or (iv) is working and earning wages at or below two hundred percent (200%) of the federal poverty guidelines.
 - (14) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.
 - (15) Courses providing employability skills, job-specific occupational or technical skills, or developmental education instruction to certain students who are concurrently enrolled in an eligible community college literacy course, in accordance with rules adopted by the State Board of Community Colleges.
 - (16) Courses provided to students who are participating in a pre-apprenticeship or apprenticeship program that meets all of the following criteria:
 - a. Meets one of the following:
 - 1. Is a registered apprenticeship program recognized by the United States Department of Labor.
 - 2. Is a pre-apprenticeship program recognized and approved by the State agency administering the statewide apprenticeship program.
 - b. Has a documented plan of study with courses relating to a job-specific occupational or technical skill.

- c. Requires the participants in the program to be North Carolina high school students when entering the program.

The State Board of Community Colleges shall not waive tuition and registration fees for other individuals.

(b1) The State Board of Community Colleges shall not waive tuition and registration fees for community college faculty or staff members. Community colleges may, however, use State or local funds to pay tuition and registration fees for one course per semester for full-time community college faculty or staff members employed for a nine-, ten-, eleven-, or twelve-month term. Community colleges may also use State and local funds to pay tuition and registration fees for professional development courses and for other courses consistent with the academic assistance program authorized by the State Human Resources Commission.

(b2) Beginning February 1, 2018, and annually thereafter, the State Board of Community Colleges shall report to the Joint Legislative Education Oversight Committee on the number and type of waivers granted pursuant to subsection (b) of this section.

(c) No course of instruction shall be offered by any community college at State expense or partial State expense to any captive or co-opted group of students, as defined by the State Board of Community Colleges, without prior approval of the State Board of Community Colleges. All course offerings approved for State prison inmates must be tied to clearly identified job skills, transition needs, or both. Approval by the State Board of Community Colleges shall be presumed to constitute approval of both the course and the group served by that institution. The State Board of Community Colleges may delegate to the President the power to make an initial approval, with final approval to be made by the State Board of Community Colleges. A course taught without such approval will not yield any full-time equivalent students, as defined by the State Board of Community Colleges.

(c1) Community colleges shall report full-time equivalent (FTE) student hours for correction education programs on the basis of contact hours rather than student membership hours. No community college shall operate a multi-entry/multi-exit class or program in a prison facility, except for a literacy class or program.

The State Board shall work with the Division of Adult Correction and Juvenile Justice of the Department of Public Safety on offering classes and programs that match the average length of stay of an inmate in a prison facility.

(d) Recodified as G.S. 115D-5.1(a) by Session Laws 2005-276, s. 8.4(a), effective July 1, 2005.

(e) Repealed by Session Laws 1999-84, s. 3, effective May 21, 1999.

(f) A community college may not offer a new program without the approval of the State Board of Community Colleges except that approval shall not be required if the tuition for the program will fully cover the cost of the program. If at any time tuition fails to fully cover the cost of a program that falls under the exception, the program shall be discontinued unless approved by the State Board of Community Colleges. If a proposed new program would serve more than one community college, the State Board of Community Colleges shall perform a feasibility study prior to acting on the proposal.

The State Board of Community Colleges shall report on an annual basis to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and the Joint Legislative Commission on Governmental Operations, on all new programs it approved during the year. The report shall include the specific reasons for which each program was approved.

(g) Funds appropriated to the Community Colleges System Office as operating expenses for allocation to the institutions comprising the North Carolina Community College System shall not be used to support recreation extension courses. The financing of these courses by any institution shall be on a self-supporting basis, and membership hours produced from these

activities shall not be counted when computing full-time equivalent students (FTE) for use in budget-funding formulas at the State level.

(h) Whenever a community college offers real estate continuing education courses pursuant to G.S. 93A-4.1, the courses shall be offered on a self-supporting basis.

(i) Recodified as G.S. 115D-5.1(c) by Session Laws 2005-276, s. 8.4(a), effective July 1, 2005.

(j) The State Board of Community Colleges shall use its Board Reserve Fund for feasibility studies, pilot projects, start-up of new programs, and innovative ideas.

(k) Recodified as G.S. 115D-5.1(b) by Session Laws 2005-276, s. 8.4(a), effective July 1, 2005.

(l) The State Board shall review and approve lease purchase and installment purchase contracts as provided under G.S. 115D-58.15(b). The State Board shall adopt policies and procedures governing the review and approval process.

(m) The State Board of Community Colleges shall maintain an accountability function that conducts periodic reviews of each community college operating under the provisions of this Chapter. The purpose of the compliance review shall be to ensure that (i) data used to allocate State funds among community colleges is reported accurately to the System Office and (ii) community colleges are charging and waiving tuition and registration fees consistent with law. The State Board of Community Colleges shall require the use of a statistically valid sample size in performing compliance reviews of community colleges. All compliance review findings that are determined to be material shall be forwarded to the college president, local college board of trustees, the State Board of Community Colleges, and the State Auditor. The State Board of Community Colleges shall adopt rules governing the frequency, scope, and standard of materiality for compliance reviews.

(n) The North Carolina Community Colleges System Office shall provide the Department of Revenue with a list of all community colleges, including name, address, and other identifying information requested by the Department of Revenue. The North Carolina Community Colleges System Office shall update this list whenever there is a change.

(o) All multicampus centers approved by the State Board of Community Colleges shall receive funding under the same formula. The State Board of Community Colleges shall not approve any additional multicampus centers without identified recurring sources of funding.

(p) The North Carolina Community College System may offer courses, in accordance with Article 17D of Subchapter V of Chapter 115C of the General Statutes, to individuals who choose to enter the teaching profession through residency licensure.

(q) Repealed by Session Laws 2009-451, s. 8.9, effective July 1, 2009.

(r) The State Board of Community Colleges shall develop curriculum and continuing education standards for courses of instruction in American Sign Language and shall encourage community colleges to offer courses in American Sign Language as a modern foreign language.

(s) The State Board of Community Colleges may establish, retain and budget fees charged to students taking an adult high school equivalency diploma test, including fees for retesting. Fees collected for this purpose shall be used only to (i) offset the costs of the test, including the cost of scoring the test, (ii) offset the costs of printing adult high school equivalency diplomas, and (iii) meet federal and State reporting requirements related to the test.

(t) The purpose of the first semester of the Gateway to College Program is to address additional support to successfully complete the program. Students may need to take developmental courses necessary for the transition to more challenging courses; therefore, the State Board of Community Colleges shall (i) permit high school students who are enrolled in Gateway to College Programs to enroll in developmental courses based on an assessment of their individual student needs by a high school and community college staff team and (ii) include this coursework in computing the budget FTE for the colleges.

(u) The State Board of Community Colleges shall direct each community college to adopt a policy that authorizes a minimum of two excused absences each academic year for religious observances required by the faith of a student. The policy may require that the student provide written notice of the request for an excused absence a reasonable time prior to the religious observance. The policy shall also provide that the student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious observance.

(v) Community colleges may teach curriculum courses at any time during the year, including the summer term. Student membership hours from these courses shall be counted when computing full-time equivalent students (FTE) for use in budget funding formulas at the State level.

(w) The State Board of Community Colleges shall review, at least every five years, service areas that include counties assigned to more than one community college to determine the feasibility of continuing to assign those counties to more than one community college. The State Board shall revise service areas as needed to ensure that counties are served effectively. The first review and any revisions shall be completed no later than March 1, 2016, and the State Board shall report its findings and any revisions to the Joint Legislative Education Oversight Committee no later than March 1, 2016. All subsequent reviews and revisions shall also be submitted to the Committee.

(x) In addition to the evaluation of cooperative innovative high schools by the State Board of Education pursuant to G.S. 115C-238.55, the State Board of Community Colleges, in conjunction with the State Board of Education and the Board of Governors of The University of North Carolina, shall evaluate the success of students participating in the Career and College Promise Program, including the College Transfer pathway and the Career and Technical Education pathway. Success shall be measured by high school retention rates, high school completion rates, high school dropout rates, certification and associate degree completion, admission to four-year institutions, postgraduation employment in career or study-related fields, and employer satisfaction of employees who participated in the programs. The Boards shall jointly report by March 15 of each year to the Joint Legislative Education Oversight Committee.

(y) The State Board of Community Colleges shall adopt a policy to be applied uniformly throughout the Community College System to provide that any student enrolled in a community college who is a National Guard service member placed onto State active duty status during an academic term shall be given an excused absence for the period of time the student is on active duty. The policy shall further provide all of the following:

- (1) The student shall be given the opportunity to make up any test or other work missed during the excused absence.
- (2) The student shall be given the option, when feasible, to continue classes and coursework during the academic term through online participation for the period of time the student is placed on active duty.
- (3) The student shall be given the option of receiving a temporary grade of "incomplete (IN)" or "absent from the final exam (AB)" for any course that the student was unable to complete as a result of being placed on State active duty status; however, the student must complete the course requirements within the period of time specified by the community college to avoid receiving a failing grade for the course.
- (4) The student shall be permitted to drop, with no penalty, any course that the student was unable to complete as a result of being placed on State active duty status. (1963, c. 488, s. 23; 1967, c. 652; 1969, c. 1294; 1973, c. 768; 1975, c. 882; 1977, c. 1065; 1979, c. 462, s. 2; c. 896, ss. 5-7; 1979, 2nd Sess., c. 1130, s. 1; 1981, c. 609; c. 859, s. 35.1; c. 897; c. 1127, s. 43; 1983, c. 717, s. 28; 1983 (Reg. Sess., 1984), c. 1034, ss. 45, 46; 1985, c. 479, s. 67; 1985 (Reg.

Sess., 1986), c. 955, s. 22; 1987, c. 282, s. 34; c. 564, ss. 8-10, 12, 33; c. 763, s. 1; 1989, c. 162; 1989 (Reg. Sess., 1990), c. 915, s. 1; c. 1066, s. 91; 1991, c. 689, ss. 44, 48; 1991 (Reg. Sess., 1992), c. 880, s. 4; 1993, c. 170, s. 2; c. 321, ss. 111, 117(e); c. 492, s. 2; 1993 (Reg. Sess., 1994), c. 769, s. 18.4; 1995, c. 288, s. 2; c. 324, s. 16.4; 1996, 2nd Ex. Sess., c. 18, ss. 17.4, 17.7(a); 1997-443, ss. 9.5, 9.6(a), 11A.118(a); 1997-507, s. 4; 1998-111, s. 3; 1998-202, s. 4(q); 1999-84, ss. 3, 9; 1999-243, s. 9; 2000-137, s. 4(t); 2001-111, s. 1; 2001-427, s. 9(b); 2001-487, s. 47(e); 2004-124, s. 8.4; 2005-193, s. 1; 2005-198, s. 3; 2005-247, s. 3; 2005-276, ss. 8.4(a), 8.6; 2005-395, s. 25; 2006-203, s. 37; 2007-154, s. 2(a); 2007-484, ss. 29(a), 35; 2008-107, ss. 8.11, 8.17, 8.18; 2009-208, s. 1; 2009-451, ss. 8.8, 8.9, 8.11(d), (e); 2009-570, s. 42; 2009-575, s. 5; 2010-31, ss. 8.3(d), 8.4(a), 8.11; 2010-112, s. 2; 2010-113, s. 1; 2011-145, ss. 8.2(b), 8.12(a), (b), 8.13, 19.1(h), (k), (l), 31.2; 2011-391, s. 18(a), (b); 2012-83, s. 41; 2012-142, ss. 8.3(a), 8.8; 2013-360, ss. 10.4(b), 10.6, 10.12, 10.15(a); 2013-382, s. 9.1(c); 2014-115, s. 28(e); 2015-167, s. 2.5; 2015-241, ss. 8.41(k), 10.2(a), 10.5(a), 10.6(a), (b); 2016-94, ss. 10.3(a), 10.4(a); 2017-57, ss. 7.22(g), 9.8(a), 9.10(a), (c); 2017-155, s. 2(a); 2017-186, ss. 2(hhhhh), 3(a); 2017-189, s. 6(g); 2017-212, s. 2.1; 2018-5, s. 17.1(c); 2018-97, s. 5.1.)

Halifax Community College
Board of Trustees
January 29, 2019

Action Item

Item:	Employee/Student Relationships Policy
Area:	Administrative Services
Presenter (s):	Margaret Murga, Human Resources Director
Recommended Action:	Board Approval
Background:	Review from last update of 2011

Halifax Community College is currently reviewing all policies and this particular policy has not been review since 2011. Below is the current policy and the attached policy includes part of this policy and also has changes which make the employee/student relationship clearer.

“All administrators, faculty, and staff members are in positions to exercise power or authority, directly or indirectly, over students whether or not an individual student is enrolled in their classes or are subject to their direct supervision. Students shall be assured that the relationships with faculty and staff members are always built upon the highest ethical principles of the educational profession.

The Board of Trustees requires that all Halifax Community College employees maintain a professional and ethical relationship with students at all times, whether on or off school property and both during and outside school hours.

Personal relationships between employees and students are prohibited at Halifax Community College in the interest of equity and harmony. This prohibits romantic, sexual, and exploitative relationships between college employees and students. Such relationships are subject to favoritism, morale problems, disputes, misunderstandings, potential harassment claims, impropriety, and discord between students and the college. In the event that any such relationship is confirmed, the

employee is subject to employee disciplinary procedures up to and including termination.

There are exceptional circumstances in which the spouse or partner of a college employee is a student at the college. This fraternization policy does not apply in such circumstances. The President, in consultation with the Personnel Officer, shall properly record and file this exceptional circumstance.”

25. Employee/Student Relationships:

All administrators, faculty, and staff members are in positions to exercise power or authority, directly or indirectly, over students whether or not an individual student is enrolled in their classes or are subject to their direct supervision. Students shall be assured that the relationships with faculty and staff members are always built upon the highest ethical principles of the educational profession.

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There are exceptional circumstances in which the spouse or partner of a college employee is a student at the college. This fraternization policy does not apply in such circumstances. The President, in consultation with the Personnel Officer, shall properly record and file this exceptional circumstance.

Approved by Board of Trustees March 23, 2011

9. Nepotism

Present and prospective employees of Halifax Community College are evaluated on individual merits without regard to race/ethnicity, gender, sexual orientation, national origin, religion, disability, marital status, or any other factors unrelated to professional qualifications and performances. With respect to this, the following restriction on the employment of persons with family relationships is hereby adopted:

Halifax Community College shall not employ two (2) or more persons concurrently who are closely related by blood or marriage in positions which would result in one (1) person of such relationship supervising another closely related person or having a substantial influence over employment, management, salary, or personnel actions pertaining to the close relative.

“*Closely related*” is defined as mother, father, son, daughter, brother, sister, son-in-law, daughter-in-law, father-in-law, mother-in-law, sister-in-law, brother-in-law, step-mother, step-father, step-brother, step-sister, ward, guardian, grandson, granddaughter, grandfather, grandmother, first cousin, husband, wife, uncle, aunt, nephew, or niece. This term may also be taken to refer to those people residing within the same household or otherwise so closely identified with each other as to suggest difficulties.

With respect to the concurrent service of closely related persons within the same academic department or other comparable subdivision of the College, neither relative shall be permitted, either individually or as a member of a committee, to participate in the evaluation of the other relative.

Legal Reference: 23 NCAC 2C.0204

History Note: Amended effective July 1, 2006

25. Amorous and Sexual Relationships Between Faculty or Administrative Staff and Students/Employee/Student Relationships:

All administrators, faculty, and staff members are in positions to exercise power or authority, directly or indirectly, over students whether or not an individual student is enrolled in their classes or are subject to their direct supervision. Students shall be assured that the relationships with faculty and staff members are always built upon the highest ethical principles of the educational profession.

It is the policy of Board that faculty members or administrative staff shall not initiate, pursue, or be involved in any amorous or sexual relationships (hereinafter referred to as amorous relationships) with any student whom they are in a position to evaluate or supervise by virtue of their teaching, research, or administrative responsibilities. In the event that any such relationship is confirmed, the employee is subject to employee disciplinary procedures up to and including termination.

Friendships or mentoring relationships between faculty or administrative staff and students are not proscribed by this Policy, nor is it the intent of this Policy that such non-amorous relationships be discouraged or limited in any way.

Marital relationships are covered separately under the College's policy concerning Nepotism.

~~The Board of Trustees requires that all Halifax Community College employees maintain a professional and ethical relationship with students at all times, whether on or off school property and both during and outside school hours.~~

Amorous Relationships Outside the Instructional Context

Amorous relationships between faculty members or administrative staff and students occurring outside the instructional or administrative context may also lead to difficulties. Particularly when the individual and the student are in the same College curriculum program or in programs that are academically allied, relationships that the involved parties view as consensual may be disruptive and appear to others to be exploitative. Further, in these and other situations, the faculty or administrative staff member may face serious conflicts of interest. In any such situation, therefore, faculty or administrative staff members should be most careful to remove themselves from involvement with any decisions that may reward or penalize the student.

Rationale for Policy

The Board of Trustees requires that all Halifax Community College employees maintain a professional and ethical relationship with students at all times, whether on or off school property and both during and outside school hours.

Actions of faculty members or members of administrative staff that harm this professional and ethical relationship will undermine professionalism and hinder fulfillment of the educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power.

Faculty members and other instructional personnel exercise power over students, whether in giving them praise and criticism, evaluating their work, making recommendations for their further studies or future employment, or conferring other benefits on them. Because it may easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member or member of the administrative staff and a student entails serious ethical concerns when the faculty or administrative staff member has professional responsibility for the student.

Voluntary consent by the student in such a relationship is difficult to determine with certainty, given the fundamentally asymmetric nature of the relationship. Because of the complex and subtle effects of that power differential, relationships may well be less consensual than the individual whose position confers power believes, and the faculty or administrative staff member bears a special burden of accountability in any such involvement.

Further, amorous or sexual relationships in which one person is in a position to review the work or influence the career of another may provide grounds for complaint by others outside the relationship when that relationship appears to give undue access or advantage to the individual involved in the relationship, or to restrict opportunities, or to create an unacceptable environment for those outside the relationship. Other students and faculty may be affected by behavior that places the faculty member or member of the administrative staff in a position to favor or advance one student's interests at the expense of others' interests and implicitly makes or appears to make obtaining benefits contingent on amorous or sexual favors.

~~Personal relationships between employees and students are prohibited at Halifax Community College in the interest of equity and harmony. This prohibits romantic, sexual, and exploitative relationships between college employees and students. Such relationships are subject to favoritism, morale problems, disputes, misunderstandings, potential harassment claims, impropriety, and discord between students and the college. In the event that any such relationship is confirmed, the employee is subject to employee disciplinary procedures up to and including termination.~~

There are exceptional circumstances in which the spouse or partner of a college employee is a student at the college. This fraternization policy does not apply in such circumstances. The President, in consultation with the Human Resources Director ~~Personnel Officer~~, shall properly record and file this exceptional circumstance.

Approved by Board of Trustees March 23, 2011