

POLICY MANUAL



COLBY
COMMUNITY COLLEGE

General Employment
and Workplace Issues

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ACCESSIBILITY

I. Accessibility Policy Statement

Colby Community College is committed to making all websites, web-based applications, Learning Management Systems (LMS), and instructional materials accessible to its students, faculty, staff, and participants with disabilities. Accessibility standards are based on ADA, Section 504 requirements and applicable regulations. Conformance to this policy does not negate the responsibility of Colby Community College to ensure that accessible technology and course content comply with applicable accessibility standards (See Section IV.)

II. Implementation

CCC is dedicated to fully implementing the standards listed below and providing accessibility to all instructional materials and related technologies. For students enrolled during the implementation period, all technologies and instructional materials will, to the best of the Institution's ability, be accessible to students while they are accessible to other students enrolled in that program.

1. All Institutional owned or contracted content, interfaces, and navigation elements to be used by CCC faculty, staff, students, or other CCC constituencies will comply with the Americans with Disabilities Act, as amended, and will be accessible to people with disabilities.
2. All instructional materials, co-curricular materials, Electronic and Information Technology (EIT), Learning Management Systems (LMS), and online courses created or used by a CCC department or instructional staff with any CCC academic course offering will be accessible to students with disabilities, and at the same time as they are available to any other student enrolled in that setting, to the best of CCC's ability.
3. Any educational materials or content that is required, optional, or for enrichment for any CCC student will be accessible or an equally effective alternate access will be provided.
4. Website development and purchases, including development and purchases for major revisions and updates of existing CCC websites, will conform to Web Content Accessibility Guidelines (WCAG) 2.0 AA.
5. Vendors seeking to develop or provide websites or web-based applications for CCC, must demonstrate that their products satisfy WCAG 2.0 AA success criteria. Vendors will be required to warrant in writing that any technology provided is accessible.
6. Third-party websites on which CCC places content or uses for web services will conform to WCAG 2.0 AA unless appropriate and equally effective alternate access is provided.
7. Each CCC website should contain "accessibility" contact information for the webmaster or the CCC Accessible Technology team.
8. CCC will provide mandatory training in ADA requirements, accessibility standards, and the creation of accessible instructional material to all individuals with instructional responsibilities.
9. CCC shall monitor compliance with standards and guidelines and inform instructional staff and content developers who have failed to meet standards, and will provide direction and guidance to remediate barriers in a timely way.
10. All websites, web-based applications, LMS and instructional materials will conform to

accessibility standards as defined in section IV.

III. Exceptions

- A. Any non-accessible instructional materials required, optional, or for enrichment must be approved in writing by the Vice President of Academic Affairs or designee prior to ordering.
- B. In rare situations, conformance to WCAG 2.0 AA guidelines may be an “undue burden” due to the nature of the content, the purpose of the resource, lack of accessible solutions, or an unreasonably high administrative or financial cost necessary to make the resource meet that goal. These difficulties do not relieve CCC programs and activities from meeting applicable legal obligations to provide reasonable accommodations to users in regard to access to the content and services provided. In cases where “undue burden” is determined, CCC programs and activities must provide content and/or services in a suitable alternative format (for example, electronic text file or audio description) or manner upon request. In cases with an undue burden, CCC should seek to provide auxiliary aids and services if possible. An exception based on an undue burden must be approved in writing by the Vice President of Academic Affairs or designee.
- C. Some programs and courses offered by the Institution may be subject to technical standards that have implications for accessibility requirements. In these instances, the Institution will make these programs and courses accessible to the degree defined by the technical standards. Technical standards do not relieve CCC programs and activities from meeting applicable legal obligations to provide reasonable accommodations to users in regard to access to the content and services provided. Exceptions based on technical standards must be approved in writing by the Vice President of Academic Affairs or designee.

IV. Accessibility Standards

Accessibility standards are based on ADA, Section 504 requirements and applicable regulations, and will be updated as new standards emerge.

1. WCAG 2.0 AA and WAI-ARIA 1.0 for web content.
2. ATAG 2.0 for software used to create web content.
3. UAAG 1.0 for web browsers, media players, and assistive technologies.
4. WCAG21CT for non-web software and content.
5. MathML 3.0 specifications for digital mathematical and scientific notation.
6. DAISY or ePub3 for digital publications and documents.
7. BANA Guidelines and Standards for Tactile Graphics (2010) and Guidelines for the Production of Braille Materials through the use of Braille Production Software (2007) for hardcopy Braille.
8. ADAAG and other standards for the accessible design of ATMs, personal computers, and other classroom technology.

V. Definitions

- A. *Accessible*: Individuals with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same services within the same timeframe as a person without a disability, with substantially equivalent ease of use.
- B. *Electronic and Information Technology (EIT)*: EIT includes information technology and any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, or duplication of data or information. EIT includes, but is not limited to, the internet and intranet websites, content delivered in digital form, electronic books and electronic book reading systems, search engines and databases, learning and other content management systems, classroom technology and multimedia, personal response systems (clickers), and office equipment such as classroom podiums, copiers and fax machines. It includes any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, creation, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. EIT includes telecommunications products, Automated Teller Machines (ATMs), transaction machines, computers, ancillary equipment, software, firmware and similar procedures, services (including support services), and related resources.
- C. *Learning Management Systems (LMS)*: LMS means a software application, whether used in a single course, by a department, by a college or by a school, or across the institution, which CCC makes available to students and uses to plan, create, administer, document, track, report, deliver, or maintain electronic educational courses, course content, or assess student performance.
- D. *Undue Burden*: Undue burden means significant difficulty or expense. An undue burden is a limitation in which an action is not required of it results in significant difficulty or expense. In determining whether an action would result in an undue burden, factors to be considered include:
1. The nature and cost of the action needed under this part.
 2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on the expenses and resources; legitimate safety requirements necessary for safe operation (including crime prevention measures); or the impact otherwise of the action upon the operation of the site.
 3. The geographic separateness and the administrative or fiscal relationship of the site or sites in question to any parent corporation or entity.

[Revised November 2018]

[Reviewed September 2023]

ACCESS CONTROL

Purpose and Authority of the Policy

Colby Community College adopted access control for all external building doors Fall 2023. This was done in an effort to enhance the security of its buildings. Access is granted to students, faculty, staff, vendors, and guests on an as needed basis.

Access Control

For the purpose of this policy, Access Control is defined as entry/accessibility to necessary buildings through a key, badge, or PIN Code (Faculty/Staff Only) as determined by appropriate Authorization Level listed below.

General Building Access

Academic Buildings (Stanley Carr Agricultural Center, Lon R. Frahm Agricultural Center, Pierre Henry Allied Health Building, Ferguson Hall, Bedker Memorial Complex, Thomas Hall (north entrances) and the Cultural Arts Center)

In general, Academic Buildings in which students have a class and/or instructor are accessible to students between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday during the academic year, excluding breaks and school closures. Academic Buildings where students do not have a class or instructor will be accessible to them between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday. After hours and weekend access is limited to faculty, staff and students who have been given proper advanced authorization for those times.

Online students are not granted access to any Academic Buildings unless requested through the Admissions Office. Online students will be granted access to buildings where their instructors are found only.

Administrative Buildings (Thomas Hall breezeway entrance)

In general, these doors are open Monday through Friday between the hours of 7:30 a.m. until 6:15 p.m.

Public Access Buildings (Library and Student Union)

In general, these building doors are open Monday through Friday during scheduled hours. The library has additional open hours on Sunday.

Auxiliary Buildings (i.e. SLAC, Pool/FitLab, Tennis Center, CAC)

In general, these buildings are available to specific groups during specific times. For questions or reservation of these buildings, please see the website or follow the following links:

SLAC Inquiry/Reservations: athleticfacilities@colbycc.edu

Pool Access/Reservations: <https://www.colbycc.edu/reserve/index.html>

Tennis Center: <https://www.colbycc.edu/reserve/index.html>

CAC: reservations@colbycc.edu

All other building reservations: reservations@colbycc.edu

Residence Halls

Colby Community College restricts access to residence halls to confirmed occupancy of the hall based on room assignments made by the Director of Residence and Student Life. Visitors, Vendors, and non-residents must be accompanied by current residents or authorized* staff at all times. For additional policies, please see the Student and/or Residence Life Handbook.

*Please Note: Administration, Campus Security, IT, Maintenance, First Responders and local Law Enforcement have 24/7 access and should display identification or produce access badge as requested.

Building Hours/Access**Faculty/Staff**

All faculty/staff should have 24/7 access to their “home building” and the Student Union. All other buildings are accessible to faculty and staff during normal operating hours Monday through Friday.

Students

All currently enrolled students have access to the FitLab/Pool based on their hours of operation. All students have access to the Library and Student Union during normal operating hours. Some weekend hours are included. Students will have access to academic buildings based on their class schedule as listed in Academic Buildings.

Student-Athletes/Co-Curricular Participants will have access to training and practice facilities based on their team schedule each semester. Additionally, Student Athletes will be given access to the academic building where their coach’s office Athletic Trainer/Athletic Director is located.

Access Card and Key Distribution**Students**

The Admissions Office will issue badges to all students with confirmed enrollment. If a student loses their badge, a replacement will be made for a \$25 charge. The badge will be utilized for the duration of a student’s time at Colby Community College. No student will be issued or allowed to use a PIN code at any time for any reason.

Faculty & Staff (PIN Codes)

Upon hire, faculty and staff will be issued a badge in the Admissions Office. PIN Codes (exclusive to faculty and staff only) can be set up with IT or Campus Security. No PIN Code should be shared with anyone for any reason. If a PIN Code is found to be used by anyone other than the owner of the code, the PIN will be removed and unable to be used for access. The badge will still be active.

Supervisor/Requestor

In some instances, changes/alterations will need to be made to original access roles. Access must be requested and approved by submitting the form found here:

<https://forms.gle/Sj9TyYhdzDhnA8Ga7>. The person requesting Access will be notified of approval or denial by the granting party as listed within the Authorization Matrix

Guests/Visitors

As a general practice, guests/visitors will not be issued access badges. All guests and visitors should make sure they are accompanied by a faculty/staff member and/or student at all times while on campus. Should access be needed by a guest outside of normal operating hours, please contact reservations@colbycc.edu.

Vendors

All vendors should be in communication with the Colby Community College party they are working with to determine access. At times, an access badge may be issued to a specific vendor with limited access (days/times). Vendors in areas with direct student access (i.e. dorms) will need to be accompanied at all times while on campus. Any vendor needing immediate access to a facility should contact the responsible party directly.

Authorization Matrix

The following matrix will be used to establish the necessary authorizing person for an Access Requestor (Keyholder):

Key/Card Level*	Eligible Keyholder	Authorization Level (one signature required)
Great Grand Master Key	President, Vice Presidents, Safety Services, Facilities (Maintenance), and IT	President, VPs, HR
Exterior Building Master Key	Maintenance	VPs, HR
Interior Building Master Key	VPs, Department Directors	VPs, HR
Department/Division Sub-Master Keys	Department Director/Authorized* Employees	VPs, HR
Individual Room/Door Key	Authorized* Employees, Authorized* Students	VPs, Department Directors, HR
Exterior Building Entrance Access	Authorized* Employees, Authorized* Students	VPs, HR
Department/Division Sub-Master Access	Department Director/ Authorized* Employees	VPs, HR
Individual Room/Door Access*	Authorized* Employees	VPs, Department Director, HR
Temporary Access Cards	Authorized* Employees and Contractors	VPs, HR

**If a Keyholder has lost or forgotten their key(s)/access card and needs access to a space, the Keyholder must contact the Access Management Team for access. Identification may be requested. The Access Management Team will decide on the issuance of temporary key(s)/access cards when necessary.

Note: The requestor cannot authorize their own request, as it must be authorized at a level above them.

Student Access Cards and Keys

Rules

All doors are to be secured at all times to ensure the safety and security of the campus. If a door is to be left unsecured for any reason, that access will be created by the Access Management Team. If a door is found to be propped open, or the ADA “hold open switch” is activated, security footage will be viewed to determine the responsible party. The responsible party will be fined a minimum \$100 per offense and subject to loss of access to buildings. All fines will be issued based on photographic evidence that includes the date and time of the occurrence(s).

All badges should be used by the person they are issued to only. Do not share your badge with anyone. Additionally, no students are issued PIN Codes so should not use any faculty/staff members PIN Code at any time.

Student ID/Access badges will NOT be reissued during the duration of your time as a student. Any student not retaining their badge over breaks/vacations will need to pay to have it replaced.

The following acts are examples of violations of the Building Access Control Procedures:

- Loaning key(s) and/or ID Access Card to others
- Transfer of key(s) and/or ID Access Card to others
- Unauthorized use of key(s) and/or ID Access Card with the purpose or intent to commit a theft offense
- Unauthorized duplication of key(s) or ID Access Card
- Attempting to secure any campus area with an unauthorized locking device (unauthorized locks, padlocks and security devices that are not compatible with the campus master keys/access card system are subject to immediate removal at the expense of the installer.)
- Damaging or tampering with any College lock, access control or door hardware, or any other attempt to defeat or disable any access control system
- Propping open secure doors
- Admitting unauthorized* persons into a secure building or area
- Failure to return a key(s) and/or ID Access Card when leaving the College, or when otherwise requested by authorizing department
- Failure to report a missing key(s) and/or ID Access Card

Persons in violation of this policy may be subject to College discipline policies and procedures and/or prosecution.

Work Studies

Upon hire, work study supervisors will provide HR with the required building access needed. Additional access can be requested through a form (<https://forms.gle/9Kd9xcMSUCeW8gdy8>) that requires approval from the appropriate Authorization Level (as per matrix). If approval is given, the Access Management Team will ensure the requested access is added to the workstudy's badge.

All supervisors must contact HR and/or the Access Management Team within one day of a student's termination or two days if a student has been a no-call, no-show to their position.

Lost or Stolen

All lost or stolen Access Cards need to be reported to the Access Management Team immediately by emailing access@colbycc.edu. Access Cards/Student IDs will be deactivated until found or a replacement is issued.

Replacement

Student ID/Access badges will NOT be reissued during the duration of your time as a student. Any student not retaining their badge over breaks/vacations will need to pay to have it replaced.

All access cards can be reissued at the Admissions Office for a \$25 fee.

Loss of Access/Appeal Process (this was moved from below to be more of the "student" section)

If a student is found in violation of any of the above rules and have lost access to a building/area, an appeal should be made in writing to the Vice President of Student Affairs within three (3) days of the fine/sanction being sent. The appeal should include documentation regarding the rationale behind the behavior causing, loss of access. If it is determined to be possible for access to be returned, the student will meet with the Access Management Team to determine what access can and will be returned.

Faculty/Staff Access Cards and Keys and PIN Numbers

Rules

All doors are to be secured at all times to ensure the safety and security of the campus. If a door is to be left unsecured for any reason, that access will be created by the Access Management Team. If a door is found to be propped open, or the ADA "hold open switch" is activated, security footage will be viewed to determine the responsible party. The responsible party will be fined a minimum \$100 per offense and subject to loss of access to buildings. All fines will be issued based on photographic evidence that includes the date and time of the occurrence(s).

All badges should be only used by the person they are issued to. Do not share your badge with anyone. Additionally, no students are issued PIN Codes so should not use any faculty/staff members PIN Code at any time.

The following acts are examples of violations of the Building Access Control Procedures:

- Loaning key(s) and/or ID Access Card to others
- Transfer of key(s) and/or ID Access Card to others
- Unauthorized use of key(s) and/or ID Access Card with the purpose or intent to commit a theft offense
- Unauthorized duplication of key(s) or ID Access Card
- Attempting to secure any campus area with an unauthorized locking device (unauthorized locks, padlocks, and security devices that are not compatible with the campus master keys/access card system are subject to immediate removal at the expense of the installer.)

- Damaging or tampering with any College lock, access control or door hardware, or any other attempt to defeat or disable any access control system
- Propping open secure doors
- Admitting unauthorized* persons into a secure building or area
- Failure to return a key(s) and/or ID Access Card when leaving the College, or when otherwise requested by authorizing department
- Failure to report a missing key(s) and/or ID Access Card

Persons in violation of this policy may be subject to College discipline policies and procedures and/or prosecution.

Physical Key Terms and Conditions

- NO keys shall be duplicated.
- NO keys shall be loaned or transferred.
- Any lost keys will be reported immediately to the supervisor of the Building & Grounds office and the individual to whom the key or keys were issued will assume the cost of replacement or re-keying of the system.
- All keys will be returned to the Supervisor of Building & Grounds office before the last check is issued.
- Abuse or misuse of any key will result in the immediate revocation of key(s).

Additional Access

There may be times when a faculty or staff member needs extended access to a building other than their home building. When additional access is needed, please complete the following form to have it added to your badge.

Lost or Stolen

All lost or stolen Access Cards need to be reported to the Access Management Team immediately by emailing access@colbycc.edu. Access Cards/Student IDs will be deactivated until found, or a replacement is issued.

Loss of Access; Termination

Any faculty/staff member found in violation of sharing their PIN Code with students, faculty/staff, family members, or other community members, will have their PIN Code access revoked. Faculty/staff members found to be sharing their Access Badge with anyone will be subject to disciplinary actions based on policies. All access privileges will be deactivated in the event a faculty/staff member is terminated. Faculty/staff members resigning will have access deactivated on their last day on campus.

Emergency Responder Access

Unrestricted (24-hour, all buildings) card access will be granted to First Responders and Colby Police Department.

Loss of Access/Appeal Process

If a faculty/staff member is found in violation of any of the above rules, and have lost access (i.e. PIN Code, secondary building, or other access), an appeal should be made to the

supervising Vice President with written documentation regarding the rationale behind the behavior causing loss of access. All appeals should be made within three business days of loss of access. Decisions will be provided within three business days of receiving the appeal.

Internal Audit

Colby Community College's Access Management Team will conduct periodic reviews of the access card usage and key issuance practices to ensure that they are consistent with this policy and remaining in compliance. Security footage and access logs may be referenced during these audits.

Questions/Concerns/Issues/Changes

For questions or concerns regarding this policy, please email access@colbycc.edu or your supervising Vice President.

Definitions*Authorized guest/visitor**

For this policy, an authorized visitor/guest is an individual and/or group of individuals who are supposed to be on campus at a designated day and time. Appointments have been scheduled, reservations have been made, and/or a known person to them.

Unauthorized guest/visitor

For this policy, an unauthorized guest/visitor is someone you do not know and is not a current student, faculty member, or staff member, and you do not have an appointment/meeting scheduled.

[Added April 2024]

ADMINISTRATOR, ADMINISTRATIVE SUPPORT, AND NON-CERTIFIED EMPLOYEE BENEFITS

Admission to College Activities. Employees and their dependents shall be admitted to the use of the college swimming pool during regularly scheduled public swim hours without charge. In addition, employees and their dependents shall be admitted without charge to all college- sponsored activities except events that are sponsored by an outside agency or any other activity, which includes an additional food service charge. *[Revised May, 2011 and April 22, 2014]*

Bereavement Leave. Up to a total of four (4) days per occurrence shall be awarded to each employee for bereavement due to a death in an employee's immediate family. For the purposes of this policy, "immediate family" is defined as spouse, adult children, minor children, step-children, grandchildren, step-grandchildren, siblings, parents, and stepparents. All leave is to be taken within two (2) weeks after the employee learns of the death of the relative. *[Revised November, 2009]*

Up to a total of four (4) days per occurrence shall be awarded to each full-time Professional Employee for bereavement due to the death in the Professional Employee's extended and blended family. All leave is to be taken within two (2) weeks after the employee learns of the death of the relative. Bereavement leave for regular part-time Professional Employees is described in Section Fin this Article. *[Added March 2019]*

The college President, with the advice and consent of the Board of Trustees, may grant additional bereavement leave to college employees to attend the funeral services (locally) of other college employees, current or retired, provided the necessary operations of the institution are not negatively impacted. This courtesy assumes that college employees will return to work promptly following the completion of services or take additional leave as appropriate. *[Revised June, 2011]*

Early Retirement Policy for Full-time Administrator, Non-Certified and Administrative Support Employees. Full-time non-certified and administrative support employees employed on or before May 1, 2014 may retire from employment with the college within the fiscal year in which they meet the eligibility requirements for early retirement. Early retirement is strictly voluntary and is available to such employees prior to the normal retirement age of 65 years. *[Revised April 22, 2014]*

1. An employee is eligible for early retirement if the employee:
 - a. is currently an employee of the college; and
 - b. is not less than age 59 or meets the KPERS provision for early retirement; and
 - c. has 15 years of employment at the college immediately prior to the request for early retirement; and
 - d. a majority of the 15 years of service shall have been full-time service.
2. An employee desiring to take early retirement must submit his/her request in writing on or before 60 days prior to the effective date of retirement. This letter shall be submitted to the college president or his/her designee. This provision may be waived by the Board in the event the employee's health dictates such consideration.



3. The employee who has met the qualifications listed above and has submitted a valid application shall be entitled to the following benefits:
 - a. the retiree shall receive the current non-certified employee health insurance benefits provided to the retiree only until he/she qualifies for Medicare benefits;
 - b. the retiree may at his/her option purchase additional coverage for family members who qualify for such benefits under the provisions of the current non-certified employee health insurance benefits;
 - c. the following payments shall be made on or before June 30 of each year:
 - 15% of the employee's highest salary shall be paid to the employee during the first year of retirement;
 - 12% of the employee's highest salary shall be paid to the employee during the second year of retirement
 - 10% of the employee's highest salary shall be paid to the employee during the third year of retirement
 - 10% of the employee's highest salary shall be paid to the employee during the fourth year of retirement;
 - 8% of the employee's highest salary shall be paid to the employee during the fifth year of retirement;

This schedule shall terminate when the employee becomes Medicare eligible or after five years from the date of retirement, whichever first occurs.

4. The first payment described in paragraph 3.c in this Section shall be paid by the College to the extent allowed by law into a Governmental Employees Final Pay Plan under Internal Revenue Code Section 401(a) to an account designated for the retiring Professional Employee. The Board of Trustees will designate the entity to administer the Governmental Employees Final Pay Plan. The second, third, fourth, and fifth payments described in paragraph 3.c in this Section, to the extent the employee is eligible to receive these payments, shall be paid by the College into an Internal Revenue Code Section 403b account established and designated by the retiring employee.
5. Upon retiring (retirement shall be defined according to KPERS limitations in K.S.A. 74- 4937(1): currently at age 62 with the completion of five (5) years of credited service or the non-certified employee having the total number of years of credited service and the number of years of attained age equal to or more than 85), those who were non-certified employees and their spouses and dependents shall be admitted to the use of the College swimming pool during regularly scheduled public swim hours without charge. In addition, they shall receive a lifetime pass to all College-sponsored activities except any events that are sponsored by an outside agency or any other activity which includes an additional food charge. *[Revised April 22, 2014]*
6. Retirees with at least ten (10) years of experience at CCC and their dependents shall be granted tuition waiver for any classes they enroll in at the College.

Health and Life Insurance. The college has a group health and life insurance plan.



Employees may contact the Human Resource Office for information concerning withholding, benefits, etc.

Section 125 Fringe Benefit Plan. The Board of Trustees has established a salary reduction plan whereby employees may reduce their salaries by an amount necessary to purchase selected non- taxable fringe benefits.

These benefits may include: (1) medical insurance; (2) cancer insurance; (3) disability insurance; (4) dependent care; and (5) medical expense reimbursement.

Wellness Program Benefits. Each full-time, non-certified employee wishing to participate in the Annual Health Fair sponsored or co-sponsored by CCC shall have \$25 in fees for the Fair paid by the Board of Trustees.

Witness and Jury Service. Full-time, administrators, administrative support, and non-certified employees who present a court subpoena or summons to the supervisor shall be granted leave with pay to serve as a witness or on a jury.

Tuition Grants. Employees, dependents of all full-time employees, and full-time employees of any food service firm located on the college campus may enroll in college credit courses without payment of tuition and student fees. (Dependent grant does not cover course fees). These tuition grants do not apply to non-credit workshops, seminars, EduKan, or symposium offerings. Approval by supervisor must be given to employee before class(es) may be taken during working hours. Time spent attending classes and working on assignments must be off-the-clock or taken as vacation time. Employee dependents are defined according to the rules of the Internal Revenue Service. *[Revised March 2016; September 2018]*

(Taken from the current [Master Agreement](#): Article VIII. Section D. Tuition Grants)

Approval by supervisor must be given to employee before class(es) may be taken during working hours. Time spent attending classes and working on assignments must be off-the-clock or taken as vacation time. Employee dependents are defined according to the rules of the Internal Revenue Service. *[Revised May 2011; revised March 2016]*

The Board of Trustees reserves the right to alter, amend, or eliminate any employment benefit.

[Policy Reviewed July 2020]



ADVERT WAIVERS FOR STAFF POSITIONS

While staff will normally be appointed following advertisement of a position, in exceptional circumstances the requirement to advertise a position may be waived by the President. It is expected that the number of such appointments will be limited on an annual basis.

Supervisors who wish to make a request to waive advertising should seek early advice from Human Resources. Requests for waivers of advertising in exceptional circumstances must be based on an argued case.

Approval to waive advertising may be provided where there is evidence that:

- a. The candidate under consideration has unique expertise relevant to the achievement of Departmental and CCC strategic objectives; and,
- b. Advertising the position would deter the candidate from applying for the position or would otherwise put the successful recruitment of the candidate at risk.

In approving requests to waive advertising in the above circumstances, evidence that such circumstances exist will need to be provided with the request. Evidence will also need to be provided that equality and diversity implications of the proposed appointment have been explicitly considered. Where a waiver of advertisement is approved, all other aspects of the CCC Recruitment and Selection policy apply and candidates must be considered by a selection committee. Approved requests to waive advertising must be copied to the Director of Human Resources in order to monitor and evaluate the effectiveness and impact of this policy.

The Director of Human Resources will keep a register of requests and approved requests to waive advertising including relevant demographic details of the appointed candidates.

[Added August 2017]

[Reviewed April 2021]



BACKGROUND CHECK

Employment is contingent upon the results of a background check, Colby Community College shall perform the following background checks at the indicated intervals:

1. Background Inspection: Upon hire annually occurring in the fall semester.
2. Motor Vehicle Registry: Upon hire and annually.
3. SSN Trace Report (Used to determine other state criminal background checks needed): Upon hire.
4. Additional criminal background checks for other states as needed
5. E-Verify: Upon hire

Motor Vehicle Driving Record and Fleet Usage

The purpose of this policy is to ensure the safety of employees who drive College vehicles and to provide guidance on the proper use of the institution's fleet vehicles. Vehicle accidents are costly to our College, but more importantly, they may result in injury to you or others. It is the driver's responsibility to operate the vehicle safely and to drive defensively to prevent injuries and property damage. Colby Community College expects employees to drive in a safe and courteous manner, following all motor vehicle laws as well as the following safety rules. The College retains the right to amend or terminate this policy at any time.

Driver Criteria and Administration

Motor vehicle records will be obtained on all drivers upon employment and checks will be run annually. A driving record that fails to meet the criteria stated in this policy or is in violation of this policy will result in a loss of the privilege of driving a College vehicle.

Employees must have a valid and current driver's license to operate a College vehicle or a personal vehicle while on College business.

Personal vehicles used for College business must have appropriate and adequate insurance coverage. Personal auto insurance is the sole responsibility of the employee.

The College does not allow any vehicle in the fleet to be utilized for personal or non-official College use.

Employees are expected to drive safely and responsibly and to maintain a good driving record. Human Resources is responsible for reviewing records, including accidents, moving violations, etc., to determine if an employee's driving record indicates a pattern of unsafe or irresponsible driving, and to make a recommendation to executive management for suspension or revocation of driving privileges.

Criteria that may indicate an unacceptable record include, but are not limited to:

- Suspended or revoked license
- Three or more moving violations* in a year
- Three or more chargeable accidents within a year. Chargeable means that the



driver is determined to be the primary cause of the accident through speeding, inattention, etc. Contributing factors, such as weather or mechanical problems, will be taken into consideration.

- Any violations involving drugs, alcohol, controlled substances, etc., within the past 24 months
- Any accident involving a moving violation.
- Leaving the scene of an accident within the past 24 months.
- Reckless driving within the past 24 months.
- At fault in an accident resulting in a fatality or serious injury within the past five years.

** Violations include any ticket, charge, or other law enforcement proceeding relating to these, as well as independent evidence of violations deemed relevant by the security department.*

Any employee who has a driver's license revoked or suspended shall immediately notify their supervisor and Human Resources office by the next business day, and **immediately discontinue operation of a College vehicle**. Failure to do so may result in disciplinary action, including termination of employment.

Drivers must report all ticket violations received during the operation of a College vehicle, or while driving a personal vehicle on College business*, within 72 hours to their supervisor and human resources.

Employees may not drive any College vehicles without the prior approval of their supervisor. Before approving a driver and periodically thereafter, the human resources department must check the employee's driving record. Employees approved to drive on behalf of College business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.

Employees holding jobs requiring regular driving for College use as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times.

All employees needing transportation for College business may use vehicles assigned to them by the fleet coordinator, who will utilize vehicles from the motor pool. As a last alternative, when no College vehicle is available, employees may use their personal vehicle and receive mileage reimbursement with prior approval from their supervisor.

Employees who drive a vehicle on College business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. The use of cell phones (including texting) while behind the wheel of a moving vehicle being used for College business is strictly prohibited. Employees are responsible for any driving infractions or fines as a result of their driving.

Nonemployees and nonbusiness passengers (i.e., family and friends) are prohibited from riding in College vehicles.

Employees must report any accident, theft, or malicious damage involving a College vehicle to their



supervisor and the human resources department, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 48 hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions from investigating officers.

Employees are not permitted, under any circumstances, to operate a College vehicle or a personal vehicle for College business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any College vehicle at any time or operate any personal vehicle while on College business while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive.

The College has one employee who is on call on a 24-hour basis, the Farm Manager. This employee will be assigned a College farm vehicle that is designated to be at the College Farm at all times. The farm vehicle is provided so that the employee can respond to animal care and safety needs as soon as possible. Said employee will provide a written acknowledgment that they fully understand that the vehicle is used only as part of emergency response and is not for personal use.

Driver Safety Rules

Driving on College business and/or driving a company vehicle while under the influence of drugs or alcohol is prohibited and will result in termination of employment.

No driver shall operate a College vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.

Cell phone use while driving should be kept to a minimum. Drivers must use hands-free devices when making or receiving phone calls while driving or pulling off the road during phone conversations.

Texting while driving is prohibited and under no circumstances may drivers send or read text messages while operating a vehicle for College business.

All drivers and passengers operating or riding in a College vehicle must wear seat belts. No unauthorized individuals can ride in College vehicles.

Drivers are responsible for the security of College vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.

All State and local laws must be obeyed.

Accident Procedures

In an attempt to minimize the results of an accident, the driver must prevent further damage or injuries, obtain all pertinent information, and report it accurately.

- Call for medical aid if necessary.
- Call the police. All accidents, regardless of severity, must be reported to the police.
- Record the names and addresses of the driver, witnesses, and occupants of the other vehicles and any medical personnel who may arrive at the scene.



- Complete the form located in the vehicle accident packet. Pertinent information to obtain includes the license number of other drivers, insurance company names and policy numbers of other vehicles, make, model, and year of other vehicles, the date and time of the accident, and overall road and weather conditions. (if we currently don't have this form, I believe we should create one.)
- Do not discuss the accident with anyone at the scene except the police. Do not accept any responsibility for the accident. Don't argue with anyone.
- Provide the other party with your name, address, driver's license number, and insurance information.
- Immediately report the accident to your supervisor, fleet coordinator, and human resources. Provide a copy of the accident report and/or your written description of the accident to the fleet office as soon as possible.

There will be a formal accident review conducted on each accident to determine the cause and how the accident could have been prevented.

All accidents in College vehicles, regardless of severity, must be reported to the police and the fleet coordinator's office. Accidents are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same-day reporting is not possible).

Accidents in personal vehicles while on College business must follow these same accident procedures. Accidents resulting in an employee's injury must be reported to human resources for worker's compensation purposes. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, up to and including termination of employment.

Employees Convicted of Violations of the Law

Colby Community College expects its employees (students, faculty, and staff) to follow the rules of conduct that will protect the interests and safety of fellow employees, students, and the College. When an employee is arrested for or convicted of a crime, a determination of whether to continue that employee's employment will be made.

Practice:

A. An employee who has been arrested, charged, or indicted on any criminal violation of the law shall immediately notify his/her direct supervisor. The supervisor shall immediately notify the Human Resources Director or President, in writing. The President in conjunction with the Board of Trustees and/or guidance from a Legal consultant, will evaluate and determine the applicable action to take, including but not limited to unpaid administrative leave pending the outcome of the criminal proceeding.

If an employee has been placed on administrative leave and the criminal charges are dismissed or the employee is acquitted, the employee may be returned to employment. An employee's failure to notify his/her supervisor in writing of a pending criminal proceeding against him/her shall result in a disciplinary action, up to and including termination of employment.



- B. An employee who has been convicted of a felony within the previous seven (7) years, including but not limited to offenses listed below, will not be eligible for continued employment with the College. An employee who has been convicted of a non-felony within the previous seven (7) years, including but not limited to offenses listed below, may be ineligible for continued employment with the College. The College reserves the right to discharge for certain felonies older than seven (7) years indicated on the criminal history report. Individual state regulations governing criminal convictions that are more restrictive supersede the College's requirements in this policy.

Factors such as pattern(s), timing, relatedness of the arrest or conviction to the employee's position, as well as mitigating circumstances will be considered. Exceptions must be approved by the President.

Felony/non-felony offenses that preclude employment include:

1. Murder, homicide, manslaughter, or concealment of a homicide;
2. Kidnapping, child abduction, criminal child enticement, contributing to the delinquency of a minor;
3. Unlawful restraint or forcible detention;
4. Felonious assault, menacing, battery, stalking, or wanton endangerment;
5. Rape, sexual assault, sexual abuse, or any other unlawful sexual conduct;
6. Abuse or criminal neglect of the elderly, disabled, children, or otherwise incapacitated adult;
7. Robbery, burglary, or felonious theft, financial exploitation of the elderly, disabled, or otherwise incapacitated adult;
8. Criminal trespass;
9. Arson;
10. Unlawful possession of a firearm or weapon or aggravated discharge of a weapon;
11. Possession, distribution, manufacturing, or trafficking of controlled substances; and,
12. Forgery, criminal possession of a forged instrument, or fraud.

NOTE: The examples listed above are illustrative but are not intended as an all-inclusive list. Any questions regarding this policy should be directed to management. This policy does not modify the employment-at-will nature of the employee's employment relationship with the College.

- C. Criminal conviction information shall be treated as confidential and shall only be released upon proper authorization.

[Adopted September 2017]

[Reviewed April 2021]

[Updated December 2023]



BICYCLES AND OTHER MOBILE DEVICES (MOTORIZED AND NON-MOTORIZED)

Please see this policy in the [Student section](#).

CHILDREN IN THE WORKPLACE

The College values an atmosphere that fosters a healthy balance between workplace obligations and family issues. When possible, departments should honor an employee's request for flexibility to meet unexpected family needs that may require the employee's attention during normal working hours. When workloads allow, the College encourages departments to cooperate with employees who wish to meet family responsibilities by using breaks or lunch hours, flexible work schedules, adjusted hours or vacation leave.

The College understands that brief and infrequent visits by children of its employees occur for a variety of reasons. However, the frequent, regular or extended presence of children during work hours is not allowed for the following reasons: the potential for interruption of work, health and safety issues, and liability to the organization. Therefore, College employees and their supervisors are required to follow the principles outlined below regarding the presence of children in the workplace:

1. At all times, children (age 13 and under) remain the sole responsibility of the parent. Parents must accompany their children at all times. The employee will not ask any other employee or student to supervise the child.
2. The brief presence of the child cannot disrupt the work environment or negatively affect the productivity of the employee who brought the child, other employees, or students.
3. The child must not be allowed on a Colby Community College computer.
4. The employee's supervisor will ask the employee to take the child from the workplace if the supervisor determines that health or safety risks are too great, the visit isn't brief, visits have been too frequent, or the child's presence is disruptive.
5. Since visits are required to be infrequent, bringing children to the workplace on a recurrent basis during their school breaks or after school will not be allowed.
6. A child who has an illness that prevents him/her from being accepted by a regular day care provider or from attending school, particularly a child with an infectious disease, cannot be brought to the workplace under any circumstances.
7. Colby Community College employees and staff shall immediately report any violation of this procedure to the office of Human Resources or any available administrative employee of the college.
8. This procedure does not apply to college-sponsored activities or events where children are encouraged to attend or participate.

[Adopted October 2017]

[Reviewed April 2021]



CIVILITY

Civility is defined as behavior that demonstrates consistent respect for others, including an effort to understand differences. Civility helps to create an environment at Colby Community College where all are valued and can be productive. Colby Community College values the inherent worth and dignity of every person, thereby fostering a community of mutual respect. Students, faculty, and staff are expected to exhibit and practice civil behaviors at all times.

Colby Community College supports the freedom of expression for faculty, staff, and students. However, maintaining these freedoms requires the conditions of the learning environment to be conducive to the learning process. Disruptive behaviors will not be tolerated. Any individual engaging in such behaviors may be subject to disciplinary including suspension from school and/or termination of employment.

Prohibited behaviors include:

- Profanity
- Name-calling (a term ending in -ist or -phobe OR beginning with anti- or similarly critical terms)
- Derogatory Terms (stupid, ignorant, etc.)
- Shouting
- Insulting Body Language (eye-rolling or physical gestures)
- Insulting tone of voice (baby talk, speaking “down” to a person)
- Ridicule
- Open hostility
- Biting Sarcasm
- Gas Lighting
- Disruptive, discourteous, and/or insubordinate conduct
- Social Media or Discussion Board posts that are rude, disrespectful, offensive, or inappropriate
- Violating netiquette rules

Students, faculty, and staff are encouraged to address civility concerns directly with one another. However, there may be times when those involved do not feel comfortable doing so. In such instances involving faculty and staff, the concerns should be taken to the Director of Human Resources or the supervising Vice President. Student concerns should be shared with the Vice President of Student Affairs.

Threats of physical violence or loud arguments that rise to the point of disrupting the learning environment will result in contacting campus authorities and/or the Colby Police Department. Students, faculty, or staff members engaging in disruptive and/or uncivil behaviors will be disciplined accordingly based on the complaint procedure (pgs. 15-16 of the Workplace Handbook) and/or the Student Code of Conduct found in the Student Handbook.

[Added May 2023]



COMPLAINTS

Colby Community College is committed to maintaining a working and learning environment free from bullying (including cyberbullying), discrimination, insult, intimidation, harassment, and threats and acts of violence either owing or not owing to race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion. Any incident of discrimination, harassment, or bullying should promptly be reported to an employee's immediate supervisor or the supervising vice president if the immediate supervisor is the subject of the complaint. Responsibility for the investigation and determination of corrective action rests with the supervising vice president in consultation with the President. CCC will not condone bullying, violent, hostile, aggressive, or intimidating conduct, or any other negative behavior that impairs another's ability to perform their responsibilities at the College. Retaliation against a complainant, witness, or anyone with information is strictly prohibited. Any employee who engages in any of the aforementioned behaviors is subject to disciplinary action, which may include termination.

All complaints should be resolved at the lowest administrative level possible. Whenever a complaint is made directly to the Board of Trustees as a whole or to a trustee as an individual, it will be referred to the President for investigation and possible resolution.

Discrimination against any individual on the basis of race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion in the admission or access to, or treatment or employment in, the college's programs and activities is prohibited. Any harassment of an individual is prohibited. The Vice President of Student Affairs has been designated to coordinate compliance with non-discrimination requirements contained in Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Information concerning the provisions of these acts, and the rights provided therein, are available from the office of the Vice President of Student Affairs.

Complaints against the President should be addressed to the Board of Trustees. Complaints by a student will be addressed to the Vice President of Student Affairs. Any employee who receives a complaint of discrimination, harassment, or bullying from a student shall inform the student of their obligation to report the complaint to the supervising Vice President. If the supervising Vice President is the alleged harasser or bully, the complaint will be reported to the President's office. Complaints by any other person alleging discrimination, bullying, or harassment should be addressed to the supervising Vice President. Colby Community College employee complaints will be resolved through the following steps:

Informal Complaint Procedure. The immediate supervisor will attempt to resolve complaints of discrimination, harassment, or bullying in an informal manner. Any employee who receives a complaint of discrimination, harassment, or bullying will inform the individual of their obligation to report the complaint to the supervising Vice President. If the matter is resolved to the satisfaction of the complainant, the immediate supervisor will document the complaint and provide a proposed resolution and forward the document to the supervising Vice President. If the matter is not resolved to the satisfaction of the complainant at the immediate supervisor level, the complainant may initiate a formal complaint.

Formal Complaint Procedure. A formal complaint must be filed in writing using the Complaint Form, name and contact information of the person filing the complaint. The complaint must briefly describe the alleged misconduct. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the supervising Vice President may initiate the complaint.



Forms for filing written complaints are available from the President's office, [online](#) and in the policy manual. The President will provide all written, formal complaints to the Board of Trustees.

A complaint must be filed as soon as possible after the alleged misconduct occurs, but not later than 90 days after the complainant becomes exposed to the alleged misconduct, unless the misconduct is ongoing.

At the discretion of the supervising Vice President, and the approval of the President, an investigation may follow the filing of the formal complaint. If the complaint is against the President, the Board of Trustees will appoint an investigating officer. If the complaint is against the supervising Vice President, the President or his designee will conduct the investigation. In other instances, the investigation will be conducted by the supervising Vice President, or other individual appointed by the President. The investigation may include, but is not limited to, interviewing relevant individuals, watching security video, examining personnel files, evaluations, and other relevant documents. The complainant and the person against whom the complaint is made will be afforded an opportunity to submit evidence relevant to the complaint.

A written determination of the complaint's validity and a resolution shall be issued by the investigator. A copy shall be forwarded to the complainant within 30 working days of filing the complaint, unless an extension is negotiated with the complainant.

Records relating to complaints filed and their resolution shall be maintained in a confidential manner by the Office of Human Resources.

The complainant and the accused may appeal the complaint resolution. Appeals will be heard by the President or by the Board of Trustees, if the complaint involves the President. The request to appeal the resolution must be made within three (3) working days after the date of the written resolution. The written request must be addressed with the President. The President will review the evidence and the proposed resolution, and will afford all affected parties an opportunity to submit further evidence within five days after a notice to appeal is filed. After the President's review, he/she will issue a written determination of the findings within five working days after the appeal is filed.

The use of this complaint procedure does not invalidate the pursuit of other remedies including the right to file a complaint with the Office of Civil Rights of the U. S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

The President will report any unresolved personnel complaints to the Board of Trustees on or before the next regularly scheduled board meeting. With regard to any complaint, the President shall take appropriate steps to ensure the safety and security of students and personnel.

[Revised April 2014; July 2020; January 2022]



COMPENSATORY AND OVERTIME

Purpose

This procedure describes the employee groups to which overtime rules apply, the circumstances defining overtime work, and the responsibilities of supervisors for monitoring the overtime of employees in these categories. Also included in this procedure is the process for recording overtime. This procedure refers to relevant legislation and administrative rules with which the college will comply.

General

All employees and most management support staff are eligible for overtime for any hours worked in excess of 40 hours in a workweek (a 168-hour period beginning at 12:01 am, Sunday).

Exemptions

Under the Fair Labor Standards Act and the Colby Community College Master Agreement; executive, administrative, coaches, and faculty employees, and all independent contractors are exempt from state and federal overtime requirements; provided that coaches and faculty are dedicated to the instruction, teaching, and/or tutoring of students.

Staff Members who serve as Adjuncts

If a classified or management support staff employee accepts a teaching assignment and the total work hours in the combined assignments exceed 40 hours in a work week, the employee may be eligible for overtime on the teaching portion of the assignment.

Computation of Overtime

Overtime is compensated at one and one-half time the employee's regular rate of pay. Overtime must be approved by the department supervisor before it occurs. Any deviation from this is considered insubordination and subject to a reprimand per the Master Agreement.

Only hours actually worked are used in the overtime calculation. If an employee took paid leave during the work week, these hours should be subtracted before determining if the employee has worked overtime. Paid holiday hours are considered hours worked for employees (except Hourly Classified) and are used in the computation of overtime for these employees only. Paid holidays are not considered hours worked for other employees (Hourly) or for management support employees.

Compensatory Time Off

In certain instances, employees may be granted compensatory time off in lieu of pay, provided maximum accrual limits are observed as defined in the Colby Community College Master Agreement.

Management support employees may also be granted compensatory time off in lieu of pay at the rate of 1.5 hours for every overtime hour worked. The maximum number of hours that may be accumulated is 240 hours which represents 160 hours of overtime worked. Overtime must be paid when this cap is reached.

Record Keeping

It is the department administrator's responsibility to monitor the working schedules of all employees and management support staff and to maintain accurate records of all time worked.

For the purpose of overtime records, the following rules shall apply.



1. Work requested or required is considered work time.
2. Work not requested, but *necessary to complete the allotted deadline is considered work time.*
3. Work performed for the employer but away from the employer's premises or job site is considered work time.
4. If the employer knows or has reason to believe that work is being performed, the time spent must be counted as hours worked.
5. It is the duty of the employer to exercise control and see that the work is not performed if the employer does not want the work to be performed. The mere declaration of a policy against such work is not enough.
6. Hours compensated but not actually worked, such as paid leave and paid snow days are not considered work time for the computation of overtime. Paid holidays are considered work time for employees only (excluding Hourly).
7. Overtime requirements may not be waived by agreement between the employer and employee.
All management supervisors are expected to be knowledgeable about current overtime regulations and to abide strictly by these rules.

[Added July 2016]

[Reviewed July 2020]



CONDITIONS OF EMPLOYMENT

Absences. When an employee cannot report to work, he/she must notify his/her supervisor or designee by telephone. The employee has not completed his/her obligation until the College has been notified. Notification should be given on a day prior to the absence or as soon after 8:00 a.m. on the day of the absence as is practical. Deductions may be made from employees' earnings for absences not properly arranged. *[Revised November 2013]*

Communicable Diseases. Whenever an employee has been diagnosed by a physician as having a communicable disease as defined in current regulation, the employee shall report the diagnosis and nature of the disease to the President so that a proper reporting may be made to the county or joint board of health as required by current law.

An employee afflicted with a communicable disease dangerous to the public health shall be suspended from duty for the duration of the contagiousness in order to give maximum health protection to other district employees and to students.

The employee shall be allowed to return to duty upon recovery from the illness, or when the employee is no longer contagious as authorized by the employee's physician.

The College reserves the right to require a written statement from the employee's physician indicating the employee is free from all symptoms of the communicable disease. *[Revised April 22, 2014]*

No information regarding employees with communicable diseases shall be released by college personnel without the employee's consent except to comply with state or federal statutes.

Personal Relationships. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. However, there are inherent risks in any romantic or sexual relationship between individuals in unequal positions. For the personal protection of members of this community, relationships in which power differentials, faculty-student, staff-student, administrator-student, and supervisor-subordinate are discouraged. Such relationships create conflicts of interest, tend to be exploitative in nature and call into question the judgment and professionalism of the College employee. Further, employees will not submit students or other members of the campus community to sexual or racial harassment at any time. Any College employee who enters into a romantic relationship with a student or subordinate will be considered unethical, highly suspect, and will be subject to possible disciplinary action because of the fundamentally unequal nature of the relationship. A defense based upon mutual consent will require proof beyond a reasonable doubt, i.e., preponderance of evidence (whether a violation of college policy is more likely to have occurred than not).

[Added August 2012; updated October 2017]

Employee-Student Relations. Employees shall maintain professional relationships with students, which are conducive to an effective educational environment. Employees shall not submit students to sexual harassment or racial harassment. Employees shall not have any interaction of a sexual nature with any student at any time regardless of the student's age or



status or consent.

Employment-at-Will. All administrators, administrative support, and non-certified employees are employees-at-will and employment may be terminated at any time, with or without cause. Nothing in Colby Community College policies or guidelines should be interpreted as assurance of continued employment. No employee has authority to change or modify the at-will status.

However, the Board of Trustees, in its discretion, may enter into multi-year contracts with the President and vice presidents. An at-will employee may be placed on administrative leave with pay pending a final decision by the Board of Trustees on termination of employment. *[Revised May, 2008 and October, 2011]*

Evaluation. In January of each year, each supervisor is responsible for the completion of an **Employee Evaluation** form for each employee under his/her supervision. Copies of these reports must be submitted to the President's office no later than February 15. Copies of the forms to be used in evaluation will be distributed from the Human Resources Office. Administrators will be evaluated annually. In recent years the College evaluation of administrators has been done electronically. Administrators may respond in writing to the administrative evaluation to be placed in his/her personnel file.

Exit Procedures. Upon termination of employment for any reason, the employee must notify the Human Resources Office in writing of his/her last working day for health insurance termination, KPERS determination, and any other employment-related details. All keys shall be returned to the Human Resources Office. The employee will be paid for unused annual leave. The employee shall be given an exit interview upon termination.

Holidays. Paid holidays directly observed by the college are limited to those dates outlined in the employee's contract. Payment will not be made for holidays that are not specified in the contract.

Inclement Weather. Should Colby Community College announce that it is closed because of inclement weather, only **Storm Designated Staff** should be on duty. If the closing occurs before the normal workday begins, non-Storm Designated Staff should not report to work. If the closing is during the workday, non-Storm Designated Staff should leave only if conditions allow for safe travel. The College will remain in contact with Emergency Management monitoring the situation.

If the college does close, the hours of closure will be considered paid time for employees for those hours they normally would have worked. This will include part-time hourly employees scheduled during these hours.

The services of some personnel may be necessary to continue certain functions of the college. These may typically be maintenance and custodial personnel. Their efforts may be required to remove snow or handle other routine tasks as deemed necessary. The individuals who are required or requested to be on campus will be given compensatory time off (hour for hour) to make up for the time they are on campus working. Supervisors will be responsible for determining who will be required to stay on campus. These employees will be "Storm Designated Staff."



Any staff member not specifically asked to work but who does come to work will receive no additional compensation other than the pay already given.

On days when the college is open and an individual cannot report to work owing to inclement weather, the individual may take vacation time, if any is available, or will be given time off without pay. *[Revised December, 2007]*

Kansas Public Employees Retirement System. All full-time administrators, administrative support, and non-certified employees must belong to the Kansas Public Employees Retirement System. Employee contributions are made through payroll. Employees should contact the President's Office for additional information.

Moving Expenses. The Board of Trustees has given approval for the reimbursement of relocation expenses for instructors, head coaches, support staff, directors, vice presidents and president. Relocation expense allowance are as follows:

- \$2,000 for instructors, coaches, and support staff;
- \$3,000 for directors;
- \$5,000 for vice presidents, and \$10,000 for president.

[Added February 22, 2010; revised April 2021].

Eligible costs shall include moving (rental of transportation, hiring of a moving company, mileage, per the IRS mileage rate), storage, and temporary housing. Regulations according to the rules of the Internal Revenue Service. Reimbursement will be made only upon the presentation of valid receipts for all expenses, and a signed agreement returned to the Human Resources Office. The relocation reimbursement is subject to federal and state withholding taxes. *[Added August 2012; revised June 2021]*

In the event an employee receives reimbursement for relocation/moving expenses and voluntarily leaves before completing two years with the college, that employee will be required to reimburse the college on a prorated basis. Moving expenses must be submitted within six (6) months of hire date, unless other arrangements have been made. *[Added June 2021]*

Nepotism. Except in an emergency, the Board will not employ anyone who is the father, mother, brother, sister, spouse, son, daughter, son-in-law, or daughter-in-law of any Board member. This provision shall not apply to any person who has been regularly employed by the Board prior to the adoption of this policy or to any person who has been regularly employed by the Board prior to the election or appointment of a new Board member to whom the person is related.

Employees Without Benefits. Employees working less than nineteen (19) hours per week do not receive any benefits other than wages or salary earned. These employees are expected to maintain the same standards and regard for their positions as full-time employees.

Salary. The rate of payment for each employee shall be set at the time of employment. This rate shall then be reviewed at the end of each fiscal year. Payment of wages/salaries is made semi-monthly on the eighth and twenty-fourth day of the month for administrators, administrative



support staff, coaches, and non-professional employees. Payment of wages/salaries is made monthly on the eighth day of the month for all professional employees. *[Revised April 2014; revised March 2020]*

Seeking Employment. Employment with the college is obtained by submitting an Application for Employment and interviewing with the President or the President's authorized representative or representatives, as appropriate. Selection of the successful candidate for any position is always made with the qualifications of the applicant and the best interests of the college in mind. Successful applicants are notified by the President or the President's authorized representative of their employment.

Work Week. The college has a basic minimum forty- (40) hour, five- (5) day work week for all full-time non-certified personnel.

- A. The work week for non-certified employees at the college begins on Monday and ends on Sunday of each week.
 - 1) Each non-certified employee shall have a designated work schedule. If the employee accumulates authorized excess hours, then the employee and immediate supervisor must see that appropriate compensatory time is granted within the current month.
 - 2) If circumstances are such that the classified employee cannot be granted compensatory time, the employee will be paid one and one-half (1½) times the normal pay rate. Each supervisor must provide written authorization of all overtime to the Business Office by completing the overtime approval form.
- B. Breaks for full-time classified employees are limited to 15 minutes each morning and 15 minutes each afternoon, or as otherwise appropriate. The supervisor and employee may designate a 30-minute break in lieu of the two (2) 15-minute breaks. Breaks must be scheduled so that no office remains unattended. In general, not more than two (2) persons from any area should be on break at one time.

Pets on Campus. Animals, except those employed as an integral component of the instructional program or in service to the disabled, are strictly prohibited from all campus facilities and grounds. On special occasions, though, permission may be granted by the Administration for events which support the College and community. For more details, refer to the policy on Emotional and Service Animals.

Complete Policy
[Added April 2014]
[Updated December 2019]
[Reviewed July 2020]



CONDOLENCES AND OTHER RECOGNITION

Employees should notify the Human Resources Office when learning about a death that affects the College community. The College will send an expression of sympathy, generally flowers or a plant, upon the death of a current student, or current/former employee or Board Member/Endowment Board Member. Departments or individuals who want to send a condolence gift after the death of an employee's family member may do so with personal funds. Under extenuating circumstances, the executive council may determine if institutional funds can be used.

Similarly, when a department wishes to recognize a colleague or colleague's family member on other occasions, i.e., marriage, birth, retirement, illness, etc., gifts must be purchased with personal funds.

[Added August 2019]

[Updated December 2021; September 2023]

CONFLICT OF INTEREST

The purpose of these regulations and procedures is to:

- Provide examples of conduct which is deemed to constitute actual or apparent conflict of interest;
- Describe the process by which disclosure of actual, potential or apparent conflicts of interests, are to be made by Colby Community College Employees or representatives;
and
- Describe enforcement of the conflict of interest policy.

For the purpose of these regulations and procedures, the following definition applies. **“Conflict of interest”** means the existence of an Employee’s financial or personal considerations which may, or may appear to, impair or compromise the performance of the Employee’s duties as a Colby Community College Employee for or on behalf of Colby Community College.

Types of Conflict

A conflict of interest, or apparent conflict of interest, exists when an Employee or person acting for or on behalf of Colby Community College:

- Seeks personal gain through his/her employment at Colby Community College;
- Engages in non- Colby Community College employment or consulting activity for himself/herself or for another which impairs:
- His/her ability to fulfill her/his obligations to Colby Community College as an Employee; or,
- The Employee’s judgment in the performance of Colby Community College duties and responsibilities.

Personal Gain

The following are examples of conduct which present a conflict of interest when personal gain accrues to the



employee or a member of his/her family or others with whom he/she is associated. A person uses, or attempts to use:

- His/her position with Colby Community College to achieve a material and/or financial benefit for himself/herself or others;
- Colby Community College property, resources or services, including but not limited to, Colby Community College offices, office supplies, telephone, equipment, computing resources, for personal and private purposes to achieve a material or financial benefit for himself/herself or others;
- Colby Community College Employees, Students, contractors, or volunteers to achieve a material or financial benefit for himself/herself or others; and
- Any confidential information acquired in connection with Colby Community College related activities or Colby Community College employment to achieve material or financial benefit for himself/herself or others, or for unauthorized purposes.

A person directly or indirectly solicits, receives or accepts anything of more than nominal value from any person or organization seeking to do business with or have an association with Colby Community College.

Exceptions are:

- Registration for an event at which the Employee is making a presentation or providing a service, as an Employee of Colby Community College, to the event sponsor;
- Promotional items, such as coffee cups, pens, pencils, mouse pads, etc;
- Textbooks, software, and instructional materials to be reviewed by teaching faculty;
- An award, plaque, certificate, memento or similar item given in recognition of the Employee's charitable, civic, professional, personal private, public or political achievements;
- Food and/or beverage of nominal or reasonable amount given to or consumed by an Employee at a single meal or event; or,

The President or his/her designee may grant additional exceptions, in writing, when he/she determines, upon the basis of the facts presented:

- The benefit accruing to the individual is of nominal value; and ,
- The exception will not impair either the individual's or Colby Community College's ability to conduct business ethically, fairly and impartially; or,
- When the requested exception is a common and generally accepted practice in public higher education institutions.

Other Employment and Activity

The following are examples of non-Colby Community College employment or activity, either with or without compensation, which impairs the ability of an individual to perform his/her obligations as an Employee or representative of Colby Community College.

- Employment or other activity, which occurs at times during which the Employee normally is to perform his/her obligations for Colby Community College.



- Employment, without the approval of your immediate supervisor or head of department, in a teaching capacity on a full-time or part-time basis with another higher education institution.
- Employment or activity individually or with another person or entity providing goods or services which are in competition with goods and/or services provided by Colby Community College.
- Colby Community College Disclaimer. In all employment or activities outside of Colby Community College employment, each Employee functions in his or her individual capacity, without the support of the Colby Community College, and is solely responsible for his/her acts.

Disclosure: Creation of Colby Community College Financial Obligations. All persons recommending or involved in creating any financial obligation of Colby Community College, including but not limited to the purchase of goods or services, contracts obligating the Colby Community College, and leases, shall disclose to their supervisor the nature of any relationship whatsoever they may have with any vendor, contractor or lessor. A financial obligation in which an Employee or representative of the Colby Community College has an interest will only be entered into if:

- It is deemed to be in the best interests of Colby Community College; and,
- Such person's interest with the other party will not conflict substantially or materially with such person's discharge of his/her Colby Community College responsibilities.

Disclosure—Conflict with Duties

All persons considering non- Colby Community College employment or other activity which may create a conflict of interest have a duty to disclose any actual or potential conflict to their supervisor by submitting a written statement describing the nature of the potential conflict. Supervisors who become aware of such actual or potential conflict with Colby Community College by persons within their supervision have a duty to request such individuals provide such a written statement.

Disclosure Advice

Any person who is in doubt whether he/she is confronted with an actual or potential conflict of interest should seek the advice of his/her supervisor or the appointing authority for his/her position to determine if the interest could conflict impermissibly with the person's obligation to Colby Community College.

Annual Disclosure

All officers of Colby Community College or its Board of Regents, deans, directors and those persons identified by the President shall annually submit a completed "Annual Conflict of Interest Disclosure Statement" to the Vice President of Business Affairs.

Enforcement

The ultimate responsibility for the enforcement of the policies and regulations on conflicts of interest is that of the President who may delegate authority for enforcement to other Colby Community College officials.

Violations of the policy or regulations, include, but are not limited to:

- The failure to file timely disclosures;
- Filing incomplete, erroneous, or inaccurate disclosures; or,
- Failure to comply with prescribed procedures for managing or resolving conflicts or potential conflicts of interest.



- Violations shall subject the person to disciplinary sanctions which may include, but are not limited to, suspension from or termination of employment.
- Examples of situations in which a conflict of interest will be deemed to exist.

- The use of the Employee’s or individual’s official title of employment or the Colby Community College’s name, or any of Colby Community College’s component parts, including any of the Colby Community College’s graphics, in any situation other than in the conduct of official Colby Community College business.
- The use of any Colby Community College resource, including but not limited to Colby Community College stationery, the Colby Community College’s address, phone number, fax number or electronic mail address as a contact point for personal or private business use.
- The use of the Colby Community College’s name, its tax exempt status or its tax exempt number to purchase goods or services for personal or private business use.
- The use of Colby Community College resources in such a way as to interfere with, or cause harm or damage to another person, institution, or company within or outside the Colby Community College community.

In compliance with §200.112 *Conflict of Interest* and §200.113 *Mandatory Disclosures* Colby Community College will disclose to Federal agencies any instances of conflict of interest or relevant violations of Federal criminal law.

<i>Authorized Representative</i>	<i>Date</i>	<i>President</i>	<i>Date</i>
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[Reviewed April 2021]

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Any professional employee who intends to publish materials and/or software, written or developed during the course of the professional employee's duties and responsibilities of employment, whether copyrighted or not, is subject to approval by the President and Board of Trustees. Any monetary rewards for such publications will be shared equally with the college.

[Reviewed July 2020]



CREDIT CARD USAGE

Colby Community College is participating in the State of Kansas and Elan Financial Services Purchasing Program. The purpose of the State of Kansas Procurement Card Program is to establish a more efficient, cost-effective method of purchasing and paying for small dollar (under \$3,000) transactions within established usage limits.

The Business Procurement Cards (Visa) can be used for in-store purchases as well as mail, internet, phone, or fax orders. The program is designed to ease the ordering & payment process by reducing purchase orders, payment vouchers, and the use of personal funds reimbursed by payment vouchers.

This manual provides the guidelines under which you may use your procurement card. Please read it carefully. Your signature on the Business Procurement Card Cardholder Agreement indicates that you understand the intent of the program and agree to adhere to the established guidelines. You will be issued your procurement card after the Business Affairs Office receives an approved VISA account action request form, required training is completed, and the cardholder has signed the VISA Card cardholder agreement form.

General Guidelines

The Business Procurement Card is an additional tool to be used by College employees for the purchasing of commodities, services and travel related expenses, similar to an agency purchase order. All policies and procedures regarding the spending and payment of State and Grant funds still apply. Cards are issued to a specific person to insure responsibility of the use of the card.

It is likely that any merchant you currently utilize as a source for commodities will accept this card. However, due to certain restrictions, some attempts to purchase goods from a merchant through the use of the VISA Card may be declined. If you are declined and feel the decline should not have occurred, email the VISA Card Administrator at patty.mead@colbycc.edu.

Each card has been assigned an expenditure dollar limit applicable for a 30-day billing cycle. During this cycle, merchants are paid by Adams Bank within three days of the business transaction. It is imperative that the merchants NOT invoice the College in addition to the detailed charge receipt, as an invoice could result in duplicate payment. Additionally, when making these purchases, be sure to remind the vendor of the College's tax-exempt status when making a purchase.

For your continued use of the VISA Card as well as the overall success of the program please remember that the Procurement Card is NOT intended to avoid or bypass appropriate procurement or payment procedures. Rather, the procurement card complements the existing processes available. It should not be used for personal use and charges to the card cannot be used as a pass-through of personal funds.

The cards are further restricted by the individual transaction card limit, including shipping and handling.

You are responsible for the security of this card and the transactions made against it. The card is issued in your name and any purchases made against the card will be your responsibility. Use of the card for purchases not in accordance with guidelines established may result in personal liability. be your responsibility. Use of the card for purchases not in accordance with guidelines established



may result in personal liability.

Remember that you are committing College funds each time you use the procurement card. This is a responsibility that cannot be taken lightly.

Card Use Procedures

Types of Cards

Standard VISA Card – Use is for purchase of commodities made in accordance with approved CCC purchasing policies and procedures. Transaction total is limited to \$3,000 per purchase without additional approval and the standard credit limit varies.

How to Obtain a Card

After you have read and understand the procedures in this manual, your department may request a new card be issued to you by forwarding the Credit Card Request Form (Appendix) to patty.mead@colbycc.edu. The VISA Card Coordinator will assist with gaining access to the applicable training for the VISA requested. Once the VISA Credit Card request form has been received and training has been completed, the appropriate VISA Card will be requested on your behalf.

The VISA Coordinator will notify you, via email, when your new card is ready to be picked up in Thomas Hall. At that time, you will be asked to read and acknowledge your understanding of your role and responsibility.

When you receive your card, always keep it in a secure place. Although the card is issued in your name it is the property of the Colby Community College and is only to be used for College purchases as defined in this manual.

How to Cancel a Card

VISA cards are to be canceled immediately if a card-holder, issued in a card-holder's name, terminates employment. The cardholder's final paycheck may be withheld until the card is returned.

The process for canceling a procurement card begins with the return of the card to HR or Patty Mead.

Card Renewal

A renewal card will automatically be mailed to the VISA Card Coordinator. The cards are typically mailed out from the Bank around the middle of the month that the card expires in. You will be notified when the card has arrived from the bank and is available for pick-up.

Failure to Use Card

An unused card is considered a security risk. If the VISA is not used on a regular basis a report is generated by the Bank notifying the VISA Card Coordinator of the inactive card. After six months of inactivity the card will automatically be cancelled by the bank. Please see the cardholder agreement that was included with your card.

How to Report a Lost or Stolen Card

If a procurement card is lost or stolen, immediately contact the VISA Card Coordinator to have your



card closed and re-issued.

Procurement Card Security

Only the authorized cardholder department may use the card. Cards and card numbers must be safeguarded against use by unauthorized individuals in the same manner you would secure your personal credit card.

Internet Security

Suggested best practices for shopping on the Internet are listed below. Be aware that an outside party could gain access to your VISA Card account number if a vendor's Internet site is not secure.

1. Only use your card in a secure environment, i.e., the location/address box on your browser starts with "https://".
2. Use sites that include a BBB (Better Business Bureau) Accredited Business seal. The seal should link to a page confirming that the business is BBB accredited. Be cautious if the seal is not linked to a BBB page confirming accredited business status. It could be a sign of unauthorized use of the mark.
3. If you are not familiar with an online merchant, verify its reliability with outside organizations, such as the Better Business Bureau (<http://www.bbb.org/> and <http://www.bbbonline.org/>).
4. Know who you are doing business with before placing an order. Use Web sites that provide clear contact information (phone number, address in the real world, customer service contact) for the company, as well as warranty, return and refund policy.
5. If an online purchasing website asks you to create an account with a password, protect that password.
 - Use a different password for each website that you utilize. (Do not use the same password for more than one website.) This procedure will help protect your VISA Card, if the password for a specific website is compromised.
 - Change passwords for online purchasing websites on a regular basis.
6. Do not provide personal information, such as Social Security, Bank account or personal phone numbers or your home address.
7. A site should have a privacy policy explaining how the merchant will protect the information you submit when making a purchase. If you cannot find that policy, request that information.
8. Understand prices, shipping and handling charges, the terms of any product or service guarantees and the expected delivery date.
9. Check your order for keystroke errors to avoid ordering the wrong item or quantity.
10. Always print and retain a copy of each purchase order with a confirmation number and pricing information attached. It's also a good idea to print the "address" (Uniform Resource Locator) of the company site that you are doing business with.

Business Procurement Card Holder Responsibilities

Receipt of Goods and Materials



The cardholder is responsible for ensuring receipt of goods and materials and will follow-up with the vendor to resolve any delivery problems, discrepancies and damaged goods.

For telephone or catalog orders, make sure complete shipping address and instructions are given along with your name, department name, complete street address, room number, city, state, and zip. If goods or materials are ordered by phone, explain we are a tax-exempt organization and ask the vendor to include a detailed sales receipt in the package. Save the credit card receipt and shipping documentation.

Record Keeping and Documentation

Record keeping will be essential to ensure the success of the program. Standard payment policies require retention of receipts and other documentation. As with any credit/charge card, you must retain sales slips, cash register receipts, invoices, order forms and receiving documents. All of these documents should be submitted to the card administrator with your monthly statement.

Approval Process

Itemized receipts must be forwarded to the card administrator for review and approval. Please note: Departmental approval and document routing processes may vary between departments.

Declined Purchases

Cardholders may experience a purchase declined at point-of-sale or during the processing of an online transaction. Reasons may include:

1. Purchase exceeds the \$3,000 transaction limit.
2. Purchase exceeds the monthly dollar limit established for the card.
3. Merchant category code not included on CCC's acceptable list of codes.
4. Incorrect expiration date, CVV, or address was entered.
5. International Purchase

If your VISA Card is declined with a vendor, send an email to patty.mead@colbycc.edu. The VISA Card Administrator will contact Adams Bank to determine the reason for the decline. Please include the following items in your email: last 4-digits of the card, cardholder's name, vendor name, amount to be paid to the vendor, description of purchase, and if it is an international charge the country charging the purchase. These items will help us in getting the bank to open the card for the charge to go through the first time. the card for the charge to go through the first time.

Resolving Errors, Disputes, Returns and Credits

The cardholder is responsible for contacting and following up with the vendor on any erroneous charges, disputed items or returns as soon as possible. Cardholders are strongly encouraged to communicate in writing in order to establish a written trail of communication (i.e. email, letter, etc.). If the cardholder is unable to reach agreement with the vendor, the next step is to contact the VISA Card Coordinator.

The VISA Card Coordinator may request the cardholder to provide all supporting correspondence, sending information to Thomas Hall. The associated backup will be forwarded to Adams Bank for



resolution with the vendor. The bank must be notified of any disputed items within immediately.

Disputed billing can result from failure to receive goods or materials, fraud or misuse, altered charges, defective merchandise, incorrect amounts, duplicate charges, credits not processed, etc. In the event of fraud notify the VISA Card Coordinator immediately. Documentation regarding any resulting credits should be kept to explain each item to be returned or exchanged.

Penalties

Obtaining a VISA Card is a privilege and must be used appropriately. Failure to follow the policies and procedures of the College and VISA Card program could result in written warnings, cancellation of the card, and even loss of position. Buying from established contracts, providing supporting paperwork, processing payment in a timely manner, etc., are critical elements to a successful College wide card program.

Business Procurement Card Department Responsibilities

General Guidelines

The business office determines who is eligible for a card, authorizes the VISA card, audits and signs transaction logs, controls spending through the bank summary review and maintains records.

The VISA Card Coordinator will coordinate with the VISA Administrator to get the cardholder training. Once the appropriate training has been completed, the VISA Coordinator will request the card from Adams Bank and the VISA Administrator will activate your card and contact you via email when the card is available for pick-up.

If an employee leaves the department or assumes different duties that do not require the use of the procurement card, the department's business office is responsible for retrieving and cutting up the card and communicating this information to Business Affairs Office.

Record Keeping and Documentation

Individuals should receive all supporting documents for each purchase made on a procurement card. They should then have all necessary documentation to prepare a purchase order (PO) to pay the monthly statement. These supporting records must be maintained with each month's statements and POs in accordance with College retention policies.

Reconciliation and Approval Process

The department/unit business office is responsible for editing and approving final transactions including funding, object code, and descriptions.

BILLING, PAYMENT AND ACCOUNT DISTRIBUTION PROCESS

General Guidelines

Each cardholder will receive a statement of activity for the month with access to their account online. This is to be used to reconcile invoices. Concurrently, a control account statement is emailed to Thomas Hall from which the Business Affairs Office will process Adams Bank's monthly payment.



Paying the statement

When the cardholder receives the monthly bank statement it should be immediately reconciled along with all supporting documentation. Charge slips and receipt tapes should be matched to the statement. If a receipt is missing, the vendor must be called and asked to provide a detailed invoice, credit memo, or an adequate substitute. Verify purchases again for sales tax on each item and request a credit, if needed. Check state contract items and verify that shipping charges were handled according to the contract.

As long as the attached invoice, or other payment document is itemized, the items purchased may be described in general terms. Each individual is responsible for allocating purchases to the appropriate funding and object code.

If inappropriate purchases appear, the employee should supply a justification. If the justification is insufficient, appropriate measures should be taken to receive a credit from the vendor for the purchase. To obtain a credit a cardholder can return the goods.

Once the statement has supporting documentation for each entry on the statement and the receipts all match the statement, a POR must be prepared. As long as the attached invoice, packing slip or other payment document is itemized, the items purchased may be described in general terms. Each department is responsible for allocating purchases to the appropriate funding and object code.

If inappropriate purchases appear, the employee should supply a justification. If the justification is insufficient, appropriate measures should be taken to receive a credit from the vendor for the purchase. To obtain a credit a cardholder can return the goods.

The attestation must be signed by the cardholder and someone with signature authorization.

The supporting hard copy documentation should be sent to the VISA Coordinator within 10 days of the credit card statement.

Auditing of Business Procurement Card Program

The Business Affairs Office will review all transactions and supporting documentation when the POR arrives in Thomas Hall to ensure that the Colby Community College policies and procedures are followed.

The Colby Community College Office of Internal Audit may conduct periodic audits to determine compliance with Business Procurement Card policies and procedures.

The CCC Purchasing Office reserves the right to conduct random audits of departments throughout the program to ensure compliance with purchasing rules and regulations. If abuse is found during these audits your card may be revoked. Any minor offenses will be documented and the documentation will be signed by the VISA Coordinator.

Violation Notices

The Business Affairs Office may issue a violation notice for misuse of the VISA Card, i.e. charging something to the card that is not allowed.



Cardholders receiving 3 violation notices within a one-year period may be reviewed for permanent revocation of their VISA Card.

Sales and Use Tax

Colby Community College, as an agency of the State of Kansas and is exempt from paying Kansas sales or use tax per KSA 79-3606(c). When Kansas sales tax is inadvertently included in a transaction, departments are required to subsequently obtain credit for tax paid. Cardholders are strongly encouraged to make all request for a refund of sales tax in writing (email, letter, etc.). If the sales tax inadvertently is included with the transaction please provide a reason as to why it occurred.

Prohibited Purchases

- Alcohol
- Ammunition
- Firearms
- Contact Information

The VISA Card Coordinator may be reached at patty.mead@colbycc.edu

[Revised May 2017; October 2020]



EMOTIONAL SUPPORT AND SERVICE ANIMALS

Following are the guidelines and responsibilities for individuals requesting a pet/animal in college facilities. Pets/animals are prohibited from all college facilities except for:

- A. Animals used for teaching/competition with prior approval of Executive Vice President.
- B. Service animals assisting an individual with an ADA defined disability.

The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. "Seeing eye dogs" are one type of service animal, used by some individuals who are blind. This is the type of service animal with which most people are familiar. But there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include:

- a. Alerting persons with hearing impairments to sounds.
- b. Pulling wheelchairs or carrying and picking up things for persons with mobility impairments.
- c. Assisting persons with mobility impairments with balance.

Source: <https://www.ada.gov/archive/animal.htm>

The purpose of this procedure is to provide guidelines for students requesting permission to have a pet/animal in college facilities. Employees requesting a disability accommodation of a service animal must contact the Director of Human Resources.

Definitions

Federal regulations define a "service animal" as "dogs that are individually trained to do work or perform tasks for people with disabilities." A service animal is permitted to be in a college facility, unless the animal's behavior necessitates removal. 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. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the Americans with Disabilities Act (ADA).

Procedure

Colby Community College is committed to comply with state and federal laws regarding individuals with disabilities. A special accommodation request is made through the Disability Office, located in Student Support Services (SSS) and required documentation must be provided. A committee will review each student's documentation and request for special accommodations. The committee will approve or deny accommodations for each student requesting services and notify the student in writing.

A service animal may be permitted in a college housing facility as a reasonable accommodation only if approved by the committee and based on the following:



- The student has a documented disability;
- Required documentation is provided, as requested by the Disability Office;
- The animal is a service animal (as defined by the ADA);
- A signed letter on professional letterhead from a licensed physician, psychiatrist, social worker or mental health professional that states the nature of the disabling condition or impairment.

Upon approval of special accommodations by the committee, a student who desire to have a service animal in college housing must submit the appropriate residence hall application paperwork and \$175 deposit required of all students. Availability of campus housing is not guaranteed as campus housing is available on a first-come, first serve basis to all students upon submission of the required application paperwork and \$175 deposit.

A service animal will not be permitted in a college facility if the animal:

- Poses a direct threat to the health and safety of others;
- Causes substantial physical damage to the property of others;
- Poses an undue financial or administrative burden; or
- Fundamentally alters the nature of college operations.

A service animal that is disruptive, or that is not housebroken, will not be permitted in college facilities. Disruptive behavior includes, but is not limited to, barking, jumping on individuals, growling at individuals, or the owner's failure to have the animal on a leash when in common/shared areas of the college campus.

A student who is permitted to have a service animal in a college facility is financially responsible for any property damage caused by the animal. The student is responsible for the care of a service animal, and for cleaning up any waste created by the animal.

https://www.ada.gov/regs2010/service_animal_qa.html

Emotional Support Animals (ESA)

Emotional Support Animals, are not permitted on the CCC campus. However, requests will be evaluated on a case-by-case basis to determine if the animal may be a service animal. Before bringing a support animal onto campus grounds, the requesting individual must submit a request and appropriate supporting documentation. Requests for a support animal will be evaluated by the Disability Office, Director of Counseling, and Residence Life staff. All paperwork and documentation must be on file before requests will be evaluated.

Should an emotional support animal be approved, the following policies and procedures are in place to ensure the protection and comfort of all students.

Annually Students with Emotional Support Animals (ESA) must:

1. Register their ESA with the Disability Office before the animal is brought to campus, including all paperwork and deposit;
2. Pay a \$350 damage deposit. This deposit may be refundable upon checkout.
3. Have updated ESA vaccination paperwork with Residence Life;
4. Keep their ESA in their room
 - a. ESA are not allowed to be loose in lobbies or hallways;
 - b. ESAs are not allowed to be kept in other students' rooms;



5. Maintain the animal's health and well-being; Students must keep animals up-to-date on all shots and proper grooming;
6. Pay for any damage to Colby Community College property caused by their animal;
7. Clean up after their ESA inside and outside;
8. Keep their animal on a leash or in a secure kennel when the animal is outside their room;
9. They must take their ESA with them when leaving campus overnight (includes breaks and when halls are closed);
10. ESAs are not permitted in the classroom, meeting areas, cafeteria, or any other college facility or event;
11. All students with an ESA must live in Living Center East or Living Center North in a single unit.

Emotional Support Animal (ESA) Registration at Colby Community College Includes:

1. Signed Colby Community College ESA contract;
2. Up-to-date vaccination record and proof of spay or neuter for ESA;
3. Letter from mental health professional;
4. Certification as a Registered Emotional Support Animal
5. City of Colby registration form signed by city clerk (dogs only);
6. \$350 damage deposit.

Students must have all paperwork completed and submitted to the Disability Office before an animal is brought to campus.

Emotional Support Animal Deposit

Students must pay a \$350 deposit to the Student Accounts office before they are allowed to bring their ESA onto campus. This deposit may be refundable if the student checks out of the residence hall and no damage to Colby Community College property has been assessed by housing staff. If the ESA damages property at a value that exceeds the deposit, the student will be billed for the remaining cost to cover repairs.

Emotional Support Animals must:

1. Be at least one (1) year of age or older. Students and emotional support animals live closely together in the residence halls. Disease can spread if the animal does not have all of its vaccinations. Animals that are too young for all vaccinations may be susceptible to disease and illness;
2. Be spayed or neutered; animals must be fixed to prevent behavior issues, pregnancy, and accidents;
3. Have certification as a Registered Emotional Support Animal;
4. Be house trained;
5. Dogs must be registered with the City of Colby and comply with the Colby's dog breed restrictions;
6. Must be friendly with both people and animals.

If mistreatment or neglect is occurring to either the animal or Colby Community College property, Colby Community College has the right to have the animal removed from campus. If a residential student does not follow policy, Colby Community College has the right to remove the animal from campus immediately.



[Added December 2019]

[Reviewed September 2021]

EQUIPMENT USAGE

Colby Community College is dedicated to practicing and using federally purchased equipment in the following manners:

- For the authorized purposes of the project until funding for the project ceases, or until the property is no longer needed for the purposes of the project.
- To not encumber the property without approval of the Federal awarding agency or pass-through entity.
- Use and dispose of the property in accordance with §200.311 Real property
- A state must use, manage and dispose of equipment acquired under a Federal award by the state in accordance with stated laws and procedures.

Equipment will be used by Colby Community College in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the Federal award, and the Colby Community College will not encumber the property without prior approval of the Federal awarding agency. When no longer needed for the original program or project, the equipment may be used in other activities supported by the Federal awarding agency, in the following order of priority:

- Activities under a Federal award from the Federal awarding agency which funded the original program or project, then
- Activities under Federal awards from other Federal awarding agencies. This included consolidated equipment for information technology systems.

During the time that equipment is used on the project or program for which it was acquired, Colby Community College will make equipment available for use on other projects or programs currently or previously supported by the Federal government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use will be given to other programs or projects supported by Federal awarding agency that financed the equipment and second preference will be given to programs or projects under Federal awards from other Federal awarding agencies.

Colby Community College knows and understands use for non-federally-funded programs or projects is also permissible, user fees will be considered if appropriate.



Notwithstanding the encouragement in §200.307 Program income to earn program income, Colby Community College will not use equipment with the Federal award to provide services for a fee that is less than private companies charge for equivalent services unless specifically authorized by Federal statute for as long as the Federal government retains an interest in the equipment.

When acquiring replacement equipment, Colby Community College can use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.

Management requirements

Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place will, as a minimum, meet the following requirements:

- Property records will be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN (Future Active I.P. (internet protocol) Network), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
- A physical inventory of the property will be taken and the results reconciled with the property records at least once every two years.
- A control system will be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
- Adequate maintenance procedures will be developed to keep the property in good condition.
- If Colby Community College is authorized or required to sell the property, proper sales procedures will be followed to ensure the highest possible return.

Disposition

When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulation, or Federal awarding agency disposition instructions, Colby Community College will request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award.

Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

- Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.
- Except as provided in §200.312 Federally-owned and exempt property, paragraph (b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of \$5,000 may be retained by Colby Community College or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit Colby Community College to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.



- Colby Community College may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, Colby Community College will be entitled to compensation for its attributable percentage of the current fair market value of the property.
- If Colby Community College fails to take appropriate disposition actions, the Federal awarding agency may direct Colby Community College to take dispositions actions.

Colby Community College is aware of and follow the Equipment usage policy as defined in 200.313 (78629, *Federal Register, Vol.78, No. 248/Thursday, December 26, 2013/Rules and Regulations*) and voluntarily complies.

<i>Authorized Representative</i>	<i>Date</i>	<i>President</i>	<i>Date</i>
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[Adopted June 2015]



EQUITY GRIEVANCE RESOLUTION

Colby Community College affirms its commitment to fairness and equity in all aspects of the College's educational mission. All policies below are subject to resolution using the College's Equity Grievance Process, as noted below within the process for resolving grievances of harassment, sexual misconduct and other forms of discrimination. The Equity Grievance Process is applicable regardless of the status of the parties involved, who may be faculty, employees, students, constituents and non-members of the campus community. The College reserves the right to act on incidents occurring on-campus or off-campus, when the off-campus conduct could have an on-campus impact or impact on the educational mission of the College.

The Human Resources Manager serves as the employee Title IX Coordinator and the Dean of Student Affairs serves as the student Title IX Coordinator/504. Both positions oversee the college's Equity Grievance Process and reports of discrimination, harassment and/or retaliation should be made to the appropriate coordinator promptly, but there is no time limitation on the filing of grievances, as long as the accused/respondent individual remains subject to the College's jurisdiction. All reports are acted upon promptly while every effort is made by the College to preserve the privacy of reports. Reports of discrimination by either Title IX Coordinator (Title IX of the Education Amendments of 1972) should be reported to the College President, Colby Community College, 1255 S. Range, Colby, KS or by calling the President's Office at 785-460-5400.

This policy applies to actions that take place on campus, at college-sponsored events, off-campus and online when the Title IX Coordinator determine that conduct adversely affects the College community interests is defined to include:

- Any action that constitutes criminal offense as defined by federal or Kansas state law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in the municipality where the College is located;
- Any situation where an individual may present a danger or threat to the health or safety of self or others;
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational interests of the College.

Any online postings or other electronic communication by all employees, students, non-members and constituents including cyberbullying, cyber-stalking, cyber-harassment, etc. occurring completely outside of the College's control (e.g. not on College networks, websites or between College email accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial disruption. Otherwise, such communications are considered speech protected by the 1st Amendment.

* For more information, refer to the Social Media Policy.



Inquiries about this policy and procedure may be made internally to:

Employee Title IX Coordinator
Office of Human Resources
Colby Community College
1255 S. Range Ave
Colby, KS 67701
785-460-5406
hr@colbycc.edu

Student Title IX Coordinator/504 Office of Student Affairs
Colby Community College
1255 S. Range Ave
Colby, KS 67701
785-460-5490

Inquiries may be made externally to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202
Customer Service Hotline #: (800) 421-3481
TDD#: (877) 521-2172

Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Office for Civil Rights, *Kansas City Office*
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 320 Kansas
City, MO 64106 Telephone: (816)
268-0550
Email: OCR.KansasCity@ed.gov

Equal Employment Opportunity Commission (EEOC)
Contact: <http://www.eeoc.gov>



Colby Community College Policy on Nondiscrimination

Colby Community College adheres to the Title VI Civil Rights Act of 1964, and all federal and state civil rights laws banning discrimination in public institutions of higher education. Colby Community College will not discriminate against race, color, gender, age, disability, national origin or ancestry, sexual orientation or religion or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any grievance process on campus or within the Equal Employment Opportunity Commission or other human rights agencies. When brought to the attention of the College, any such discrimination will be appropriately remedied by the College according to the procedures as noted below within the process for resolving grievances of harassment, sexual misconduct and other forms of discrimination.

Colby Community College Policy on Accommodation of Disabilities

In accordance with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, Colby Community College shall adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing effective communications and modifications as necessary to afford equal access to programs for qualified persons with disabilities and to ensure that no qualified individual shall be, by reason of disability, excluded from participation in, or be denied the benefits of the services, programs, or activities of CCC, or be subjected to discrimination by CCC.

Colby Community College is committed to providing equal access to employment, educational programs, and activities for all individuals with disabilities. The institution recognizes that students and employees with disabilities may need accommodations to have equally effective opportunities to participate in or benefit from the institutional educational programs, services and activities.

A student requesting any accommodation should first contact the Coordinator of Disability Services who coordinates services for students with disabilities. An employee with a disability is responsible for requesting an accommodation in writing to the Human Resources Manager and provide appropriate documentation. The Human Resources Manager and the Vice President of Student Affairs will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

Colby Community College Policy on Discriminatory Harassment

Colby Community College will not tolerate discriminatory harassment on the basis of any status protected by College policy or law. All employees, students and constituents are entitled to a working environment and educational environment free of discriminatory harassment. The College's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom, or the 1st Amendment. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under College policy.

A. Bias-Related Harassment

Harassment constitutes a form of discrimination that is prohibited by law. Colby Community College will seek to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a hostile environment. When harassment rises to the level of creating a hostile environment, the College may, to the extent it has the

authority to do so, also impose sanctions on the harasser. The College's harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community.

A hostile environment may be created by oral, written, graphic, or physical conduct that is sufficiently severe, persistent/pervasive and objectively offensive that it interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits or opportunities.

Offensive conduct that does not rise to the level of discrimination may not result in the imposition of discipline under College policy, but may be addressed through remedial actions, education, training and/or effective conflict resolution mechanisms. For assistance with conflict resolution techniques, employees should contact the Human Resources Manager and the area supervisor and students should contact the Director of Residence and Student Life or Dean of Student Affairs.

B. Sexual Harassment

The Equal Employment Opportunity Commission and the State of Kansas regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice and is prohibited under College policy. Colby Community College has adopted the following definition of sexual harassment:

Sexual harassment is: unwelcome, sexual or gender-based verbal, written, online and/or physical conduct, and is based on power differentials (*quid pro quo*). Anyone experiencing sexual harassment in any College program is encouraged to report it immediately to the appropriate Title IX Coordinator.

C. Sexual Misconduct

All employees, students, constituents and non-members have the right to be free from all violence, including sexual violence. Everyone within the campus community is expected to conduct himself or herself in a manner that does not infringe upon the rights of others. The College believes in a zero tolerance for all misconduct, including gender-based misconduct, which typically includes the crimes of rape, acquaintance rape, domestic violence, dating violence, sexual assault, sexual harassment, and stalking. When an allegation of misconduct is brought to an appropriate administration's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. This is intended to define community expectations, to establish a mechanism for determining when those expectations have been violated and to provide recourse for those individuals whose rights have been infringed upon.

Non-Consensual Sexual Contact is defined as:

- any intentional sexual touching
- however slight
- with any object

- by a person upon another person
- that is without consent and/or by force

Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

Non-Consensual Sexual Intercourse is defined as:

- any sexual penetration or intercourse (anal, oral or vaginal)
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force

Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.

In support of the Violence Against Women Act, Title IX regulations and the Clery Act, the college prohibits crimes as defined in the Annual Security Report. The complete Kansas rape and sexual assault offense definitions are located at http://www.kslegislature.org/li_2012/b2011_12/statute/

Sexual Exploitation

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Contact or Non-Consensual Sexual Intercourse. Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed)
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent)
- Prostitution
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection, and further includes administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent.
- Or any other activity that constitutes sexual exploitation

* For more information, see the Personal Relationships Policy.

Consent

Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.

It is not an excuse that the individual responding party of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the taking of incapacitating drugs.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.

In Kansas, a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old, consenting and un-consenting, is a crime.

Other Civil Rights Offenses

- Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity. Hazing is also illegal under Kansas law and prohibited by College

policy

- Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
- Violence between those in an intimate relationship to each other (this includes romantic relationships, dating, domestic and/or relationship violence)
- Stalking, defined as a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear
- Any other College rules or any other civil right offenses covered under law

*Deliberately false and/or malicious accusations are just as serious an offense as harassment and will be subject to appropriate t (employees).

Retaliation

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging harassment, supporting a party bringing a grievance or for assisting in providing information relevant to a claim of harassment is a serious violation of College policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the appropriate Title IX Coordinator and will be promptly investigated. Colby Community College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

Remedial Action/Protective Measures

The College reserves the right to take whatever measures it deems necessary in response to an allegation of misconduct in order to protect rights, personal safety and well-being of the campus community. The college employs interim protective measures in any case where behavior represents a risk of violence, threat, pattern or predation. Such action may include taking disciplinary action against those whose behavior off college premises indicates they pose a serious and substantial danger to others.

Normally, such substantial danger may be manifested by a pending criminal charge, usually relating to a crime of sexual misconduct, violence, burglary, substantial theft or fraud, the sale of illegal drugs, or the possession of substantial quantities of illegal drugs. Anyone who engages in such activity may be accountable to both civil authorities and to the College for acts that constitute violations of the law. Disciplinary action imposed by the College will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. A law enforcement investigation does not relieve the College of its independent Title IX obligation to investigate conduct and to resolve complaints promptly and equitably.

In all cases, if the complainant (reporting party) wishes to access local advocacy options, on/off campus counseling services, medical care and/or law enforcement for support, the college will assist in making these contacts. An individual isn't required to take advantage of these resources, but the College provides them through written and verbal communication in the hopes of offering help and support.

The appropriate Title IX Coordinator will offer assistance in the form of interim or long-term measures such as:

- Opportunities for academic accommodations
- Changes in on-campus housing for the reporting party or the responding party
- Arranging to dissolve a housing contract and pro-rating a refund
- Visa and immigration assistance
- Changes in working situations and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation
- Assistance, targeted interventions, temporary withdrawal, etc.).

Confidentiality and Reporting of Offenses

Every reasonable effort will be made to maintain the privacy and rights of individuals involved in the reporting of offenses. College officials, depending on their roles, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. Privacy of records are maintained in accordance with Kansas law, Title IX and the federal FERPA statute. Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to a victim's identification. The College maintains privacy in relation to any accommodations or protective measures afforded to a victim, to the greatest possible extent. Under Kansas Law, if either party is under 18 and has been reported being physically, mentally, or sexually abused, College authorities are mandated to report the alleged abuse to law enforcement.

A. Confidential reporting

If a reporting party desires the details of an incident to be kept confidential, the reporting party may speak with the campus counselor, student health nurse, off-campus counselors, domestic violence resources, off-campus members of the clergy/chaplains who will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor.

If a reporting party desires that details of an incident be kept confidential, s/he may seek to speak with the following resources:

On-campus support:

Counseling Services- (785) 460-5439, Thomas Hall
Health Services- (785) 460-5502, Student Union

Off-campus support:

OPTIONS- Victim Advocacy and Domestic and Sexual Violence Services, Toll Free Kansas Crisis Line at 1- (800) 794-4624 or (785) 460-1982
Heartland Rural Counseling Services (785) 460-7588

B. College as Complainant

The college reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of misconduct when necessary

to protect the community.

C. Non-Confidential Reporting Options

It is the collective responsibility of all members of the College community to foster a safe and secure environment. The College takes the matter very seriously in the event of sexual misconduct, or other civil rights offenses. Incidents, when reported, are investigated and properly resolved through administrative procedures. Responsible employees must report and/or investigate any reported offense. A victim may seek assistance from these “responsible employees” without starting a formal process that is beyond the victim’s control, or violates his or her privacy.

Responsible Employees:

- President
- Vice President of Academic Affairs
- Vice President of Student Affairs
- Director of Admissions
- Human Resources Director
- Athletic Director
- Campus Security
- Director of Residence and Student Life

Federal timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that college administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every reasonable effort to ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

[Added May 2019]

ETHICS AND INTEGRITY

Colby Community College is committed to operating in furtherance of its tax-exempt purposes and in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its board members, officers, employees, or volunteers. This policy outlines a procedure for employees to report actions that an employee reasonably believes violates a law, or regulation or that constitutes fraudulent accounting or other practices. This policy applies to any matter that is related to Colby Community College's business and does not relate to private acts of an individual unconnected to the business of Colby Community College.

If an employee has a reasonable belief that an employee or Colby Community College has engaged in any action that violates any applicable law, or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, the employee is expected to immediately report such information to their immediate supervisor. If the employee does not feel comfortable reporting the information to their immediate supervisor, he or she is expected to report the information to the HR Department of the College. Failure to report this type of information could result in negative or adverse sanctions including termination of the employee.

All reports will be followed up promptly, and an investigation conducted. In conducting its investigations, Colby Community College will strive to keep the identity of the complaining individual as confidential as possible, while conducting an adequate review and investigation.

Colby Community College will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, to the executive director, the Board of Directors or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights.

Colby Community College may take disciplinary action (up to and including termination) against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy.

[In addition, Colby Community College will not, with the intent to retaliate, take action harmful to an employee who has provided to law enforcement personnel or a court truthful information relating to the commission or possible commission by Colby Community College or any of its employees of a violation of any applicable law or regulation.]

Supervisors will be trained on this policy and Colby Community College's prohibition against retaliation in accordance with this policy.

[Added November 2016]

[Reviewed December 2020]

INDIVIDUAL EMAIL ACCOUNTS

Colby Community College has obligations to ensure integrity and accessibility of records, and security of sensitive institutional information that may be sent or received via email. This procedure advises employees of their obligations to use only their Colby Community College email account¹ and not personal email accounts to preserve the institutions archival records; to enhance compliance with federal and state laws and regulations; to eliminate accidental or innocent destruction of records; to facilitate the College's operations by ensuring all state/federal laws on retention are met and to manage the records resulting from that use in accordance with applicable policy, standards and procedures for records retention.

Roles and Responsibilities

Supervisors should make this procedure available to team members and provide guidance on implementation.

Information services staff should monitor the implementation and provide assistance as requested.

All Colby Community College employees will:

Maintain and use only Colby Community College email accounts and not use any external/personal accounts² to preserve the institutions archival records; to enhance compliance with federal and state laws and regulations; to eliminate accidental or innocent destruction of records; to facilitate the College's operations by ensuring all state/federal laws on retention are met and to manage the records resulting from that use in accordance with applicable policy, standards and procedures for records and retention.

Enter and maintain a Colby Community College email account address (and not an external/personal account) in the Colby Community College Campus Directory (unless an exception exists and no directory entry is present).

Not auto-forward³ Colby Community College email to an external email account. (Auto forwarding between institution email accounts is permitted. Auto-forwarding to external/personal accounts is not permitted, though manual forwarding of individual messages to an external account is generally permissible if in accord with all other applicable Colby Community College policies, standards, and procedures.)

Ensure that email is retained, sent to archives, or otherwise managed in accordance with the Colby Community College Records Retention Schedule.

Only include professional images from the Public Relations department or approved company logos only to represent their image in their O365 profile.

Exceptions: If email which would constitute institutional business (other than marketing or other short-lived messages which may be deleted immediately) is received on a personal/external account, the affiliate may comply with this procedure by forwarding a copy of the message to their Colby Community College account and notifying the sender to use the Colby Community

College account in the future. Other exceptions to this procedure may only be authorized in writing by the President or the President's designee.

¹Colby Community College Email Account: Email account(s) provided by Colby Community College Information Technology Department for the purpose of transacting institutional business.

²External/Personal Email Account: An email account provided by an organization not affiliated with Colby Community College. This may be a personal Gmail, Yahoo, or other account, or may be provided by another organization (such as a professional organization, or another institution with which the user is also affiliated.)

³Auto-forward: The act of forwarding email through the use of an automated forwarding mechanism. Once configured, these mechanisms forward email from one server to another without any user intervention and/or oversight.

[Added November 2021]

INTELLECTUAL PROPERTY

The purpose of this procedure is to foster the creation and dissemination of knowledge and to provide certainty in individual and institutional rights associated with ownership and with the distribution of benefits that may be derived from the creation of intellectual property. This procedure is intended to be a broad statement to provide uniformity throughout the College.

This procedure applies to all full- or part-time employees, including students, creating intellectual property related to the scope of their employment while under contract or within the employment of the College. When revenues are to be shared, the creator(s) shall obtain his/he share only after the College has recouped any direct costs borne for equipment and materials and cost paid to third parties. Revenues shall be shared equally among multiple creators unless otherwise agreed in writing by the creators. Final decisions on disputed materials will be made by the College President and shall constitute final agency action.

General Copyright

The ownership of the various rights associated with copyright are dependent upon the specific type of intellectual property. Since the College's Board of Trustees and Administration have a fiduciary responsibility for the appropriate use of College funds, unless otherwise provided for under these regulations, all rights associated with works produced as "work-for-hire" or other works that make "substantial use" of institutional resources belong to the institution. "Substantial use" means that the creator receives more than normal support for the project or receives time and/or resources specifically dedicated to the project.

The College shall assert limited ownership of some of the various rights as set forth below:

Mediated Courseware

The College shall have limited ownership or control rights for mediated courseware as specified below:

Self-initiated mediated courseware

When employees develop mediated courseware without specific direction by the institution, unless otherwise agreed, the ownership of the courseware shall remain with the employee. Normally, no royalty, rent or other consideration shall be paid to the employee when that mediated courseware is used for instruction at the College and such mediated courseware shall not be used or modified without the consent of the creator(s). The mediated courseware shall not be sold, leased, rented or otherwise used in a manner that competes in a substantial way with the course offerings (credit or non-credit) of the College unless that transaction has received the approval of the Vice President of Instruction (chief academic officer) of the institution. Should approval be granted to offer the course outside of the College, the creator shall reimburse the institution for substantial use of institutional resources from revenues derived from the transaction offering the course.

Institution-directed mediated courseware. When the College specifically directs the creation of mediated courseware by assigning one or more employees to develop the mediated courseware and supplies them with materials and time to develop the mediated courseware, the resulting mediated courseware belongs to the institution and the institution shall have the right to revise it

and decide who will utilize the mediated courseware in instruction. The institution may specifically agree to share revenues and control rights with the employee.

The College shall develop procedures for reporting the development of mediated courseware to the appropriate College administrator.

Scholarly and Artistic Works

Notwithstanding any use of institutional resources or the “work-for-hire” principle, the ownership of textbook, scholarly monographs, trade publications, maps, charts, articles in popular magazines and newspapers, novels, nonfiction works, artistic works, like works, and supporting materials shall reside with the creator(s) and any revenues derived from the creator(s) work shall belong to the creator(s). Except for textbooks, institutions shall have royalty-free use of the work within the College, unless otherwise agreed in writing.

Manuscripts for Academic Journals

Notwithstanding any use of institutional resources or the “work-for-hire” principle, the owner of manuscripts for publication in academic journals shall reside with the creator(s) and any revenue derived from the creator(s) works shall belong to the creator(s).

If the manuscript is to be published, the creator(s) shall request the right to provide the College with a royalty-free right to use the manuscript within the institution in its teaching, research, and services programs, but not for external distribution, and, if successful, the creator(s) shall grant such right to the institution.

Upon the establishment of national governmental or nonprofit entities whose purpose is to maintain in an electronically accessible manner a publicly available copy of academic manuscripts, the College will review each entity and upon determination that providing the manuscripts will not jeopardize the publication of articles or infringe on academic freedom, require the creator(s) to provide to the appropriate entity a limited license for the use of each manuscript.

Copyrightable Software Regulations

Patents obtained on inventions resulting from institutionally sponsored research or the ownership of copyrightable software with an actual or projected market value in excess of \$10,000 dollars annually shall be retained by Colby Community College or may be assigned by the College to an organization (herein referenced as Organization) independent of the institution and created for the purpose of obtaining patents on inventions, receiving gifts, administering or disposing of such patents, and promoting research and the development of intellectual property at the College by every proper means.

The following regulations shall be followed with respect to inventions or software:

Anyone who conceives an invention resulting from a project sponsored by the College or who develops copyrightable software that is not included in mediated courseware shall report the matter to the employee’s appropriate supervisor at the College. The supervisor will notify the College President of the project.

If the President or the Organization decides that the invention does not warrant patenting, the inventor is free to patent it. In such case, however, the College does not relinquish its right to publish any of the data obtained in or through the project. If the College or the Organization decides not to further the use of the copyrightable software, it shall assign the rights therein to the creator(s).

When any revenue is obtained by or on behalf of the College from the development or assignment of any patent or from royalties, license fees or other charges based on any patent or copyrightable software, not less than twenty-five (25) percent of revenues shall be paid to the inventor(s) or creator(s). Revenue sharing shall begin only after the College recoups costs as set forth in this procedure.

The remainder of any revenue mentioned in Regulation 3 (above) shall be used as deemed appropriate by the College. The College may agree that the Organization may retain a portion of the funds.

In case of a cooperative project sponsored in part by an outside corporation or individual, a written contract shall be made between the College and the cooperating agency or organization.

In case of a project where it is proposed that all costs including overhead, salary of the employee, reasonable rent on the use of equipment, etc., are paid by an outside party, the outside party and the College shall negotiate the appropriate assignment of all patent or copyrightable software rights prior to the provision of any funding by the outside party. The College shall reserve the right to publish all data of fundamental value to science and technology.

Changes in the above regulations may be made by the College to conform to the requirements of the United States Government when contracting with the United States Government or a Federal Government Agency.

Copyrightable Software

The rights to copyrightable software with an actual or projected market value in excess of \$10,000 dollars annually, except software included in mediated courseware, shall be determined pursuant to College's Copyrightable Software Regulations (see above).

Student Academic Creations

The ownership of students' works submitted in fulfillment of academic requirements shall be with the creator(s). The student, by enrolling in the College, gives the institution a nonexclusive royalty-free license to mark on, modify, retain the work as may be required by the process of instruction, or otherwise handle the work as set out in the College's Intellectual Property Procedure or in the course syllabus. The College shall not have the right to use the work in any other manner without the written consent of the creator(s).

Trademarks

Colby County Community College retains the sole right to any and all trademarks of and that represent the College. The use of the College's trademark(s), may be granted by the President, who may require a licensing fee for their use.

[Added November 2021]

INTERDEPARTMENTAL TRANSFER

An employee must maintain employment for one year of continuous service before requesting a transfer. However, there are instances when a supervisor, because of need, can deem that a transfer is acceptable before the 12-month period ends. These circumstances include, but are not limited to, difficulty filling the position, the individual poses a unique skill set to fill said vacancy, the position is deemed necessary for immediate fulfillment. In such instances, the immediate supervisor and supervising vice-president must agree to the department transfer.

Transfer applications are reviewed by the Human Resource Manager, with ultimate approval residing with the supervising vice-president.

[Added August 2016; Reviewed January 2021]

LEAVE

Sick Leave: Each full-time administrator, administrative support and non-certified employee shall accrue one sick day per month of employment, up to a cumulative maximum of 90 days. New employees will not be eligible to utilize sick leave until he/she has completed 90 days of service with the college. CCC may require documentation of illness/excused absence from the employee's physician for sick leave. Administrators, administrative support, and non-certified employees will not be paid for sick leave upon resignation, termination, or retirement. Sick leave may not be used during an employee's final week of employment with the college, with the exception of long-term or catastrophic illness. An employee may take leave for one day or a portion of a day, not less than one hour. The Board of Trustees has the right to request a second physician's opinion, with the associated cost to be borne by the college. This policy shall be effective July 1, 2014.

Employees will be notified of the status of accumulated leave on his/her pay stub.

Sick leave shall only be used for the illness or injury of a full-time employees or a member of his/her family. If an employee exhausts all leave (sick and annual), but is unable to return to work due to certified illness or injury, the Board of Trustees (in consultation with the president) may grant extended leave without pay. In cases of catastrophic illness, the Board of Trustees may allow CCC employees to donate sick leave to an employee in need.

The Board of Trustees agrees to abide by the provisions of the Family and Medical Leave Act of 1993, including amendments, with regard to leave. An employee is required to use all accrued paid leave (sick and annual) concurrently with and toward the FMLA.

Annual Leave: Each full-time non-certified and administrative support employees shall accrue annual leave monthly according to the following schedule:

Years 01-5	= 1.00 day per month (12 per year)
Years 06-10	= 1.25 days per month (15 per year)
Years 11-15	= 1.50 days per month (18 per year)
Years 16-20	= 1.75 days per month (21 per year)
Years 20+	= 2.00 days per month (24 per year)

One day is equivalent to 8 hours. An employee may take leave for one day or a portion of a day, not less than one hour. If an employee is absent entirely for a workday, 8 hours of annual leave will be charged.

An employee under this policy may accrue up to a cumulative maximum of 40 days at the conclusion of a fiscal year. A new employee may not be eligible to utilize annual leave until he/she has completed 90 days of service with the college. Annual leave is to be scheduled based upon the approval of the employee's supervisor. Every consideration shall be given to the approval of leave. Requests for specific dates may be denied, however, if it is deemed a hardship for a functional area of the college. Upon resignation or retirement, one week of annual leave (exclusive of a minimum two-week notice) may be requested immediately prior to an employee's date of separation. This policy shall be effective [July 1, 2022](#).

[Added April 22, 2014; revised September 2021]

OPEN RECORDS REQUESTS

The Kansas Open Records Act grants you the right to inspect and obtain copies of public records created or maintained by public agencies in Kansas. The Open Records Act, K.S.A. 45-215 et seq., as amended, declares that it is the public policy of Kansas that "public records shall be open for inspection by any person." Public records are defined as "any recorded information, regardless of form or characteristics, which is made, maintained or kept by or is in the possession of any public agency. Colby Community College is classified as a public agency for the purposes of this Act.

Public records maintained by Colby Community College:

- Regulations
- Policies
- Minutes/records of open meetings
- Salaries of public officials
- Agency budget documents

Your Rights

You have the right to request assistance from Colby Community College's Freedom of Information Officer at any time.

You have the right:

- To inspect and obtain copies of public records that are not exempted from disclosure by a specific law.
- To obtain a copy of the agency's policies and procedures for access to records.
- To receive a written response to your request within three business days. The response may inform you that it will take additional time to produce the records.
- To file a complaint with the Kansas Attorney General if you feel your request for public records is wrongfully denied.

Your responsibilities:

- You must request records - written, photographic, or computerized. The Kansas Open Records Act does not require an agency to answer questions, prepare reports, or compile information.
- An agency may require you to put your request in writing, and you must provide proof of your identity, if requested.
- Reasonable fees, not exceeding actual cost, may be charged for access to records, copies of records, and staff time for processing your request.

Requesting a Record

Colby Community College's Director of Public Relations is the designated official Freedom of Information Officer, and requests for inspection and copies of records should be directed to him/her.

Colby Community College asks that you submit a written request to obtain public records. Please include the following information in your request:

- Name
- Organization (if requesting on its behalf)
- Mailing address
- Email address
- Daytime telephone number
- A specific description of the records you are requesting. Make your request as specific as possible to expedite the process.

Mail or email your request(s) to:

Director of Public Relations
Colby Community College
1255 S. Range Ave.
Colby, Kansas 67701
publicinfo@colbycc.edu

* Regular office hours on all business days, excluding Saturday and Sunday, are from 8:00 am – 5:00 p.m. The College is closed on official holidays and seasonal breaks.

Delayed and Declined Requests

All effort is made to fully respond to your records request as soon as it is received; however, a determinative response may be delayed if:

- Clarification or refined scope is required.
- Legal issues must be resolved before requested records can be produced.
- The records are archived or stored off-site.
- The scope or large volume of requested records require more time to assess record existence, availability, and any fees incurred to produce.

If further delay is required, the College will provide its explanation and the earliest date by which it expects to provide determinative response.

A request may be declined in whole or in part if:

- The requested records do not exist.
- The requested records are exempt from disclosure by law.
- The request is insufficiently clear in scope.

Permission to access public records may also be declined if the request "places an unreasonable burden in producing public records or the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the public agency." See K.S.A. 45-218(e).

Exceptions

The Kansas Open Records Act recognizes that certain records contain private or privileged information, and the agency is not required to provide access to those records. The Act lists several exceptions, including but not limited to:

- Records closed by the rules of evidence

- Personnel records of public employees
- Medical treatment records
- Criminal investigation records
- Notes, preliminary drafts, or records in which opinions are expressed or actions are proposed
- Records for which disclosure would constitute a clearly unwarranted invasion of personal privacy
- Proprietary business information
- Records protected by attorney/client privilege
- For the complete list, see K.S.A. §45-221(a).

Records more than 70 years old may be disclosed without regard to the above-listed exemptions, unless exempt under other federal or state law.

Records only partially exempt will have the exempt portions excluded prior to production. Records that would unduly disclose individual identities will not be produced.

Nothing in the Kansas Open Records Act supersedes federal law, including the Health Insurance

Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA).

While FERPA permits disclosure of student “Directory Information” without student consent, Colby Community College’s Student Policy does not define email addresses in bulk as Directory Information; therefore, listings of multiple student email addresses are not produced for any purpose. Colby Community College also does not produce listings of student names and addresses for commercial purposes pursuant to K.S.A. §45-230. Additionally, Colby Community College will not distribute records of concurrently enrolled high school students and those who are minors.

Fees

Commensurate with the actual costs in College employee time and resources, fees shall be charged for the retrieval, review, and production of public records. In accordance with K.S.A. §45-219, the following fee rates are established by the College may be applied, with payment of total estimated fees required by cash, check or money order *in advance* of records production if the estimated fee expense exceeds \$25.

If the actual cost in time and resources exceeds the fee estimate, the requestor will be billed for the balance of fees incurred, with full payment required before records production. If the actual cost is less than the fee estimate, the requestor will be refunded any difference over \$5.00. Fees are:

- Executive employee rate based upon the employee’s annual salary/hourly pay rate.
(Executive employees are President and his/her direct reports)
- Manager rate for retrieval and/or review: \$50/hour (Directors/Coordinators)
- Staff rate for retrieval and/or assembly to produce: \$30/hour
- Specialized computer retrieval: \$50/hour

- Copies: 25 cents per page for paper copies; 12.5 cents per page for electronic copies
- College attorney fee: \$200/hour

Requests for Electronic Format Records

The records custodian will be the sole judge of the ability of the agency to comply with any request for the records to be provided in electronic format or for records that must be produced in any specific computer-generated format.

Additional Information

If you have questions about the Act or Colby Community College's policies under it, or to obtain assistance in resolving disputes relating to the Act, contact Freedom Information Officer.

The Solomon Amendment

Under the provisions of the Solomon Amendment (32 C.F.R. 216), Colby Community College is required to provide "student recruitment information" upon request to representatives of the Department of Defense for military recruiting purposes. This information includes student name, address, telephone number, date of birth, level of education or degrees received, major and the most recent previous educational institution in which the student was enrolled. For questions regarding the College's compliance with FERPA and the Solomon Amendment, contact Colby Community College. Fees as provided under KORA shall apply to these requests.

[Added November 2019]

[Updated December 2020]

PARKING

Colby Community requires parking decals for all vehicles parked on campus not located in Campus Visitor designated spots. There is not reserved parking for faculty or staff, with the exception of housing coordinators. Parking permits for students living off-campus are purchased through the Student Accounts office, located in the Student Union.

Students living in the Residence Halls are expected to park in the parking lots provided for them and for which they are issued a parking permit only. Other students, faculty and staff are not permitted to park in the student housing parking lots. Parking lots are designated by a letter/color code, which corresponds to the decal color. Vehicles must be parked in the lot for which they are registered.

All parking on campus is on a "first come" basis. Ample parking does exist with rare exceptions. In the few lots where parking is restricted, each area is clearly marked with signs designating the parking restrictions. Information regarding parking can be found in the campus security brochure as well as bulletin boards located in the lobbies of each residential area.

Students/Faculty/Staff working and/or employed at the Colby Community Farm must park in designated areas only.

Parking Citations

Any vehicle parked on campus or at the farm not in accordance with this policy will be issued a written warning. A second offense will result in a citation of \$50. A third offense will result in a \$100 citation. Failure to pay citations will result in a hold being placed on an account and the inability to enroll in the next semester until paid in full.

Any student/faculty/staff parked in a reserved spot (i.e. handicap accessible, campus visitor, or no parking zone) without proper documentation will not be issued a written warning, but will be issued a \$100 citation for their first offense. A second offense will result in a \$200 fine and a third offense will result in the vehicle being towed at the owner’s expense. This policy is enforceable at any Colby Community parking lot (i.e. Colby Community Farm, the main campus, and the Norton Annex).

[Added June 2022]

Violations/Citations

Policy Violation	1st Offense	2nd Offense	3rd Offense
<i>Parking without proper permit in designated location</i>	Written Warning	\$50 Citation	\$100 citation *Each additional citation will double from previous citation amount
<i>Parking in reserved or otherwise designated parking</i>	\$100 Citation	\$200 Citation	Vehicle towed at owner's expense
<i>Parking in “No Parking” designated areas</i>	\$100 Citation	\$200 Citation	Vehicle towed at owner's expense

OPERATIONAL POLICIES

Dress. Each member of the college community shares a responsibility in maintaining a professional image by dressing and grooming appropriately for his or her respective job assignment.

Purchasing. All college employees are to order supplies, equipment, and repairs through the Business Office. Independent orders will not normally be honored. A purchase request

must be submitted through the Business Portal system. The college is not responsible for payment of an indebtedness which is not supported by a duly approved Business Portal request.

Receptionist Duties. All persons employed for secretarial or bookkeeping positions are expected to act as "receptionists." Persons coming into an office take precedence over other duties. Visitors should be greeted courteously by the first employee who notices them. Determine the visitors' business quickly and pleasantly. Make sure that the visitors are comfortable if they must wait. If arrangements cannot be made for them to see the appropriate person, make sure that person receives written notice of the visit.

Smoking and Tobacco. Smoking and tobacco use is not allowed in campus buildings.

Visitors in the Classroom. The only individuals allowed in the classroom are the instructor and the students who have paid for that specific class. The instructor has the right to invite or allow other individuals to visit the class on occasion as appropriate.

[Revised December 2007; revised April 2014]

Work Areas. Each employee is expected to leave the employee's work area clean and orderly at the close of each work day. Machines, equipment, tools, etc., should be covered and stored in the proper place. Each employee is responsible for the care of the machines, equipment, tools, etc., used in the performance of the employee's work tasks. Each employee should double-check to make sure files, vaults, doors, etc., are secure at the end of the day. Security and confidentiality must be maintained at all times.

Working Relationships. Each employee works under the direction of an immediate supervisor and under the overall supervision of the President. Criticisms of an employee's work are to be directed to the immediate supervisor. Employees may not assume responsibility for work in other departments without approval of immediate supervisors. Supervisors are urged to grant approval when practical.

Personnel Records

Employment and Personnel Records. All employment and personnel records will be maintained by the Human Resources Office.

Open Records Policy. All public records as defined by Kansas law shall be open for inspection by any person except as otherwise provided by the **Kansas Open Records Act**. No person shall remove original copies of public records from Colby Community College without the written permission of the President or designee. For more information, see the policy on Open Records Requests.

PETTY CASH AND CHANGE FUNDS

This policy is in the [Business, Management, and Financial section](#).

PUBLICATION AND LOGO USE

The Public Relations Office is assigned the primary responsibility for overseeing the College's publications. Publications include those used for recruitment of new students, those sent to the College's various constituents as a medium for communicating official College information, and those deemed "image" publications that enhance recognition and understanding of the College.

Logo and Branding Standards

Visual materials, in both print and electronic form, convey the identity of the College. The overall goal is to formalize a unified institutional identity consistent with the Mission and Vision. Only approved logos as listed in the institutional style guide should be used on CCC documents, publications, and electronic mediums. The Public Relations Office and Copy Center will not authorize publications that do not comply with the wordmark and logo guidelines.

Logo

Several versions of the CCC logo, horizontal and vertical, are available for different situations and layouts. Do not change or manipulate logo proportions or add any visual effects to the logo.



The "Power C Logo" is the official logo for Colby Community College and should be used when there is clear messaging from Colby Community College and for athletics. It is the only athletic logo authorized for use on college publications. Other versions of the logos are available by contacting the Public Relations Office.



Color: Blue (PMS 286).

Online equivalent: RGB: R: 0 G: 56 B: 168 / RGB #0038a8

CMYK equivalent is C:100% M 66% Y: 0% K: 0%

RAISE ELIGIBILITY

Colby Community College strives to provide annual raises to the institution's employees. If the College provides raises an employee is not eligible for a raise unless they were employed prior to the final fiscal quarter of the year (i.e. on or before March 31) of the current fiscal year. If an employee is hired after that date (i.e. April 1), but prior to the next fiscal year, they are not eligible for annual raise and will have to wait until the next fiscal year to be eligible for the institutional raise. This policy pertains to staff, not professional employees.

[Added July 2020]

RECORDS RETENTION

Colby Community College is governed by state statutes defining records retention requirements. State law provides that all government records are public property and shall not be destroyed or otherwise disposed of except as authorized by law or applicable retention and disposition schedules (see [Kansas Statutes Annotated \(K.S.A.\) 45-403](#)). This chapter provides records and information management guidance for current and non-current government records within Colby Community College units and offices. The College Archives is designated as the official repository for the preservation of all Colby Community College non-current government records with enduring value. The College Archives is administered by the College Vice President of Business Affairs (VPBA), hereinafter referred to as the VPBA, who serves as the Agency Records Officer for Colby Community College in accordance with [Kansas Administrative Regulation \(K.A.R.\) 53-4-1](#). In this capacity, the VPBA serves as the liaison between the College Archives and Colby Community College offices to develop and maintain records retention and disposition schedules as described in this chapter. Unless stated otherwise, the term "office(s)" used in this chapter refers to all administrative, academic, and other offices of Colby Community College. This policy is maintained by the Policy Committee, which is further described in .050 Roles and Responsibilities.

Statutes

Colby Community College records, regardless of their format, are subject to the records preservation laws of Kansas. College officials are responsible for managing records in ways that ensure accessibility under the Kansas Open Records Act (KORA, [K.S.A. 45-215–45-223](#)), protect the confidentiality of other records as stipulated in various state and federal statutes, and preserve and provide long-term access to selected records through the Government Records Preservation Act ([K.S.A. 45-401–45-413](#)) and the Public Records Act ([K.S.A. 75-3501–75-3518](#)).

Definitions

"Government records" means all volumes, documents, reports, maps, drawings, charts, indexes, plans, memoranda, sound recordings, microfilms, photographic records and other data, information or documentary material, regardless of physical form or characteristics, storage media or condition of use, made or received by an agency in pursuance of law or in connection with the transaction of official business or bearing upon the official activities and functions of any governmental agency. Published material acquired and preserved solely for reference purposes, extra copies of documents preserved only for convenience of reference and stocks of publications, blank forms and duplicated documents are not included within the definition of government records" (see [K.S.A. 45-402\(d\)](#)).

"Noncurrent government records" means all government records which no longer are necessary for the handling of ordinary official public business by the agency and which are not required by law to be retained in the immediate custody of the agency for a longer period of time" (see [K.S.A. 45-402\(e\)](#)).

"Government records with enduring value" means all government records which merit preservation for historical, legal, fiscal or administrative reasons, or for research purposes" (see [K.S.A. 45-402\(f\)](#)).

"Retention and disposition schedules" means lists of series of government records, prepared pursuant to [K.S.A. 45-404](#) and subsections (c) and (d) of [K.S.A. 45-406](#), and amendments thereto, specifying which series of records have enduring value, authorizing disposition of certain other series of records, and

indicating how long certain series of records should be retained before disposition of them" (see K.S.A. 45-402(g)).

"Records life cycle" means the phases of existence for records, usually including creation, active (current and regularly used), inactive (current and occasionally referenced), and disposition (non-current).

"Records retention" means the length of time records should be maintained by an organization. This duration can range from immediate disposal to archival preservation.

"Records disposition" means the decision, usually designated by retention schedules, to move records to their final location. Options can include continued maintenance in office of record, destruction, or transfer to the archives.

Roles and Responsibilities

The following groups and individuals are frequently involved in records and information management at Colby Community College. Their functions and obligations are described as follows.

The Records and Information Management Committee is charged to develop, review, revise, endorse, and interpret College records and information management and technology policies and procedures for the College community and ensure that those policies are appropriately disseminated to the campus community. All policies related to records and information management and technology should be approved by this committee. It has authority to review and recommend records retention schedules for approval by the State Records Board, and will review this policy on an annual basis. In addition, the committee will:

- Keep retention policies and schedules updated.
- Provide guidance on matters related to records and information management and information technology.
- Ensure best practices are known and followed.
- Respond to records questions and issues.
- Identify and implement training opportunities.
- Develop implementation and enforcement strategies.
- Address changes in technology and recordkeeping priorities.

The duties of the Agency Records Officer, designated as the College VPBA , are described in [K.A.R. 53-4-1](#). Further, this person serves as chair of the Records and Information Management Committee and is a resource to College personnel for records and information management questions.

The College Archives is the official repository for the preservation of all Colby Community College non-current government records with enduring value.

Administrative, academic, and other offices and units have responsibility for the management of records during their active and inactive phases of the records life cycle. They also coordinate with the VPBA for transfers of archival records.



Access to Records

Colby Community College recognizes its responsibility to the academic community and public for the timely access, retention, and disposition of College records, as defined by this policy and the applicable records retention schedules, and in compliance with KORA and other college, state, or federal statutes and regulations that may apply.

As a state institution, many of Colby Community College records are generally subject to inspection and copying by members of the public, unless there is an applicable exemption to disclosure, such as those described in KORA.

For access to active and inactive records, please contact the college's designated records custodians. For access to records transferred to the College Archives, refer to the department website for open hours and any procedural guidelines. Some archival College records may be exempt from disclosure.

Records Retention and Disposition Schedule

Records at Colby Community College will be maintained in accordance with applicable retention and disposition schedules. The State of Kansas General Schedules, Kansas Board of Regents agency schedule, and Colby Community College agency schedule provide retention and disposition guidance. For questions about records not described in these schedules, please contact the VPBA. When the schedules defined above give the disposition as "Archives," it means the College Archives.

Records Procedures and Forms

Throughout the records life cycle, personnel in administrative, academic, and other offices and units will be required to store, transfer (to the College Archives), or destroy records. The following procedures and forms assist in these activities:

- A. Using and navigating retention and disposition schedules:
 - a. Records retention schedules may be accessed by browsing the schedules using the links provided herein, or by searching all of the state retention schedules. Refer any questions to the VPBA.
 - b. The relevant retention schedules for Colby Community College records are found in the State of Kansas General Schedules, Kansas Board of Regents agency schedule, and Colby Community College agency schedule. Questions about records not described in these places should be referred to the VPBA.
- B. Storing paper and analog records:
 - a. Offices and units should store inactive records in standard records cartons (15" long x 12" wide x 10" high).
 - b. Boxes should be labeled clearly, even if the contents are scheduled for destruction, so the office holding the records and the Archives staff can readily identify the records, retention length, disposition action, and date. The label should include the office or unit name, the name of the records as listed in the Records Retention and Disposition Schedule (see .070; if not in the schedules, provide the appropriate name of the records), beginning and ending dates of contents, and the sequential box number (e.g., 1 of 4, 2 of 4, etc.).



- c. Boxes stored in an office area should be placed so that all box labels are visible and the boxes are accessible. Inactive records having archival value ultimately will be transferred to the Archives. In the event that Archives space limitations should postpone transfer of some historical records, the office or unit will have full responsibility for maintaining the records until they can be placed in the Archives. Any storage site should be clean, dry, secure, and maintained at a moderate temperature.
- C. Storing electronic records:
- a. Offices and units should store active records in locations that allow rapid retrieval from information systems.
 - b. Offices and units should store inactive records in locations that balance cost and retrieval needs.
 - c. Directory folders and files should be named consistently to assist retrieval of appropriate information.
 - d. Active and inactive records require storage that meets any information security needs and digital preservation requirements.
- D. Transferring records to the Archives:
- a. Identify records in the Records Retention and Disposition Schedule (see .070; if not in the schedules, contact the VPBA) that have disposition as "Archives." Transfer of records to the Archives takes place at the end of the retention period described in the schedules.
 - b. Contact the VPBA if any questions exist about records to destroy or transfer to the Archives.
 - c. Contact the VPBA to coordinate transfer of records to the Archives.
- E. Destroying records:
- a. Identify records in the Records Retention and Disposition Schedule; if not in the schedules, contact the VPBA that have disposition as "Destroy." Ensure other federal or state statutes or regulations do not prohibit destruction of specified records. Destruction of records takes place at the end of the retention period described in the schedules.
 - b. Contact the VPBA if any questions exist about records to destroy or transfer to the Archives.
 - c. Fill out any applicable records destruction forms and contact the VPBA for any necessary approvals for records destruction.
 - d. For paper records, use university-approved destruction method (recycle, shred, vendor shredding, Shred Day, etc.) that is appropriate for the confidentiality of the records being disposed.
 - e. For destruction of digital data and records, follow guidelines in the Media Sanitization and Disposal Policy, and ensure methods are appropriate for the confidentiality of the records being disposed.
- F. Revising records retention schedules:



- a. To revise existing retention schedules, please contact the VPBA to initiate the process. The VPBA will submit draft revisions to the Records and Information Management Committee for review and recommendation to the State Records Board for final approval.
 - b. To create a new retention schedule, please contact the VPBA to initiate the process. The VPBA will submit draft schedules to the Records and Information Management Committee for review and recommendation to Board for final approval.
- G. Revising the retention of records policy:
- a. The Policy Committee will review this policy at least annually.
 - b. For questions about this policy, please contact the VPBA.

State and Federal Statutes and Regulations

State and federal statutes and regulations related to records management and records retention include the following sections: state records, education records, financial records, health information records, human resources records, and research and sponsored programs records.

A. State records

- a. Government Records Preservation Act, K.S.A. 45-401 et seq., defines government records, declares records to be state property, prohibits their unauthorized destruction, describes the State Records Board, requires state and local agencies to cooperate with the State Records Board in regards to records, and stipulates the conditions for the destruction of records after imaging.
- b. Public Records Act, K.S.A. 75-3501 et seq., also defines records, creates and outlines responsibilities of the State Records Board, authorizes admissibility in court of micrographic and optical disc records, requires agency compliance with standards for micrographic and optical disc records, requires state agencies to maintain titles, deeds, or other records related to any real estate transactions conducted by the agency, provides guidelines for the use of acid-free and permanent paper, prohibits disclosure of individuals' social security numbers, but not access to full records containing that information.
- c. State Records Board, K.A.R. 53-4-1, implements the Kansas Public Records Act and describes the duties of records officers.
- d. Kansas Open Records Act (KORA), K.S.A. 45-215 to 45-223, declares records open for inspection unless otherwise provided by this act, requires the development of policies to provide prompt and convenient public access to government records for a reasonable fee, describes specific categories of records that are exempt from disclosure, state agencies have discretion to release some records exempted from disclosure by the KORA, provides that records exempted by KORA and still in existence will be open to the public after 70 years unless closed by another specific statute or regulation, provides description of enforcement actions and penalties for violations, requires the designation of a local freedom of information officer per office, requires a citizens' right to access brochure be available to the general public, provides for legislative review of exceptions, prohibits unlawful use of names derived from public records, and requires not-for-profit entities receiving public monies over a certain amount to retain and make publicly available records regarding the expenditure of those funds.



- e. Kansas Open Meetings Act (KOMA), K.S.A. 75-4317 et seq., defines meetings, declares meetings that conduct governmental affairs or governmental business transactions be open to the public, provides for public notices to be given regarding meetings, provides for exceptions when meetings may be closed, and describes penalties and enforcement actions.
 - f. Kansas Uniform Electronic Transactions Act, K.S.A. 16-1601 et seq., allows for the use of electronic signatures and electronic recordkeeping.
 - g. Tampering with a public record, K.S.A. 21-5920, defines such as a class A nonperson misdemeanor.
- B. Education records: Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g; 34 C.F.R. Part 99: FERPA is a federal law protecting the privacy of student education records. It applies to all schools that receive funds under specified programs of the U.S. Department of Education.
- C. Financial records: federal grant information, 2 C.F.R. Part 200.333–200.337, pertaining to record retention and access to Post Federal Award Requirements.
- D. Health Information records: Health Insurance Portability and Accountability Act (HIPAA), 110 Stat. 1936: HIPAA is a federal law related to continuity of health insurance that also includes rules protecting privacy of health information. One of these rules, known as the Privacy Rule, applies to health care providers who transmit health information in electronic form. Further information is available on the U.S. Department of Health and Human Services website.
- E. Human Resources records
- a. Records, Reports, Research and Evaluation of Personnel System: K.A.R. 1-13-1a defines the contents of an employee's official personnel file, and K.A.R. 1-13-1b relates to disclosure of employee information.
 - b. Federal Occupational Safety and Health Administration (OSHA) injury and illness recordkeeping and reporting requirements: Requirements for maintaining, posting and providing records of serious work-related injuries and illnesses.
 - c. Federal Department of Labor Family and Medical Leave guidance (see Recordkeeping section).
- F. Research and Sponsored Programs
- a. Institutional Review Board Records in 45 C.F.R. §46.115: The Institutional Review Board (IRB) is responsible for the Research with Human Subjects program, and at Colby Community College the Committee on Research Involving Human Subjects serves as the IRB. In addition to requirements found within the CFR, please view the university's IRB website.
 - b. The Animal Welfare Act (AWA), 7 U.S.C. §54: Kansas State University's Institutional Animal Care and Use Committee (IACUC) administers an animal care and use program following requirements in the AWA. Additional recordkeeping guidance can be found on the university's IACUC website.



- c. NIH Guidelines for Research Involving Recombinant and Synthetic Nucleic Acid Molecules: These guidelines provide recordkeeping rules for the Institutional Biosafety Committee (IBC), which is responsible for the Colby Community College biosafety program.
- d. United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern (DURC): This policy provides DURC recordkeeping guidance for the IBC.
- e. Select Agents guidance, 7 C.F.R. Part 331, 9 C.F.R. Part 121, 42 C.F.R. Part 73: The College Research Compliance Office uses these federal rules to manage records related to certain biological organisms and toxins, called the select agent program.
- f. Federal Acquisition Regulation, Contractor Records Retention (F.A.R. Subpart 4.7): This subpart provides recordkeeping rules for contractors to meet the records review requirements of the federal government. In this subpart, the terms "contracts" and "contractors" include "subcontracts" and "subcontractors."

Questions about this policy and its associated content, including the Records and Information Management Committee, can be directed to the VPBA.

[Adopted January 2017]



SOCIAL MEDIA

Purpose

The Social Media Policy promotes responsible engagement and dialogue between Colby Community College employees and students, prospective students, and constituents. The decision to participate in any online social network or discussion rests with CCC faculty and staff. To that end, employees and students choosing to participate on platforms used for official College purposes should:

- Protect privacy online by adjusting the settings and publishing updates only to the audience with whom you wish to share.
- Treat content so that once posted online, it is available worldwide. Any text or photo placed online typically becomes the property of the social networking site(s) and cannot be controlled when it is placed online.
- Complete an application form for new accounts and register existing accounts with the Public Relations Office.
- Register at least two administrators who are full-time employees of Colby Community College.

College Accounts

1. Employees interested in establishing a social media account must begin by completing an [application](#). Existing accounts should also be registered using the same form. Accounts must be registered with a College email address that ends in "@colbycc.edu"

Accounts on most social media platforms are accepted; however, at this time, College accounts on TikTok are prohibited because of state and federal government concerns about privacy.

2. Social media accounts recognized by Colby Community College must always have at least two administrators who are full-time employees. Account administrators must also add the CCC Public Relations Director as an administrator or provide login credentials.
3. Employees are expected to follow the same standards online as they would in the workplace, guided by the CCC Policies and Procedures Manual. Employees are fully responsible for the content they post on social media sites on behalf of the College.
4. Accounts for student organizations officially recognized by Student Life must be overseen by a full-time College employee who serves as an account administrator. Students cannot be named as exclusive page administrators but may post with review of the employee-administrator.
5. Employees or those providing work for Colby Community College are prohibited from engaging in conversations or posting information, stated or implied, regarding employees, alumni, or student records such as GPA, social security numbers, admissions status, name, telephone numbers or information that would be covered by FERPA.
6. Employees will identify themselves by name and, when relevant, their role when discussing College-related matters.
7. All laws and regulations relating to copyright and fair use shall be followed without



- exception.
8. Clients, partners, or suppliers of CCC will not be cited without their approval. When possible, references will be linked back to the source.
 9. College accounts should display official CCC logos, which are available from the Public Relations Office. No other logos representing CCC may be used.
 10. It is recommended that the college URL, www.colbycc.edu, a college phone number, and college email address be listed on social media accounts. Avoid listing personal cell phone numbers and email addresses.
 11. Once a site administrator is no longer affiliated with a specific site, the rights will be removed.
 12. CCC reserves the right to disable or temporarily unpublish dormant college social media accounts (no posts, no activity) for more than SIX months, as such stagnancy reflects poorly on the College.
 13. Failure to comply with the social media policy may result in disciplinary action.

Personal Accounts

1. CCC does not monitor staff or student social networking content published independently of their work at CCC. However, employees are expected to use sound professional judgment in all posted material. The views and information on such postings do not constitute official college information. Think twice about the content you are about to post, with attention to spelling, accuracy and grammar. Assess the value of the content and consider whether it may potentially malign or polarize any person or group and treat others as you would want to be treated. You are responsible for the content you publish on blogs, wikis, or any other form of user-generated content.
2. If you are maintaining a personal site that does not serve the purpose of representing or promoting CCC, then it is recommended that you add this or a similar statement somewhere in your bio: “Views expressed here are my own, and do not necessarily reflect those of my employer.”
3. Be aware of your association with CCC in online social networks. If you identify yourself as a CCC employee or student, ensure your profile and related content are consistent with how you wish to present yourself to colleagues, students, and the public.
4. Any CCC employee or student should follow all state and federal laws regarding comments that discriminate against any person on the basis of race, color, gender, national origin, disability, religion, sexual orientation, veteran status, or age.
5. Personal social networking activities should not interfere with work commitments.

[Updated September 2019; June 2023]



SUSPENSION OF EMPLOYEE

The President shall have the authority to suspend employees with or without pay. If a suspension without pay is imposed, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond.

This policy does not apply to professional employees who may be subject to discipline or suspension only pursuant to the terms of the Master Agreement.

[Added February 2010]

[Reviewed August 2020]

TELEPHONE USAGE AND LONG DISTANCE

Personal calls should be as limited as possible. College telephones may be used by employees for free long-distance calls only for official/college business purposes. All other long-distance calls must be paid for by the employee. All other long-distance calls are not permitted by the College.

[Updated August 2020]



TRAVEL

The following Kansas Statutes Annotated (K.S.A.) and Kansas Administration Regulations (K.A.R.) are applicable to reimbursement of travel expenses:

K.S.A. 8-301 Publicly Owned Motor Vehicles

K.S.A. 75-3072 Authorized Uses of Agency Impress Funds

K.S.A. 75-3201 et seq. Compensation and Allowances of Public Officers and Employees

K.S.A. 75-4601 et seq. State Vehicles

K.A.R. 1-16-1 et seq. Travel Reimbursement

K.A.R. 1-17-1 et seq. Use of State-Owned or Operated Motor Vehicles on Official College Business

K.A.R. 1-18-1a Maximum Allowance for Use of a Privately Owned Conveyance for Public Purposes

Definitions

Domicile: The place an employee adopts as the employee's place of habitation and has the intention of returning to when absent.

Employee: A person employed by CCC and required to travel on official college business.

High-Cost Geographic Area: An out-of-state city, town, or area, where subsistence expenses incurred are reimbursed at higher rates than normal rates due to higher subsistence costs associated with the city, town, or area. (Reference: K.A.R. 1-16-18a).

In-State Travel: Travel within the borders of the State of Kansas. **Out-of-State:** Travel to the other forty-nine states and the District of Columbia.

International Travel: Travel outside the fifty states and the District of Columbia.

Lodging Establishment: An establishment in the business of providing lodging to the general public.

Privately Owned or Operated Conveyances: Motor vehicles or other privately owned conveyances including, but not limited to, automobiles (passenger cars, station wagons, trucks, vans, etc.), motorcycles, and other similarly privately conveyances.

Subsistence Expense: All charges for meals and lodging.

Travel Authorization

All in-state or out-of-state travel by employees should be authorized prior to travel. Colby Community College (CCC) will reimburse reasonable and ordinary travel expenses deemed necessary by the Administration for the conduct, support and activities of the college mission. Funds will not be used to support activities or positions that are not aligned to the policy or mission or that are considered by the Department Head/VP, President or Vice President of Business Affairs as not being in the best interests of the college or within the scope of reasonableness. Reimbursement requests must be presented on the Travel Expense Reimbursement Request form. Detailed written receipts from the vendor must be



submitted for all travel expenditures. Any electronic travel assistant documentation is allowable for driving documentation along with travel receipts.

Safe Operation of College-Owned or Operated Vehicles by Employees

Employees operating a privately owned or college-owned or leased conveyance are responsible for operating the vehicle in a safe and prudent manner and in accordance with all applicable federal, state, and local traffic laws. Fines assessed for traffic citations or other violations of applicable traffic law are the responsibility of the employee and are not reimbursable.

Requirements for Reporting Accidents

If an accident occurs involving a privately owned or college-owned or leased motor vehicle being used for official college business report to Human Resources (for possible worker's compensation claim), and the college Fleet Department (college vehicle Inventory needs to be adjusted accordingly).

Requirements for Reporting Breakdowns

If a breakdown occurs involving any college-owned motor vehicle being used for official college business refer to the trip ticket provided when checking out a vehicle.

Reimbursable Transportation Expenses

The college discourages the use of privately-owned conveyances on official college business whenever possible. Employees may be reimbursed for transportation expenses incurred for authorized travel by privately owned or operated conveyances, (commercial air flights, trains, buses, etc.), and, in some cases, rental. Local transportation expenses such as city bus and taxicab fares are considered miscellaneous expenses and are discussed in the Miscellaneous Expenses section.

Non-Reimbursable Transportation Expenses

Transportation expenses incurred by employees are not reimbursable in the following situations:

- A. Additional transportation expenses incurred as a result of an employee residing in a city or town outside the employee's official station or otherwise incurred because of an employee's choice of residence are not reimbursable.
- B. Transportation expenses incurred commuting between an employee's official station and domicile are not reimbursable.

Air Travel

Procedure

Travelers are encouraged to book flights at least 14-30 days in advance to avoid premium airfare pricing. Travelers are encouraged to purchase tickets on Tuesdays for best pricing. This will be monitored by the direct supervisor. Air travel booked using frequent flyer miles will not be reimbursed.

Class of Service

All individuals traveling on CCC business must travel in coach class unless using a free upgrade, or purchase an upgrade personally.

Baggage Fees

Baggage fees will be reimbursed for baggage that is appropriate for the purpose and length of the



trip. Reimbursement for baggage that is personal in nature (e.g. golf clubs for a business trip) is not allowable.

Rebooking Fees

Rebooking or change fees will be reimbursed for extenuating circumstances only.

Airport Travel and Lodging

One day drive time will be allowed each way. Meals and lodging reimbursement will be limited to one day each way except during inclement weather or other extenuating circumstances.

Most Economical or Advantageous Mode of Transportation

When an employee knows he/she is taking a business trip, the employee must reach out to Fleet via a vehicle request form. If a CCC vehicle is available, Fleet will send a confirmation email to the employee. If a vehicle is not available, the employee may use his/her personal vehicle. In lieu of airline travel, the mileage reimbursement shall not exceed the entire cost of the air-travel option (e.g. total mileage reimbursement, airport parking, airfare and rental car) and justified with appropriate documentation/rationale.

Mileage Reimbursement for Use of a Privately Owned or Operated Conveyance

- A. Mileage reimbursement rates.** In order to obtain full mileage reimbursement for use of personal vehicle and if a CCC vehicle is not available, a reservation must have been requested at least 14 days prior to the date of travel. (This rule can be exempted with approval of supervising Vice President). Employees are authorized by privately owned or operated conveyance may be reimbursed for allowable miles traveled at a fixed rate. Privately owned or operated conveyances include automobiles (passenger cars, station wagons, trucks, vans, etc.), motorcycles, and other similar privately owned conveyances.

Mileage reimbursement is made at the current IRS rates.

<https://www.irs.gov/tax-professionals/standard-mileage-rates>

These reimbursement rates are considered to cover all costs associated with the use of the privately owned conveyance. This includes, but is not limited to: gasoline, oil, tires, repairs, insurance (including uninsured losses, and insurance deductibles resulting from damage to the privately-owned conveyance), license fees, depreciation costs, and expenses of any type.

- B. Exceptions to the mileage reimbursement rates.** Exceptions to the above mileage reimbursement rates are as follows: When a mode of transportation is available and less costly than transportation by privately owned conveyance, mileage reimbursement is limited to the cost of the mode of transportation.

If CCC vehicle is available, yet employee insists on taking his/her own vehicle due to personal and/or medical reasons, permission of their immediate supervisor is required and the rate of reimbursement will be limited to .19 per mile. This rate may change annually per the IRS standard mileage rates. <https://www.irs.gov/tax-professionals/standard-mileage-rates>

- C. Calculation of mileage.** Travel by privately owned or operated conveyance is deemed to be by the usually traveled, most direct route.



Additional Reimbursable Expenses When Using a Privately Owned or Operated Conveyance

The following expenses incurred as the result of using a privately owned or operated conveyance are also reimbursable:

- A. Parking fees when on an official trip.
- B. Tolls paid for toll roads and toll bridges.

Rental Car Expenses

Use of a rental car while on college business requires prior approval from the Vice President of Business Affairs or the President in consultation with the department head. Cost and vehicle size will be reasonable for the intended purpose of the rental. College credit card must be used for car rentals so insurance is provided through the card.

Reimbursable Subsistence Expenses

Employees may be reimbursed for subsistence expense incurred when sleeping away from their domicile on official college business is required. The subsistence reimbursement consists of meal allowances and actual lodging expense incurred with prescribed limitations. The meal reimbursement is determined by a per-meal allowance rate for breakfast, lunch or dinner, as identified below.

Meal Expense Reimbursement

Meal expense determination. Employees may be reimbursed for meal expense while in travel status. The allowed meals are based on the time in which the employee is in travel status. Meal allowances on the day of the departure are reimbursed as follows:

Time of departure	Meals allowed
12:01 A.M. – 6:00 A.M.	breakfast, lunch, and dinner
6:01 A.M. – 12:00 Noon	lunch and dinner
12:01 P.M. – 6:00 P.M.	dinner
6:01 P.M. – 12:00 Midnight	no meals allowed
Time of return	Meals allowed
12:01 A.M. – 6:00 A.M.	no meals allowed
6:01 A.M. – 12:00 Noon	breakfast
12:01 P.M. – 6:00 P.M.	breakfast and lunch
6:01 P.M. – 12:00 Midnight	breakfast, lunch, and dinner

Unless a reduction is made for provided meals, employees are reimbursed for all three meals on days in which travel status between the departure and returning days. Meals on the day in which the employee returns to the official station or domicile are reimbursed according to the CCC travel allowance.

Employees may choose to accept a per diem in lieu of submitting receipts.

Lodging Expense Reimbursement

Reasonable and customary expenses will be reimbursed. Itemized receipts are required for reimbursement.



Non-Reimbursable Subsistence Expenses

Subsistence expenses incurred by employees are not reimbursable in the following situations:

- Subsistence expenses incurred as a result of an employee residing in a city or town outside the employee's official station or otherwise incurred because of an employee's choice of residence are not reimbursable.
- No subsistence expense may be reimbursed to the employee when the subsistence is furnished at no cost to the employee by any organization.

MISCELLANEOUS EXPENSES**Reimbursable Miscellaneous Expenses**

Employees may be reimbursed for miscellaneous expenses incurred during travel such as local transportation fares, purchase of supplies, registration fees, and other similar miscellaneous expenses identified below. Receipts evidencing each miscellaneous expenditure should be submitted with the travel expense report, except no receipts are required for: local transportation charges, unattended parking meters, and unattended toll booths.

[Adopted June 2015]

[Updated September 2020]



USE OF COMPUTERS/COLLEGE COMPUTING AND INFORMATION SYSTEMS

Colby Community College respects the privacy of individuals and maintains User files and emails on central College Systems as private as possible. However, to protect the integrity of its information resources and the rights of all Users, the College reserves the right to monitor access to information resources, communications on the college network and use of systems and college data.

For reasons relating to compliance, security or legal proceedings (e.g., subpoenas) or in an emergency or in exceptional circumstances, the College's Executive Council may authorize the reading, blocking or deleting of college data. In particular, in the context of a litigation or an investigation, it may be necessary to access college data with potentially relevant information. Any such action taken must be immediately reported to the Executive Council.

College computers, computing and information systems are provided for students, employees, and other authorized users in support of the mission and ends of the College. The College limits the use of these resources to those applications which are deemed appropriate. No user shall engage in the following:

- Violate any institutional policies or procedures or use technology resources for unethical, illegal or criminal purposes;
- Violate the privacy of co-workers, students, patients, research subjects, alumni(ae) or donors;
- Violate the rights of any person protected by copyright, trade secret, patent or other intellectual property or similar laws and regulations (i.e., installing or distributing pirated or other inappropriately licensed software);
- Copy, distribute or transmit copyrighted materials unless authorized;
- Obstruct College work by consuming excessive amounts of network bandwidth and other system resources or by deliberately degrading performance of a computer;
- Create any program, web form or other mechanism that asks for a Colby Community College user identity and password other than user authentication mechanisms authorized;
- Intimidate, harass, threaten or otherwise do harm to other users or internal or external information resources;
- Transmit materials in violation of the College's sexual harassment, hostile workplace or protection of minors policies;
- Make offers of products, items or services that are fraudulent;
- Intentionally cause a security incident (e.g., log into an account or access college data that the user is not authorized to access, etc.);
- Intercept or monitor college data not intended for the user unless specifically authorized by the applicable;
- Attempt to avoid the user authentication or security of systems or endpoints;
- Allow any unauthorized person to use institutional computers for personal use;
- Violate the policies of external networks and resources while using such external resources;



- Create or intentionally release computer viruses or worms or otherwise compromise a computer;
- Engage in frivolous, disruptive or inconsiderate conduct in computer labs or terminal areas;
- Use a college network to gain unauthorized access to a system or college data or to escalate privileges on a system; or
- Use information resources for commercial purposes, except when explicitly approved by the applicable manager. Prohibited uses include, but are not limited to, development of programs, data processing or computations for commercial use, preparation and presentation of advertising material and the running of a server connected to the college network.

Implied Consent: Each person with access to the College's computing resources is responsible for appropriate use and agrees to comply with all applicable College and departmental policies and regulations, and with applicable City, County, State and Federal laws and regulations, as well as with the acceptable use policies of affiliated networks and systems. Each user is subject to monitoring of all communications, including e-mail.

[Added November 2021]



WEAPONS

Applicability

This Policy applies to all Colby Community College (CCC or “College”) students, employees and visitors:

1. on the CCC main campus, Affiliate campus, and within locations owned or leased by CCC that are not part of the CCC main or Affiliate campuses (collectively, “Campus”), or;
2. when attending/participating in or performing College duties at any off-Campus College sponsored or supervised classes, practices, activities or other programs (collectively, “Off-Campus Activity”).

Weapons Statement

In order to promote a safe and secure community college and learning environment, CCC prohibits the possession or use of Weapons 1 on Campus and at Off-Campus Activities, other than as set forth below.

In accordance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 *et seq.*, as amended (the "Act") and other applicable federal/state laws, it is permissible and will not be a violation of this Policy for the:

1. Carrying of a concealed Handgun² on Campus by legally qualified individuals, pursuant to Kansas law, and also in accordance with the Concealed Carry Restrictions set forth below,
2. Lawful carrying of a concealed Handgun by an employee performing College duties at an off- Campus Activity, when in accordance with applicable laws/policies for such location,
3. Lawful possession of a Handgun within a personal/non-College vehicle,
4. Lawful possession of Weapons by Colby or Affiliate Police Departments or other law enforcement officers while acting within the scope of their employment, by authorized armored car personnel, or by others authorized in writing by the CCC President, Vice President of Student Affairs or designee, or as necessary for the conduct of College approved programs.

General Rules on Open Carry and Concealed Carry on Campus

Open carry of firearms and possession of weapons other than concealed handguns shall be prohibited on campus, while concealed carry of handguns is permitted on campus, subject to the rules stated in this policy. All weapons are prohibited at all off-campus CCC sponsored or supervised activities, except that, as required by law, Colby Community College does not prohibit employees, who are legally qualified, from carrying a concealed handgun while engaged in the duties of their employment outside of CCC’s place of business, including while in a means of conveyance.

Nothing in this policy shall be read to prohibit possession of weapons on campus as necessary for the conduct of Board-approved academic programs or College-approved activities or practices with the advance written approval of CCC President, Vice President of Student Affairs or designee, while acting within the scope of their employment.



It shall be a violation of Board and CCC policy to openly display any lawfully possessed concealed carry handgun while on campus, except as provided herein.

Concealed Carry Restrictions

Concealed Carry: Each individual who lawfully possesses a Handgun on Campus shall be wholly and solely responsible for carrying, storing and using that Handgun in a safe manner and in accordance with the law and this Policy. Individuals who carry a Handgun on Campus must carry it concealed on or about their person at all times. “Concealed” means completely hidden from view and does not reveal the Handgun in any way, shape or form. “About” the person means that an individual may carry a Handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag or other personal carrier designed and intended for the carrying of an individual’s personal items. Moreover, the carrier must at all times remain within the exclusive and uninterrupted control of the individual. This includes wearing the carrier with one or more straps consistent with the carrier’s design, carrying or holding the carrier or setting the carrier next to or within the immediate reach/control of the individual. It shall be a violation of this Policy to openly display any lawfully possessed Handgun while on Campus.

Restrictions Pursuant to Kansas Law: Kansas law states that the only type of firearm that an individual can carry while concealed is a Handgun as defined above. The following restrictions applicable to all firearms specifically apply to the concealed carrying of a Handgun under Kansas law and this Policy, and the violation of any of the following restrictions is a crime under Kansas law and a violation of this Policy.

Prohibitions Based on State Law

Beginning July 1, 2017, any individual who is 21 years of age or older, and beginning July 1, 2021, any licensed individual who is 18-21 years of age, and who is lawfully eligible to carry a concealed handgun in Kansas shall not be precluded from doing so on campus except in College buildings and areas of buildings for which adequate security measures are provided, and except as otherwise prohibited by law.

Regardless whether the individual is otherwise lawfully eligible to carry a concealed handgun, the following restrictions apply to the carrying of a firearm by Kansas law, and the violation of any of the following restrictions is a crime under Kansas law and a violation of this policy.

- An individual in possession of a concealed firearm must be at least 21 years of age [K.S.A. 21- 6302(a)(4)];
- A firearm cannot be carried by an individual:
 - under the influence of alcohol or drugs, or both, to such a degree as to render the individual unable to safely operate the firearm [K.S.A. 21-6332],
 - who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21- 6301(a)(10)],
 - who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21- 6301(a)(13)],
 - with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21- 6301(a)(13)],
 - who has been convicted of a felony crime [K.S.A. 21-6304];
- An automatic firearm cannot be carried [K.S.A. 21-6301(a)(5)];



- A cartridge which can be fired by a handgun and which has a plastic-coated bullet with a core of less than 60% lead by weight is illegal [K.S.A. 21-6301(a)(6)];
- Suppressors and silencers cannot be used with a firearm [K.S.A. 21-6301(a)(4)]; and,
- Firearms cannot be fired in the corporate limits of a city or at a dwelling, or at a structure or vehicle in which people are present, except in self-defense [K.S.A. 21-6308, 6308a].

Location Restrictions: Certain Campus buildings and/or Public Areas³ within Campus buildings can be permanently or temporarily designated to prohibit concealed Handguns. There are no Campus buildings or Public Areas that have been permanently designated to prohibit concealed handguns with Adequate Security Measures (ASMs) in place. However, the CCC Security Officer may temporarily designate a specific location as prohibiting concealed Handguns and use temporary ASMs as defined and required by law. Appropriate notice will be given whenever this temporary designation is made.

Campus locations leased by CCC or used for Off-Campus Activity, and owned by an entity that may lawfully exclude or permit firearms at their premises (concealed or otherwise), may choose at their sole discretion to exclude or permit Handguns from their premises, notwithstanding a lease or use arrangement with CCC. If handguns are excluded at such locations and would otherwise be permitted by this Policy, individuals are expected to comply with the rules imposed by the location.

Safety Requirements: To reduce the risk of accidental discharge on Campus, when carrying a concealed Handgun on Campus (whether on the person or in a carrier), the concealed Handgun is to be secured in a holster that completely covers the trigger and the entire trigger guard area and that secures an external hammer in an un-cocked position through the use of a strap or by other means. The holster is to have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling. Handguns with an external safety are to be carried with the safety in the “on” position. Semiautomatic Handguns are to be carried without a chambered round of ammunition and revolvers with the hammer resting on an empty cylinder.]

Storage: Each individual who lawfully possesses a handgun on campus shall be wholly and solely responsible for carrying, storing and using that handgun in a safe manner and in accordance with the law, Board policy and College policy. Nothing in this policy shall be interpreted to require individuals who lawfully possess a handgun to use it in defense of others.

Beginning July 1, 2017, each individual who lawfully possesses a concealed handgun on campus shall at all times have that handgun in their custody and control, and shall either:

1. Carry it concealed on or about their person in a manner that complies with this policy, or;
2. Keep it stored in any secure storage location provided by the College specifically for that purpose, at their residence, or in their privately-owned or leased vehicle.

Individuals who carry a handgun on campus must carry it concealed on or about their person at all times. With respect to this policy, “concealed” means completely hidden from view and does not reveal the weapon in any way, shape, or form. “About” the person means that an individual may carry a handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag, or other personal carrier designed and intended for the carrying of an individual’s personal items. Moreover, the carrier must at all times remain within the exclusive and uninterrupted control of the individual. This includes



wearing the carrier with one or more straps consistent with the carrier's design, carrying or holding the carrier, or setting the carrier next to or within the immediate reach of the individual. Except in those instances where necessary for self-defense or transferring to safe storage and except as otherwise provided in this Policy, it shall be a violation of Board of Trustees and College policy to openly display any lawfully possessed concealed carry handgun while on campus.

Every handgun carried by an individual, whether on their person or in a carrier, must be secured in a holster that completely covers the trigger and the entire trigger guard area and that secures any external hammer in an un-cocked position. The handgun must be secured in the holster with a strap or by other means of retention. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling. Handguns with an external safety must be carried with the safety in the "on" position. Semiautomatic handguns must be carried without a chambered round of ammunition. Revolvers must be carried with the hammer resting on an empty chamber.

Handguns shall not be stored:

1. In any College classroom, lab, office, or facility;
2. In an on-campus residential unit, except in the residential unit of a licensed individual who is 18-21 years of age or any individual who is 21 years of age or older, who legally owns the handgun, and when the handgun is secured in an approved storage device;
3. In any non-privately owned or leased motor vehicle; or,
4. In any other location and under any circumstances except as specifically permitted by this policy and by state and federal law.

Handguns may be stored:

1. In an individual's privately-owned or leased motor vehicle when the vehicle is locked (if unattended) and the handgun is secured in a location within the vehicle that is not visible from outside the vehicle; or,
2. In an individual's on-campus residential unit when the handgun is secured in a holster and in an approved storage device. Handgun storage by any other means than specifically permitted in this policy is prohibited.

For any on-campus residential unit that does not have adequate security measures, each resident who lawfully possesses a handgun on campus and elects to store the handgun they possess in the room to which they are assigned when not carrying it on their person in a concealed fashion shall secure the handgun in a secure storage device that conceals the gun from view. Such storage devices shall be provided by the individual who possesses the handgun and must meet minimum industry standards for safe-keeping of handguns.

Colby Community College does not provide approved handgun storage devices to any person under any circumstances. Each individual who stores a handgun in an on-campus residence must provide their own approved storage device. An approved storage device has each of these characteristics:

1. It is of sufficient size to fully enclose the handgun while secured in an approved holster;
2. It is constructed of sturdy materials that are non-flammable;
3. It has a combination, digital, or other secure locking device that can only be unlocked by the individual using the storage device, but devices secured exclusively with a key lock are prohibited; and,



4. The device is constructed specifically for the storage of a handgun and/or ammunition. All ammunition stored in an on-campus residence must be stored in an approved storage device.

Training: Training on the proper handling of a concealed Handgun is encouraged. All CCC employees are eligible for CCC continuing education training reimbursement to supplement training for local, noncredit workshops, which could include a gun safety course. Additionally, CCC may periodically offer on-campus presentations to students/employees related to safe handgun practices.

Even the lawful carrying of a concealed Handgun has its own risks. Any report of Weapons on a CCC Campus will be addressed by local police departments in coordination with the CCC Security Officer. The lawful carrying of a concealed Handgun should not create concerns on Campus; however, anything other than the lawful carrying of a concealed Handgun has the potential to create confusion and additional risk during police responses.

Enforcement

Any individual violating this Policy will be subject to appropriate disciplinary action, including but not limited to suspension/expulsion, termination of employment, immediate removal/trespass from the premises and/or arrest. Enforcement of this Policy will be administered by the CCC Vice President of Student Affairs.

Reporting

1. **Suspected violations** of this Policy should be reported to Vice President of Student Affairs, Security Officer, or local authorities:

Call: (785) 462-3984; (785) 460-5490

Walk-in: Security Officer, Student Union, Colby campus only; Vice President of Student Affairs office, Student Union, Colby campus only

2. **Emergency reports** concerning threats or violence on campus

Call: (785) 460-4460-Colby City Police Department; (785) 460-5508-Colby Community College Security Officer

Immediate Assistance: Dial 911

[Revised June 2017; June 2022]

¹ “Weapon” means a weapon described in K.S.A. 21-6301, as further defined under K.S.A. 75-7c20; however, for purposes of this Policy includes knives more than 4 inches in length.

² “Handgun” is defined as a “firearm”, pursuant to K.S.A. 75-7c02, with cross-reference to K.S.A. 75-7b01. Specifically, under K.S.A. 75-7b01, it is: (1) a pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition; or (2) any other weapon which will or is designed to expel a projectile by the action of an explosive and which is designed to be fired by the use of a single hand.

³ “Public Areas” is defined at K.S.A. 75-7c2



APPENDIX

[Employment Application](#)

[Kansas Open Records Act Request for Public Records](#)

[On-Line Course Review/Instructor Evaluation](#)

[Overtime Request Form](#)

[Travel Expense Form](#)

