



INTRODUCTION

TABLE OF CONTENTS

Accreditation Statement.....	1
Non-Discrimination Statement	1
Brief History	2
Mission Statement.....	4
Vision Statement.....	4
Philosophy	4
Purposes	4
General Education Outcomes.....	5
Degrees and Certificates	5
Employment.....	6
AIDS Policy	9
Child Abuse Policy	10
Complaints	11
Copyright Infringement Policy	13
The Crime Awareness and Campus Security Act of 1990.....	16
Drug-Free Workplace Policy and Drug-Free Awareness Program.....	17
Family Educational Rights and Privacy Act of 1974.....	18
HIPAA Policy	19
Racial Harassment	20
Sexual Harassment Policy.....	22
Public Records	24
Records	25



ACCREDITATION STATEMENT

Colby Community College is coordinated by the Kansas Board of Regents and accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools. Individuals should direct their questions, comments or concerns to:

Higher Learning Commission
230 North LaSalle Street, Suite 7-500
Chicago, IL 60604-1411
800-621-7440 or 312-263-0456
Facsimile 312-263-7462
www.ncahlc.org

[Revised June 1, 2016]

NON-DISCRIMINATION STATEMENT

Colby Community College provides equality of opportunity to its applicants for admission, enrolled students, graduates and employees. The College does not discriminate with respect to hiring, continuation of employment, promotion, tenure, other employment practices, application for admission or career services and placement on the basis of race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion. For inquiries regarding the non-discrimination policies, contact the Office of the Vice President of Student Affairs, Colby Community College, 1255 S. Range Ave., Colby, KS 67701 (785-460-5490). *[Revised April 22, 2014]*

Title VI, Title IX and Section 504 ADA complaints may also be filed with the Regional Office for Civil Rights, Address correspondence to:

U.S. Commission on Civil Rights
Central Regional Office
400 State Avenue, Suite 908
Kansas City, KS 66101
913-551-1400

U.S. Equal Employment Opportunity Commission
Gateway Tower II
4th & State Avenue, 9th Floor
Kansas City, KS 66101
913-551-5655

**BRIEF HISTORY**

The idea of a college in northwest Kansas originated in the 1930's, but took about three more decades to become a reality. The Eurich Report was made to the Kansas Board of Regents in 1962; it featured an "open door" policy designed to ensure equal educational opportunity. The 1965 Kansas Community College Act (KCCA) allocated state money to help community colleges statewide open and operate. Together, this report and this act went far towards making Colby Community College possible; but a year before the KCCA gained legislative approval, Thomas County voters had already approved the establishment of a two-year college by the striking margin of nearly nine to one, and the college's classes began on August 31, 1964. The original enrollment was 119 with a full-time equivalency of 55, numbers that have since risen as high as 2,160 and 1,244, respectively, in the 1995-96 academic year.

Colby Community College's first classes met in the Colby Junior High School. By the next year, its activities had expanded throughout the downtown area. Classes met in the Community Building, City Hall, and the grand ballroom of the old Cooper Hotel. Office space was leased in the Connelly Building, while the closed Pyramid Restaurant was leased and outfitted to serve as both a student union and a library. An empty, three-story building near Colby's largest park was refurbished and furnished as a dorm.

After extensive consideration of eight competing sites, construction of the Colby Community College campus took place on a ninth—the Davis land, originally given to the Union Pacific Railroad by the United States Government. In the 1880s, the railroad had sold the land to Gammaliel Williams, a homesteader and part-time preacher from near Kirksville, Missouri. He left it to his daughter, who by marriage had become Mary Joan (Williams) Davis. She made it part of the Davis estate, whereupon it became farmland, used mostly to grow wheat. When Kenneth Davis died, having made Beatrice Davis his executor, she first put the land into a life estate. But in 1965, she gave the land to the college, authorizing its "friendly condemnation" as a means of doing so. On the strength of a million dollar bond issue passed by a three-to-one margin, campus construction began the same year.

In 1972, Colby Community College was granted full accreditation by the North Central Association of Colleges and Secondary Schools and also by the Kansas State Department of Education. Currently, Colby Community College is coordinated by the Kansas Board of Regents and accredited by the Higher Learning Commission, a member of the North Central Association. In addition, many of the special programs are accredited by their respective professional associations. The program in dental hygiene is accredited by the Commission on Dental Accreditation. The Nursing program is accredited by the National League of Nursing and the Kansas State Board of Nursing. The PTA program is accredited by the Commission of Accreditation in Physical Therapy Education. The Business Program is accredited by the Association of Collegiate Business Schools and Programs. The EMT program is licensed by the Kansas Board of Emergency Medical Services. The Veterinary Technology program is accredited by the American Veterinary Medical Association. Other accreditation courses include CNA and CMA. The Institutional Actions Council of the Higher Learning Commission voted to extend the accreditation to include distance delivery of the AGS, AA, and the AS degrees coordinated by the EduKan Online Consortium agreement. The Commission Board of Trustees approved that action through its validation process that concluded on March 1, 2002.



Kansas State Board of Nursing
Landon State Office Bldg., 900 SW Jackson
Topeka, KS 66612
(785) 296-4929

American Physical Therapy Association
1111 North Fairfax Street
Alexandria, VA 22314
(703) 706-3245

Association of Collegiate Business Schools
and Programs
7007 College Boulevard, Suite 420
Overland Park, KS 66212
(913) 339-9356

Kansas Board of Emergency Medical Services
Landon State Office Bldg., Room 1031
900 Jackson Street
Topeka, KS 66612
(785)296-7296

American Veterinary Medical Association
1931 North Meacham Road
Schaumburg, IL 60173
(847) 925-8070

Kansas Dept. of Health and Environment
1000 SW Jackson, Suite 200
Topeka, KS 66612
(785) 296-3075

American Dental Association
Commission on Dental Accreditation
211 East Chicago Avenue
19th Floor
Chicago, IL 60611
(312) 440-4653

Accreditation Commission for Education in
Nursing, Inc.
3343 Peachtree Road NE, Suite 850
Atlanta, GA 30326
(404) 975-5000
www.acenursing.org

[Revised June 1, 2016]

Colby Community College has grown from its humble beginnings in downtown Colby to include an 80-acre main campus and 60-acre college farm serving on-campus and on-line students as well as outreach students.

In 1990, the college initiated an aggressive distance learning initiative. Beginning with a single interactive television classroom with fiber optic connectivity to eight high schools and the Northwest Kansas Educational Service Center, the distance learning opportunities have grown to include two IDL classrooms with network connectivity. There is also a shared dental hygiene program providing interactive instruction from Northcentral Technical College in Wausau, Wisconsin. Distance learning has been expanded to include distance education through courses offered over the Internet. In cooperation with the Western Kansas Consortium, EduKan, CCC offers degrees in general studies, arts, and science.



MISSION STATEMENT

The mission of Colby Community College is engaging others in learning and service opportunities to positively affect their world. *[Revised April 22, 2014]*

VISION STATEMENT

Colby Community College will provide the highest quality education possible while promoting a life of study and service in an ever-changing and diverse society. *[Revised April 22, 2014]*

PHILOSOPHY

Colby Community College is dedicated to the belief that each individual in northwest Kansas should have the opportunity to develop and extend skills and knowledge for the attainment of personal objectives. Implicit in this belief is the idea that education is a lifelong process. The college encourages the people who live in this area to participate fully in its program of educational services. The college strives to meet the needs of its students regardless of age, sex, creed, race, aspiration or educational level.

Students attending Colby Community College are the most important people associated with the institution. All students deserve the opportunity to succeed regardless of their specific goals or aspirations. It is the intention of the college to encourage individual success. The individuality of students is respected and their potential is fostered through programs that include excellent classroom instruction, multiple opportunities for leadership, and an organized plan for counseling and advisement. Attending Colby Community College is designed to be a very personal experience for students. *[Revised April 22, 2014]*

PURPOSES

In order to adequately address its institutional mission, Colby Community College has adopted seven Purposes. They are intended to be dynamic and flexible to meet both student and community needs. The Purposes are as follows:

1. Offer two-year college transfer programs leading to an associate degree for students who wish to obtain a baccalaureate degree after transferring to a four-year college or university.
2. Offer both Associate of Applied Science degrees and certificate programs in vocational and technical education for students who wish to gain competence in specific skill areas or to upgrade skills.
3. Offer a developmental education program to serve all students who need improved academic skills, including adult basic education and preparation for the tests of General Educational Development.
4. Offer continuing education courses and community service activities and assist economic development by providing customized on-site training.
5. Offer students a full range of support services.
6. Offer facilities and human resources in support of educational, civic and cultural endeavors.
7. Offer state-of-the art technology systems to enhance the quality of life.



GENERAL EDUCATION OUTCOMES

For each degree offered there is a specifically defined core curriculum. The courses may vary among degrees but are all designed to prepare students for success in their chosen fields, both in additional academic endeavors as well as in the workplace. The College has identified the following expectations for all students who complete a degree at Colby Community College:

- Deliver effective oral presentations
- Utilize grammatically correct and logically written English
- Exhibit a higher level of critical thinking processes
- Solve quantitative problems utilizing a variety of techniques and methods
- Utilize technology relevant to disciplines of study
- Evaluate their own intercultural sensitivity and global awareness

[Revised January, 2014]

DEGREES AND CERTIFICATES

The college awards the following degrees and certificates:

- Associate of Arts Degree
- Associate of Science Degree
- Associate of General Studies
- Associate of Applied Science Degree
- Certificates of Completion
- Technical Certificates



EMPLOYMENT

As an Equal Opportunity Employer, Colby Community College affirms its policy to recruit, hire and promote persons in all jobs without regard to race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion, except as any of these can be proved to be necessary qualifications for the job itself. All personnel actions such as recruitment, selection, compensation, benefits, and promotions are included in the college's Equal Employment Opportunity Policy. *[Revised April 22, 2014]*

1. Procedure for Selecting Full-Time College Personnel (other than President or senior staff).
 - a. Vacant positions may be advertised first internally, to allow current employees an opportunity to apply. Vacancies which are not filled through internal transfer shall be advertised in appropriate media and through educational outlets to solicit external candidates. In exigent circumstances, as determined by the President and/or Board, the hiring procedure may be modified to best meet the needs of the institution, while remaining mindful of the Equal Employment Opportunity Policy. *[Revised April 22, 2014]*
 - b. Position announcements will be developed and disseminated by the Director of Public Information, with assistance from the appropriate administrator(s). These announcements must include the position title, function, qualifications, and application requirements.
 - c. For consideration, external candidates must have a completed application. This will include: a letter of interest referencing the position or an official CCC application, current résumé with a minimum of five references (including address/telephone/email) and all postsecondary transcripts. (Unofficial transcripts will be accepted). Letters of recommendation are encouraged but not required. The selected candidate must provide official college transcripts, successfully complete a background check, and complete any additional required paperwork prior to employment. Late applications may not be reviewed until all other applications have been given due consideration.
 - d. Positions which require special skills, such as but not limited to typing, mathematical computation, and computer proficiency, may have qualifying tests to ensure that applicants are appropriately qualified. Faculty positions may also require classroom demonstrations as a part of the interview process. Further, a written exercise to demonstrate communication skills may also be required of all candidates.
 - e. A search committee, including a chairperson, will be appointed by the President in consultation with college administration. The committee should be representative of the institution and sensitive to the college mission and goals. Generally, a committee will have between five and seven members; a non-voting student member may also be appointed depending upon the specific vacancy.
 - f. The search committee will conduct candidate screening, which includes verifying references and applicant information. An appropriate number of the most qualified applicants will be selected for interview. Though this number will vary based on the size of the applicant pool, it will generally be between three and ten candidates. In some cases, the position may be re-advertised when no suitable applicant is identified in the selection process. It is expected that all discussions and shared information be kept confidential by the committee; violation of privacy may result in disciplinary action by the college. All candidates should be asked the same set of questions in order to ensure fairness in the process. Follow-up questions may be asked only for the purposes of clarification of a candidate's response. All application materials will be maintained in the President's office and may not leave the administration area in Thomas Hall.



- b. Consider employees within their divisions who presently hold positions that under-utilize their talents for promotion when college vacancies occur which would more fully utilize their skills.



AIDS POLICY

The recommendation and guidelines included in this statement are derived in part from a statement issued by the American College Health Association.

Colby Community College's primary response to AIDS ARC/HIV will be educational. Because there is no known specific therapy for AIDS or AIDS-related conditions, the most important goals for our institution will be those of increasing awareness and providing education to prevent further spread of the disease. Such programs may be offered to students, faculty and staff.

The American College Health Association recommends that institutions not adopt blanket policies concerning students with AIDS or AIDS-related conditions. Instead it suggests that certain guidelines be followed and that the institution analyze and respond to each case as required by its own particular facts.

The following is a brief outline of procedures which will be followed at Colby Community College regarding AIDS:

1. The Student Health Center will be responsible for any educational programming and also management of any AIDS cases.
2. Management of AIDS cases:
 - a. The Student Health Center will handle AIDS cases, practicing confidentiality as outlined in the Family Educational Rights and Privacy Act of 1974 and the Health Insurance Portability and Accountability Act (HIPPA).
 - b. The Student Health Center has the flexibility of referral and consultation with other medical or institutional personnel.
4. Involvement on campus:
 - a. Students will not be restricted on the campus unless advised by the Student Health Center or appropriate supervisory personnel.
 - b. Individuals who have AIDS, ARC, or a positive HIV antibody may be excluded from laboratory classes if the Student Health Center deems that such participation places others at risk.
 - c. An employee will be allowed to continue meeting his/her responsibilities until such time as he/she is unable to perform the required duties or the continuation would present undue risk to others.
5. Safety on campus:
 - a. Laboratory courses requiring exposure to blood, such as finger pricks for blood typing or examination, should use disposable equipment, and no lancets or other bloodletting devices should be re-used or shared.
 - b. No student will be required to obtain or process blood (or other body fluids) of another individual on campus.

[Revised April 22, 2014]



CHILD ABUSE POLICY

A college employee or student who has reason to believe that a minor has been abused on the Colby Community College campus, on property owned or leased by the college, or while members of the faculty, staff or student body are participating in a college-related activity off-campus, or who has received a report or such alleged abuse, must report this information to the Vice President of Student Affairs as soon as possible. Faculty and staff who fail to report abuse will be subject to disciplinary action.

If there is a finding that the alleged abuse occurred, the college will assist the victim in obtaining appropriate counseling for the victim and members of the victim's family, as needed. Appropriate measures will be taken by the College to contact local law enforcement with information about such reports.

[Added 8-20-12, Revised April 22, 2014]



COMPLAINTS

Colby Community College is committed to maintaining a working and learning environment free from discrimination, insult, intimidation, or harassment owing to race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion. Any incident of discrimination or harassment should promptly be reported to an employee's immediate supervisor or the supervising vice president if superior is the subject of the complaint. Responsibility for the investigation and determination of corrective action shall rest with appropriate senior administrator in consultation with the President. Any employee who engages in discriminatory conduct shall be subject to disciplinary action, which could 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. Harassment of an individual on any of these grounds is also 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 should be addressed to the Vice President of Student Affairs or designee. Any employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the supervising vice president. If the supervising vice president is the alleged harasser, the complaint shall be reported to the President's office. Complaints by any other person alleging discrimination should be addressed to the supervising vice president. Colby Community College employee complaints will be resolved through the following procedures:

Informal Complaint Procedure. The immediate supervisor will attempt to resolve complaints of discrimination or harassment in an informal manner. Any employee who receives a complaint of discrimination or harassment shall inform the individual of the employee's obligation to report the complaint. If the matter is resolved to the satisfaction of the individual, immediate supervisor will document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the appropriate senior administrator. If the matter is not resolved to the satisfaction of the individual in the meeting with the immediate supervisor the individual may initiate a formal complaint.

Formal Complaint Procedure. A formal complaint shall be filed in writing and contain the name and contact information of the person filing the complaint. The complaint shall briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the appropriate senior administrator may initiate the complaint. Forms for filing written complaints are available from the President's office and the policy manual.



A complaint shall be filed as soon as possible after the conduct occurs, but not later than 90 days after the complainant becomes aware of the alleged violation, unless conduct forming the basis for the complaint is ongoing.

If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the President, the Board of Trustees shall appoint an investigating officer. In other instances, the investigation shall be conducted by the appropriate senior administrator, or other individual appointed by the President. The investigation shall be informal but thorough. The complainant and the person against whom the complaint is made will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator. A copy shall be forwarded to the complainant no later than 30 days after the filing of the complaint, unless an extension is negotiated with the complainant.

Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the Executive Assistant to the President.

The complainant or the accused may appeal the complaint resolution as determined by the senior administrator. Appeals shall be heard by a committee appointed 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 fourteen (14) days after the date of the written resolution of the complaint by the senior administrator. This written request must be addressed to the President. The committee shall review the evidence gathered by the senior administrator and the proposed resolution, and shall afford all affected parties an opportunity to submit further evidence, orally or in writing, within 10 days after a notice to appeal is filed. After the committee's review, the chair will issue a written determination of the committee's findings within 30 days after the appeal is filed.

The use of this complaint procedure does not invalidate the pursuit of any 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 shall report any unresolved complaints about policies or college personnel to the Board of Trustees at the next regularly scheduled board meeting. With regard to any complaint, the President shall take appropriate steps to ensure the safety and security of the college students and personnel at all times.

[Revised April 22, 2014]



COPYRIGHT INFRINGEMENT POLICY

All Colby Community College administration, faculty, staff and students are expected to comply with the United States Copyright Act. *[Revised April 22, 2014]*

What works are copyrighted?

Unless you know for a fact that a particular work is in the public domain, you should assume that it is protected under copyright law. Works that can be copyrighted include books, magazines, maps, engravings, prints, musical compositions, charts, dramatic works, photographs, paintings, drawings, sculptures, motion pictures, computer programs, sound recordings, choreography and architectural works. Any of these forms that are stored digitally and available online are also protected by copyright.

Limitations of Copyrights

Intellectual property law allows certain limited use of copyrighted material without permission of the copyright holder. Some examples would include the use of copyrighted material for:

- Commentary
- Criticism
- News reporting
- Research
- Teaching or scholarship
- Archiving
- Access by the visually impaired

These exceptions fall under the “Fair Use” provisions of the law and allow some limited use of copyrighted materials in academic settings without permission of the copyright holder.

What is Fair Use?

Fair use is a set of recognized limitations to the exclusive rights of the copyright holder. Fair use provisions are intentionally vague in nature and offer only guidelines for the use of copyrighted material. When deciding if a particular use of copyrighted material falls under fair use provisions you must consider:

- The nature of the copyrighted work
- The purpose and character of the use
- The amount and substantiality of the portion used
- The effect of use on the potential market for the copyrighted work

The key word in the application of the fair use doctrine is “limited.”

Fair Use for Instructors

Copying by teachers must meet the tests of brevity and spontaneity:

- Brevity refers to how much of the work you can copy.
- Spontaneity refers to how many times you can copy.

According to the rule, the need to copy should occur closely in time to the need to use the copies, generally following the "one semester rule." If you use something on one occasion within one semester or part of a semester, it is more likely to be seen as fair use. If you use something repeatedly, it is less likely



to be considered fair use. The expectation is that you will obtain permission as soon as it is feasible. Using something over a period of multiple semesters or years is not within the spirit of the fair use exception.

One Course, One School, One Time

The copies should include a notice of copyright acknowledging the author of the work.

What Counts as Fair Use?

Here are some general examples of excerpts from published materials that might be copied and used in the classroom and fall under the fair use guidelines for a limited period of time:

- A chapter from a book (never the entire book)
- An article from a magazine or newspaper
- Short stories, essays or poems (A single work is the norm whether it comes from an individual work or a collection.)
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper
- Poetry (short poems of 250 words or less)
- Prose (short excerpts of 1,000 words or less)
- Illustrations (copies of charts, graphs, diagrams, drawings, cartoons, or pictures)

The idea of fair use for classroom copying is that whenever possible the work should be purchased. Classroom copying is not meant to replace textbooks or workbooks used in the classroom. Pupils cannot be charged more than the actual cost of photocopying. The number of copies cannot exceed more than one copy per pupil, and a notice of copyright must be included on each copy.

What Should Be Avoided?

- Making multiple copies of different works that could substitute for the purchase of books, publisher's reprints, or periodicals
- Copying the same works from semester to semester
- Copying the same material for several different courses at the same or different institutions
- Copying more than nine separate times in a single semester

Internet Downloads

The Internet is simply a different form of storage and delivery. The ease with which files can be copied and reproduced makes it tempting as a free source of material, but copyright protections apply to electronic media as fully as they do to other forms.

Text

The rules for text as they apply in physical (hard copy) form also apply to text in the electronic form. The guidelines, rules and limitations remain the same, i.e., short excerpts of limited scope, used for a limited time and credited to the copyright holder.

Music and Video

With the exception of songs, movies and TV shows that have been released by the copyright holder for free distribution; all recorded material must be purchased. This applies if the work is recorded on a disk for sale at a local store, or a digital download from the Web. Illegal downloading of this kind of material through file sharing, bitTorrent sites, etc., constitutes a crime with both civil and criminal penalties. In



addition, it is possible that the college could lose Internet access if its facilities are used for illegal downloading.

Broadcast and Performance Licensing

Whenever recorded music is broadcast or theatrical plays and music are performed by college groups, the college must pay a licensing fee.

CCC Responsibilities when Copyright Violation Occurs

Disable access to the materials violating copyright and suspend the network connection of the computer using these materials.

Inform the alleged infringer of the existing complaints. CCC does not perform digital forensics, but can provide more information about the specific files that prompted a copyright complaint.

Forward the student's name to the Vice President of Student Affairs office for disciplinary action. Violations can result in sanctions including but not limited to warning, probation, interim suspension, suspension, or expulsion. *[Revised April 22, 2014]*

Student Responsibilities

Students are responsible for all activities on the campus network originating from computer(s) registered in their names. Copyright holders reserve the right to contact the college for each instance of copyright infringement. Students may need to seek legal counsel and may be required to pay fines.

[Added 9-19-11]

TEACH Act

Colby Community College abides by the Technology, Education, and Copyright Harmonization (TEACH) Act of 2002, Division C, Title III, Subtitle C of the 21st Century Department of Justice Appropriations Authorization Act, Pub. L. No. 107-272, 116 Stat. 1758, 1910 (amending chapter 1, Title 17, United States Code, to incorporate provisions relating to use of copyrighted works for distance education, enacted November 2, 2001. *[Added 9-17-12]*



THE CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990

In compliance with Title II of Public Law 101-542 (The Crime Awareness and Campus Security Act of 1990), the following policies have been put in place at Colby Community College. The policy statements will be in the College Catalog when revisions are scheduled. *[Revised April 22, 2014]*

- A. Students are encouraged to inform appropriate college officials, e.g., the Campus Security Officer, Living Center Coordinators and Vice President of Student Affairs of any illegal activities. Students will be informed that these are the appropriate officials through the use of their college catalogs and orientation activities. *[Revised April 22, 2014]*
- B. Twenty-four hour supervision of the Living Centers is maintained. The Living Center Coordinators or their substitutes are present during all calendar days in which students are on campus. Dorms are closed from the conclusion of the fall semester until the day before spring registration. Exceptions to this policy may be made by the Vice President of Student Affairs for the following reasons: (1) Resident student is participating in a college activity; (2) resident student is an international student; (3) resident student is employed by CCC and has to perform campus duties.
- C. All buildings, with the exception of the residence dormitories, Bedker Memorial Complex and the student union, are secured at 10:00 p.m., Monday through Friday. The student union hours are 7:00 a.m. to 11:00 p.m., Monday through Friday, and 7:00 a.m. to 6:00 p.m. on Saturday and Sundays.
- D. The Campus Security Officer and the Vice President of Student Affairs work in conjunction and in close relationship with the local police department. Resident students are encouraged to report unlawful acts to the Campus Security Officer. The Campus Security Officer is charged with the responsibility of informing the Vice President of Student Affairs or the police department of such acts. Students are encouraged through publication in the College Catalog to report crimes to the appropriate official. *[Revised April 22, 2014]*
- E. Regular contact will be made by the Vice President of Student Affairs with the Chief of Police to obtain an accurate recording of off-campus student activities.



DRUG-FREE WORKPLACE POLICY AND DRUG-FREE AWARENESS PROGRAM

The college's Drug-Free Workplace Policy and Awareness Program is designed to enhance the physical health and safety of our employees and students and to provide a safe workplace. All employees and students are expected to be in suitable mental and physical condition while at work or in a learning environment and to perform their jobs in a satisfactory fashion.

In accordance with this policy, when the use of controlled substances interferes with an employee's or student's responsibilities, appropriate disciplinary action, which could include termination or expulsion, will be taken.

Colby Community College does not permit or condone the consumption of alcoholic beverages by any individual under the age of 21. As a general rule, no alcoholic beverage will be sold, serviced or consumed on College property. All laws, local, state, and federal, concerning the possession or use of illegal drugs by any student, faculty or staff member will be strictly enforced on the campus and at any event sponsored by the college.

The Board of Trustees may, by resolution adopted from time to time, authorize the consumption of alcoholic liquor and beverages in specified property which is under the control of the board and which is not used for classroom instruction pursuant to K.S.A. 41-719(h). *[Revised November, 2007]*

Information on local, state, and federal ordinances and statutes will be maintained in the Office of Student Services and will be available to students and employees. Students and employees are encouraged to obtain copies of the information.

All student violations of this policy will be handled on an individual basis affording each student the right to due process. Procedures of this process are described in the student handbook which may be accessed on the Colby Community College website. Sanctions which may be imposed include reprimand, probation, suspension, or expulsion.

It is the college's belief that all disciplinary sanctions should provide the opportunity for personal growth; to that end, counseling and referral for individual assessment may be included as a condition of any sanction.

[Revised April 22, 2014]



FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

Colby Community College complies with the Family Educational Rights and Privacy Act of 1974 in the collection, maintenance and dissemination of official student records. These records are subject to inspection and review by the student. The college has 45 days to respond to individual requests, however, this amount of time would not normally be required. Students wishing to challenge the accuracy of their records may contact the Vice President of Student Affairs or the Registrar.

The college is authorized under Section 43 (Buckley Amendment) to publish and will publish directory information, collectively or individually, unless students notify the Student Privacy Officer (Registrar) in writing of any or all of the categories that should not be released. This notification by students must be made by the end of the third week of classes in the fall and spring semester and by the end of the first week of classes for the summer session.

Faculty and staff are expected to comply with the law. No confidential student information should be released, including information relating to students' classes, grades, or other personally identifiable information.



HIPAA POLICY

Colby Community College shall comply with all applicable Health Insurance Portability and Accountability Act (HIPAA) provisions ensuring the confidentiality of protected health information.

Appropriate and timely professional development activities regarding HIPAA requirements shall be provided.

All staff shall abide by HIPAA requirements and maintain the confidentiality of protected health information. Notice shall be provided to staff and students as required by law.



RACIAL HARASSMENT

Colby Community College shall provide a positive and productive working and learning environment, free from discrimination including harassment on the basis of race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion. Racial harassment of employees or students by board members, administrators, employees, students, vendors, and any other individual having business or other contact with the college is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion under Title VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of racial harassment are prohibited at the college, on college property, and at all college-sponsored activities, programs, or events. Racial harassment against individuals associated with the college is prohibited, whether or not the harassment occurs on college property.

It shall be a violation of the policy for any student, employee, or third party (visitor, vendor, etc.) to racially harass any student, employee, or other individual associated with the college. It shall further be a violation for any employee to discourage a student or another employee from filing a complaint or to fail to investigate or refer for investigation, any complaint made under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action which could include termination.

Racial harassment is racially motivated conduct which:

1. Affords an employee different treatment, solely on the basis of race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion, in a manner which interferes with or limits the ability of the employee to participate in or benefit from the services, activities, or programs of the college;
2. Is sufficiently severe, pervasive, or persistent, so as to have the purpose or effect of creating a hostile working environment;
3. Is sufficiently severe, pervasive, or persistent, so as to have the purpose or effect of interfering with an individual's work performance or employment opportunities.

Racial harassment may result from verbal or physical conduct or written or graphic material.

The college encourages all victims of racial harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of racial harassment will be promptly investigated and resolved.

Employees who believe they have been subjected to racial harassment should discuss the problem with their immediate supervisors. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the supervising vice president. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the college's discrimination complaint procedure. *[Revised April 22, 2014]*

Complaints received will be investigated to determine whether under the totality of the circumstances, the alleged behavior constitutes racial harassment under the definition outlined above. Unacceptable conduct may or may not constitute racial harassment, depending on the nature of the conduct and its severity,



pervasiveness, and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

Any employee who witnesses an act of racial harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the employee's supervisor. Employees who fail to report complaints or incidents of racial harassment to appropriate college officials may face disciplinary action. Administrators who fail to investigate and take appropriate corrective action in response to complaints of racial harassment may also face disciplinary action.

Initiation of a complaint of racial harassment in good faith will not adversely affect the job security status of an employee, nor will it affect his or her compensation. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a racial harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action which could include termination of employment.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the college's obligation to conduct a thorough investigation, to take appropriate corrective action, and to provide due process to the accused.

False or malicious complaints of racial harassment may result in corrective or disciplinary action against the complainant.



SEXUAL HARASSMENT POLICY

The college is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. Sexual harassment of employees or students of the college by board members, administrators, licensed and support personnel, students, vendors, and any others having business or other contact with the college is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. Sexual harassment is prohibited on college property and at all college-sponsored activities, programs or events.

It shall be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action, up to and including termination.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may result from verbal or physical conduct or written, graphic or electronic material.

The college encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and resolved.

Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisors. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the Vice President of Student Affairs. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the college's discrimination complaint procedure.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building administrator. Employees who fail to report complaints or incidents of sexual harassment to appropriate college officials may face disciplinary action. College administrators who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

Initiation of a complaint of sexual harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation against any person



who has filed a complaint or testified, assisted, or participated in an investigation of a sexual harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the college's obligation to conduct a thorough investigation, to take appropriate corrective action or to provide due process to the accused.

False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant.

In compliance with Section 86.8 of 92-318, the Vice President of Student Affairs has been designated as the employee responsible to coordinate the efforts of the college to comply with and carry out its responsibilities under this act, including any investigation of any complaint communicated to Colby Community College alleging its noncompliance with this act or alleging any actions which should be prohibited by this act. The Vice President of Student Affairs may be contacted by mail at Colby Community College, 1255 South Range, Colby, Kansas 67701 or by telephone at (785) 460-5490.

The following grievance procedure shall be in effect to provide prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited under Public Law 92-318.

All complaints must be submitted in writing to the Vice President of Student Affairs stating the basis for the grievance. Within five (5) days of the receipt of the complaint, the Vice President of Student Affairs shall appoint an ad hoc committee of three, which shall have ten (10) days to investigate and write a summary report with recommendations regarding the grievance. The Vice President of Student Affairs shall convey the recommendation of the ad hoc committee to the person submitting the complaint within five (5) days after the committee has completed its investigation and made its official decision.

The person filing the complaint may appeal the decision of the ad hoc committee by addressing an official request to the compliance officer asking that the complaint be reviewed by the Board of Trustees at the next regular meeting. The decision of the Board of Trustees shall be rendered within thirty (30) working days after the official hearing and shall be transmitted to the person filing the complaint by certified mail.

[Revised 9-19-11 and April 22, 2014]



PUBLIC RECORDS

The board shall designate a Freedom of Information Officer with the authority to establish and maintain a system of records in accordance with the Kansas Open Records Act and other applicable laws and may assign another college employee to handle requests for records and to serve as the custodian of the records. *[Revised April 22, 2014]*

Types of Records. A public record means any recorded information, regardless of form or characteristics, which is made, maintained, or kept by, or is in the possession of the college, including those exhibited at public board meetings.

Central Office Records. Records maintained by the President shall include, but not be limited to, the following: financial, personnel, property (both real and personal) owned by the college.

**RECORDS**

Public Access. All records, except those subject to exception by the Kansas Open Records Act, shall be open to inspection by the general public during regular office hours of the college offices. The President will establish procedures for making records available on normal business days when college offices are closed. Copies of open records shall be available on written request.

Requests for access to open records shall be made in writing to an official custodian of college records. The official custodian shall examine each request to determine whether the record requested is an open record or is subject to an exception by the Kansas Open Records Act. The custodian shall either grant or deny the request.

If the custodian does not grant the request, the person requesting the record shall receive a written explanation of the reason for the denial within three (3) days of the request, if an explanation is requested. If the requester disagrees with the explanation, the Freedom of Information Officer shall settle the dispute.

To the extent possible, requests for access to records shall be acted on immediately. If the request is not acted on immediately, the custodian shall inform the requester of when and where the open record will be made available. The record shall be made available within three (3) business days of the request. Each custodian shall file all requests and their dispositions in the appropriate office and make reports as requested by the President or the board.

The board shall annually set a fee for copies of records. Advance payment of the expense of copying open records shall be borne by the individual requesting the copy. Under no circumstances shall the documents be allowed out of their usual building location without approval of the official custodian. Fee set at \$.75/page at July 19, 2010 meeting of Board of Trustees.

Revenue from copying open records will be deposited in the college's general fund.

Disposition. All college office records shall be kept for at least the minimum length of time required by law.

The President's administrative assistant is designated as the official custodian of all board records maintained by the college. In addition to those records required by law, the administrative assistant shall be responsible for preparing and keeping other records necessary for the college's efficient operation.

College employees shall follow the guidelines found in the student records policies.

Destroying Documents. After the college receives knowledge of legal action against the college or its employees, no documents or electronic information pertaining to the subject of the action, maintained in any form, may be destroyed.



INTRODUCTION

PERTINENT FORMS

Drug-Free Work Place Policy

Formal Complaint - Employee

Public Request for College Records

Sexual Harassment Policy

DRUG-FREE WORK PLACE POLICY

Under the Drug-Free Workplace Act of 1988, the College is required to adopt a policy regarding maintenance of a drug-free work place. Each employee will receive a copy of the policy.

Please sign and return this form, as an indication that you have received and have read the information listed below.

This policy is intended to implement the requirements of the Drug-Free Workplace Act of 1988. It is not intended to supplant or otherwise diminish disciplinary personnel actions which may be taken under existing board policies or by the negotiated agreement.

The board believes that maintaining a drug-free workplace is mandatory for an appropriate learning environment for the students. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on the college campus.

As a condition of employment by Colby Community College, employees shall abide by the terms of this policy. Employees shall not unlawfully manufacture, distribute, dispense, possess or use controlled substances in the workplace. Any employee who is convicted under a criminal drug statute for a violation occurring at the work place must notify the President of the conviction within five days after the conviction. Within 30 days after the notice of conviction is received, the college will take appropriate action with the employee.

Employees who have substance abuse history shall be provided rehabilitation assistance. This assistance shall be given prior to the initiation of termination proceedings, suspension, placement on probationary status, or other disciplinary action. Such assistance may include participation in an approved substance abuse program. The cost of this assistance shall be borne by the employee's insurance, Colby Community College, and the employee. The amount paid by the employee shall be determined by mutual consent between the employer and the employee. Should no agreement be reached, one administrator, one unit member selected by the Alliance, and one person selected by these two shall meet to resolve the issue.

I have read the Drug Free Work Place Policy and, as a condition of employment, will abide by its terms.

Employee Name (please print)

Employee Signature

Date

Policies are subject to change by the Board of Trustees and administrative decision. The most current policy may be found at www.colbycc.edu.



Formal Complaint - Employee

Today's Date: _____ Name: _____

Phone: (Office) _____ (Cell) _____

Email Address: _____

Complainant's Division: Instruction / Business / Student Affairs / Athletics / Public Information

What is the nature of the complaint? (Select any which apply)

Harassment / Discrimination / Violation of College Policy / Against Student

Against Employee / Against Visitor to Campus / Other: _____

1. Have you attempted to resolve the complaint informally? Yes _____ No _____

2. Explain in detail the specifics of your complaint. What happened? When did it happen? Where did it happen? Who was involved, including witnesses? (Continue on back, if needed)

3. What action are you requesting? _____

4. Are you requesting immediate protective or counseling services? Yes _____ No _____

Complainant's Signature: _____

Received by: _____ Date: _____

Forwarded for action to: _____ Date: _____

(Attach statement of resolution upon completion.)

**COLBY COMMUNITY COLLEGE
COLBY, KANSAS**

PUBLIC REQUEST FOR COLLEGE RECORDS

Person requesting records _____

Address of person requesting records: _____

Specific records being requested: _____

_____ Approval to release records

_____ Denial to release records

_____ Delayed release of records

Reason for denial or delay: _____

Custodian/Freedom Information Officer

Date

For office use only:

Date and time the request was made: _____

Estimated cost of copies and applicable employee time: \$ _____
(To be paid in advance)

SEXUAL HARASSMENT POLICY

It shall be the administrative policy of Colby Community College that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity of Colby Community College as required by P.L. 92-318. This title covers three major areas: admission, treatment of students, and employment.

As part of its policy not to discriminate on the basis of sex, Colby Community College hereby specifically prohibits any act of sexual harassment and has adopted for its employees the following definition of sexual harassment:

Requests for sexual favors or unwelcome advances in the form of verbal or physical conduct of a sexual nature, for which compliance is made an expressed or implied condition of an individual's initial or continued employment, requests which affect decisions regarding an individual's education, or requests which interfere with an individual's work or academic performance.

In compliance with Section 86.8 of 92-318, the Vice President of Student Affairs has been designated as the employee responsible to coordinate the efforts of the college to comply with and carry out its responsibilities under this Act, including any investigation of any complaint communicated to Colby Community College alleging its noncompliance with this Act or alleging any actions which should be prohibited by this Act. The Vice President of Student Affairs, designated as the Compliance Officer, may be contacted by mail at Colby Community College, 1255 South Range, Colby, Kansas 67701 or by telephone at 785-460-5490. In the event the Vice President of Student Affairs is charged with sexual harassment, the contact person shall be the President of the College.

The following grievance procedure shall be in effect to provide prompt and equitable resolution of all complaints alleging any action which would be prohibited under Public Law 92-318.

All complaints must be submitted in writing to the compliance officer stating the basis for the grievance. Within five (5) days of the receipt of the complaint, the Compliance Officer shall appoint an ad hoc committee of three which shall have ten (10) days to investigate and write a summary report with recommendations regarding the grievance. The Compliance Officer shall convey the recommendation of the ad hoc committee to the person submitting the complaint within five (5) days after the committee has completed its investigation and made its official decision. The provisions for due process shall be afforded any person who has been accused of sexual harassment.

The person filing the complaint may appeal the decision of the ad hoc committee by addressing an official request to the Compliance Officer asking that the complaint be reviewed by the Board of Trustees at the next regular meeting. The decision of the Board of Trustees shall be rendered within thirty (30) working days after the official hearing and shall be transmitted to the person filing the complaint by certified mail. The provisions for due process shall be afforded any person who has been accused of sexual harassment.

I have read the Sexual Harassment Policy and, as a condition of employment, agree to comply with its terms.

Employee Name (please print)

Employee Signature

Date

Policies are subject to change by the Board of Trustees and administrative decision. The most current policy may be found at www.colbycc.edu.