

POLICY MANUAL



COLBY
COMMUNITY COLLEGE

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ACCREDITATION STATEMENT

Colby Community College is coordinated by the Kansas Board of Regents and accredited by the Higher Learning Commission. Individuals should direct 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
www.ncahlc.org

[Revised June 1, 2016]



ACCREDITING BODIES

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

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

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

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

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

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

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

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



CHILD ABUSE

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. The President will provide all written, formal complaints to the Board of Trustees.

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]

[Updated July 2020]



COPYRIGHT INFRINGEMENT

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]



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 Residence Life Director, 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 2014; September 2020]
- 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; (4) student is performing an internship or externship associated with their respective degree.
- 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. Resident students are encouraged to report unlawful acts to the local authorities or the aforementioned appropriate college officials. The designated appropriate college officials are 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 2014; September 2020]
- 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.

[Reviewed September 2020]



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



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 2014]

[Reviewed September 2020]



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 that 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.

- g. Following interviews and deliberation, the search committee will submit to the President a report which includes the top three finalists (or less, if fewer are deemed suitable) in order of preference. The President, along with additional administrators when appropriate, will interview any or all of the finalists and notify the committee of the final selection. The President will subsequently recommend the final candidate to the Board of Trustees for employment with the College.
 - h. A complete file of all search committee materials, including applications, reports, notes and other written communication, will be maintained in the President's office for a minimum of three years. *[Revised June 2011]*
2. Salary. Salary and wages shall not be related to or based on race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion of any employee. As additional women and minority group members are hired, their salaries and level of employment must favorably compare with other newly hired employees with the same qualifications. Officials responsible for final salary and wage decisions will periodically review existing salaries to ensure compliance with this policy. If necessary, the President may advise the vice presidents or supervisor to readjust the salary recommendation to correct inequities related to race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion.
 3. Fringe Benefits. In addition to wages and salaries, any employment benefits appropriate to particular groups of employees of Colby Community College who receive all or part of their salaries from the Board of Trustees will be applicable to all personnel regardless of race, color, gender, age, disability, national origin or ancestry, sexual orientation, or religion.
 - a. All insurance annuity and other such contracts shall be examined and where unwarranted differences based on sex exist, efforts shall be instituted to rectify these discrepancies.
 - b. Maternity leave shall be made available with no career penalties attached.
 - c. Reasonable time off without penalty shall be granted equally to men and women for necessary emergency family care.
 - d. Any female employee shall be allowed to continue working during pregnancy for as long as her physician certifies that she is able to do so.
 - e. Pregnancy or childbirth requiring leave of absence shall be treated as a temporary disability.
 4. Special Regulations.
 - a. Marital status or the prospect of marriage shall not be a condition for employment. No employee shall have direct supervisor responsibilities over another employee in which the supervisor is an immediate family member or they are engaged in a romantic relationship.
 - b. Employment of a qualified person to a permanent or temporary position shall be made without regard to family relationships such as the person holds with other faculty or staff members, except in areas of financial management and where the appointment involves



- supervisory relations or participation in management decisions affecting salary, promotion or continuing employment of a spouse. *[Revised April 22, 2014]*
- c. Efforts shall be made to place women and members of minorities in administrative and institutional roles throughout the College. *[Revised April 22, 2014]*
 - d. All those at any level responsible for committee assignments will make genuine efforts to assure that all groups are represented on policy and decision-making committees for the College. *[Revised April 22, 2014]*
5. Promotion. All individuals responsible for promotion of the college faculty and staff will:
- a. Compare the promotion records of men, women and minorities. *[Revised January, 2014]*
 - 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.

[Updated July 2020]



ETHICS/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 which is related to Colby Community College's business and does not relate to private acts of an individual not connected 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 any action harmful to any 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 July 2015]



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.



GENERAL EDUCATION OUTCOMES

Each degree offered has 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:

- Demonstrate effective oral communication;
- Communicate effectively in writing;
- Apply critical thinking skills;
- Integrate a variety of techniques for problem solving;
- Utilize technology relevant to field of study;
- Evaluate cultural awareness.

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.

MISSION

Challenge students to adapt to a diverse society. Create opportunities for student growth. Connect student learning with professional experiences.

[Reviewed February 2020]



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 Dean 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



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.

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.

[Adopted November 2019]



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. Education at Colby Community College is interesting, challenging and enjoyable.



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.

Procedures

1. *All publications should be produced on campus when possible.* Communication with the Copy Center about the scope of the project is recommended. Criteria to consider should include the number of copies needed, the type of paper, the use of photographs and color, method of printing, page size, and the overall cost of publication.
2. All requests for on-campus and off-campus printing must be approved by a supervisor. This includes publications funded through grants and those for student organizations. The requester should follow the College purchasing policy.
3. A draft of the publication should be edited by the requesting department and sent to the Public Information Office for review.
4. Once a publication is produced, an electronic copy should be shared with the Public Information Office to be archived.

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

The “Trojan Logo” is the official logo for Colby Community College. 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.



PURPOSES

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.



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

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 Dean 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]

[Revised April 22, 2014]

VISION

Colby Community College will be a national leader in academic and student success to transform the lives in the communities we serve.

