

Article No.: 100

Approved: April 7, 2008, October 13, 2014

Reference: ORS 341.287 [2]; ORS 341.290; ORS 192.420; ORS 341.790; ORS 294.336

100.1 - PHILOSOPHY

The Board of Education of Tillamook Bay Community College recognizes that it is responsible to all the citizens of the College service area which constitutes Tillamook County, regardless of political, social, fraternal, religious or other affiliation.

MISSION

Tillamook Bay Community College creates bridges to opportunity by providing quality education that serves the needs of our diverse community.

GOVERNANCE

The Board of Education is primarily concerned with the creation, under existing law, of policies for the County, and for the evaluation of the effectiveness of those policies. The execution of given policy, the daily decisions made within its framework, and the methods used to enforce its provisions, are properly the responsibility of the College professional administrative staff.

100.2 - BOARD DUTIES AND RESPONSIBILITIES

The Board of Education shall be responsible for the general oversight and control of the community college. Consistent with any applicable rules of the State Board of Education, the Board may:

1. Select and appoint the College President.
2. Select and appoint candidates to vacant Board positions.
3. Employ administrative officers, professional personnel and other employees, define their duties, terms and conditions of employment and prescribe compensation therefore.
4. Enact policies for the governance of Tillamook Bay Community College, including professional personnel and other employees and students therein and review on an annual basis.
5. Prescribe the educational program including the establishment of the academic requirements for diplomas, certificates and associate degrees.
6. Control use of and access to the grounds, buildings, books, equipment and other property of the College.

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7. Acquire, receive, hold control of, convey, sell, manage, operate, lease, lease-purchase, lend, invest, improve and develop any and all property of whatever nature given to or appropriated for the use, support or benefit of any activity under the control of the board, according to the terms and conditions of such gift or appropriation.
8. Purchase real property upon a contractual basis when the period of time allowed for payment under the contract does not exceed 30 years.
9. Establish standards of admission to Tillamook Bay Community College and prescribe tuition rates and fees, including fixing different tuition rates for students who reside in the county, students who do not reside in the county, but are residents of the state, and students who do not reside in the state.
10. Prescribe and expend funds so raised for special programs and services for the students and for programs for the cultural and physical development of the students.
11. Provide and disseminate to the public information relating to the program, operation and finances of Tillamook Bay Community College.
12. Establish or contract for advisory and consultant services.
13. Take, hold and dispose of mortgages on real and personal property acquired by way of gift or arising out of transactions entered into in accordance with the powers, duties, and authority of the board and institute, maintain and participate in suits and actions and other judicial proceedings in the name of the college for the foreclosure of such mortgages.
14. Maintain programs, services and facilities, and, in connection therewith, cooperate and enter into agreements with any person or public or private agency.
15. Provide student services consistent with the College's mission to support student achievement of educational goals.
16. Join appropriate associations and pay any required dues therefore from resources of the College.
17. Apply for state and federal funds and accept and enter into any contracts or agreements for the receipt of such funds from the State or Federal Government or its agencies for educational purposes.
18. Prescribe rules for the use and access to public records of the college that are consistent with ORS 192.420. However, the following records shall not be made

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available to public inspection for any purpose without consent of the person who is the subject of the record, or upon order of a court of competent jurisdiction:

- (a) Student records relating to matters such as grades, conduct, personal and academic evaluations, results of psychometric testing, disciplinary actions, if any, and other personal matters.
 - (b) Employee records relating to matters such as conduct, personal and academic evaluations, disciplinary actions, if any, and other personal matters.
19. Enter into contracts for the receipt of cash or property, or both and establish annuities; and, commit, appropriate, authorize and budget for the payment of or other disposition of general funds to pay, in whole or in part, sums due under an annuity agreement, and to provide the necessary funding for reserves or other trust funds.
 20. Encourage gifts to the College by faithfully devoting the proceeds of such gifts to the college purposes for which intended.
 21. Build, furnish, equip, repair, lease, purchase and raze facilities; and locate, buy and acquire lands for all college purposes. Financing may be any prudent method, including but not limited to loans, contract purchase or lease. Leases authorized by this section include lease-purchase agreements where under the College may acquire ownership of the leased property at a nominal price. Such financing agreements may be for a term of up to 30 years except for lease arrangements which may be for a term of up to 50 years.
 22. Participate in an educational consortium with public and private institutions that offer secondary, upper division and graduate instruction. To engage in such consortiums the College may expend money, provide facilities and assign staff to assist those institutions offering instruction.
 23. Annually, the Board of Education will do a Board Self-Evaluation to review its effectiveness as a governing board.
 24. Exercise any other power, duty or responsibility necessary to carry out the functions under this section or required by law.

100.3 - ORGANIZATION OF THE BOARD

The Board derives its authority from ORS, Chapter 341. The Board is subject to the provisions of the Constitution of the State of Oregon, applicable state and federal laws, its own policies and procedures, and the expressed will of the electorate. Board members

BOARD PROCEDURES

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Reference: ORS 341.287 [2]; ORS 341.290; ORS 192.420; ORS 341.790; ORS 294.336

serve without remuneration, except for actual and necessary expenses incurred by Board members in authorized travel for College business, conferences, or professional meetings.

The Board consists of seven members nominated from zones and elected at large. Elections are held in accordance with the provisions of the ORS 341.790. The zones are:

Zone 1:	Beaver, Carnahan, Cloverdale, Hebo, Neskowin, Union, and Pacific City.
Zone 2:	Fairview, Netarts, Oceanside, South Prairie, and Westside.
Zone 3:	City of Tillamook (Precincts 1-6), Eastside, and Trask.
Zone 4:	Bay City, Garibaldi, Kilchis, Maple Leaf, and Foley.
Zone 5:	Nehalem, Pine Grove, Rockaway Beach, Wheeler, and Manzanita.
Zone 6:	At Large.
Zone 7:	At Large.

The term of office of all Board members shall begin on July 1 following the date of election. Board members shall serve until their successor's term begins. Board members must qualify by taking the oath of office before assuming the duties of the office.

The Board shall declare the office of a Board member vacant if it finds any of the following:

- A. The incumbent has died or resigned, or
- B. The incumbent has been removed, recalled, or the election has been declared void by a court of competent jurisdiction, or
- C. The incumbent has ceased to be a resident of Tillamook County or the zone they were elected to represent, or
- D. The incumbent has not discharged the duties of office for two consecutive regular monthly meetings unless prevented there from by sickness or other unavoidable cause, or unless granted an excuse by the Chairperson of the Board. The Chairperson shall report and have entered such excuses in the minutes of the meeting for which the excuse was granted.

Vacant positions upon the Board shall be filled by appointment of a qualified voter residing in the zone in which the vacancy occurs. A Board member so appointed shall serve until the next regular Public Election when a successor shall be elected to serve for the remainder of the unexpired term.

100.4 - OFFICERS OF THE COLLEGE BOARD

The Board shall meet and organize at the June meeting by electing a chairperson and vice-chairperson from its members for the following academic year.

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Reference: ORS 341.287 [2]; ORS 341.290; ORS 192.420; ORS 341.790; ORS 294.336

The President of the College shall be appointed the Clerk of the Board. The Comptroller/Budget Officer shall be appointed the Deputy Clerk of the Board, and the – President or support to the President shall be named the Board Secretary.

100.5 - DUTIES OF OFFICERS

The duties of Board officers and committees will be as follows:

A. Chairperson

1. To preside at all meetings of the Board.
2. To appoint or provide for the election of all committees.
3. To call special meetings as required.
4. To perform such other duties as may be prescribed by law or by action of the Board.
5. To have the same duty to vote on matters before the Board as the other members.

B. Vice-chairperson

The Vice-chairperson shall uphold the duties of the Chairperson in her/his absence.

C. President of the College as Clerk of the Board

1. The President is appointed by the Board as its Executive and shall implement the policies of the Board regarding the operation of the College.
2. It will be the duty of the Clerk to approve and sign the minutes of all special and regular meetings of the Board, and to sign all other official documents of the Board.

D. Deputy Clerk

1. The Deputy Clerk will function as Clerk in the absence of the Clerk. The Deputy Clerk may also be a co-signer for payment of College bills by check.

E. Secretary for the Board

The major duties and responsibilities of the Secretary for the Board will be:

1. To notify members of the Board of all regular and special meetings.
2. To attend all Board meetings.
3. To record the minutes of the meetings of the Board and transmit a copy of the minutes of the previous meeting to each member of the Board before each ensuing meeting.
4. To have charge of all records, proceedings and documents of the Board.

F. Committees

1. The Chairperson shall appoint no more than three members to committees designated for a specific purpose. Committees shall not perform any of the Board's functions.

G. Budget Committee

1. As directed by ORS 294.336, the Budget Committee shall consist of seven College Board members and seven members appointed by the Board for three year terms. Appointees must be qualified electors of Tillamook County.

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100.6 - AUTHORITY OF MEMBERS

Any duty imposed upon the Board as a body shall be performed at a regular or special meeting and shall be made a matter of record. The consent to any particular measure obtained from individual Board members when the Board is not in session shall not be an act of the Board and shall not be binding upon the College.

Article No.: 101

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Reference: ORS 341.287 [2]; ORS 341.290; ORS 192.420; ORS 341.790; ORS 294.336

Article No.: 102

Approved: April 7, 2008, October 13, 2014

Reference:

102.1 - BOARD POLICIES

- A. The policies adopted by the College Board of Education have been written to be consistent with the provisions of law, but do not encompass all laws relating to the College's activities. All employees will be expected to know and will be held responsible for observing all provisions of law pertinent to their activities as College employees.
- B. Any policy needing immediate action may be enacted by a unanimous vote of the entire Board. The vote will be entered in the minutes of the meeting.
- C. Additions, changes and/or deletions of policies governing the College shall be considered by the Board at a minimum of two (2) separate meetings before final action is taken. Amendment will be made by the repeal of the existing policy and, if required, the enactment of a new policy.
- D. The President will furnish a copy of the policies and a copy of any amendment thereof to each employee and to any interested person. In lieu of the distribution of the complete manual, the President may prepare a special edition for any specific group of employees; provided, however, that a copy of the complete policies is made readily accessible to all employees and to members of the public. Copies of the policies and procedures will be on file in the office of the President.
- E. Administrative rules. The College has a number of procedures and operational rules that are implemented operationally on a daily basis. These procedures are policy driven and are approved by the College Council as "Administrative Rules." The College Council has approved an Administrative Rule with procedures for additions, deletions, and modifications to Administrative Rules. A complete review of the Administrative Rules will take place every other year.

Article No.: 103

Approved: April 7, 2008

Reference:

103.1 - BOARD COMMUNITY RELATIONSHIPS

Tillamook Bay Community College is a public institution whose purpose is to provide education for the public. The Board encourages and welcomes public participation and awareness of the operation of the College. College activities and public records are open to inspection except in those limited instances where inspection is confidential or exempt from disclosure under law.

- A. The Board recognizes the right of the public to information concerning all of its actions and policies and concerning the details of its educational and business operations. In accordance with this policy, copies of the agenda will be furnished to all interested persons and organizations upon request to the President.
- B. Copies of minutes of Board meetings may also be furnished to interested persons and organizations upon written request.
- C. The Board will provide for the dissemination of information concerning the College and its educational programs and business operations.
- D. It will be the practice of the Board to consider input of all interested groups concerning its educational programs and business operations. The Board alone will be the final policy agent.

BOARD ACTION ON LEGISLATIVE ISSUES

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Approved: April 7, 2008

Reference: ORS260.432

104.1 - BOARD ACTION ON LEGISLATIVE ISSUES

The Board of Education will not take any position advocating or proposing a local, state, or national legislative matter, except if it should vote to do so in a case which is of direct concern to Tillamook Bay Community College.

Article No.: 105

Approved: April 7, 2008

Reference:

105.1 - BOARD CONFLICT OF INTEREST

Taking of a seat on the Board by an employee of the College shall automatically serve to terminate that individual's employment with the College.

In the event of a potential conflict of interest involving any member of the Board, such member shall announce publicly the nature of the potential conflict. This shall be made by the member during the meeting at which any official action related to such conflict of interest shall be proposed or taken and prior to participating in any related discussion or official action thereon, whether by vote or by abstention.

A "potential conflict of interest" means any transaction where a person acting in a capacity as a public official takes any action or makes any decision or recommendation, the effect of which would be to the person's private pecuniary benefit or detriment. There is not a "potential conflict of interest" where the transaction would effect to the same degree a class of persons consisting of all inhabitants of the state, or a smaller class of persons consisting of an entire industry, occupation, or group to which the Board member is associated, or in which the member is engaged.

The Board member need not announce a potential conflict of interest more than once during the meeting. When a Board member announces a potential conflict of interest, it shall be recorded in the minutes of the Board. Notice of the potential conflict and how it was disposed of may, at the request of a majority of the Board or upon request of the member giving notice of the potential conflict, be provided to the Oregon Government Ethics Commission.

Article No.: 106

Approved: April 7, 2008, October 13, 2014

Reference: ORS 279.A.060, ORS 279A.065

106.1 - BOARD CONTRACT REVIEW BOARD

By ORS 279A.060, the Tillamook Bay Community College Board of Education is designated as the local contract review board for the College.

Procurement of goods and services by the College is governed by the Oregon Attorney General's Model Rules as contained in OAR Chapter 137, which rules are adopted by Tillamook Bay Community College except as the College has adopted its own rules of policy. Exceptions to the Model Rules, adopted by the Board of Education, are listed below.

106.2 - Personal Service Contracts

106.2.1 - General Requirements

- A. Personal Services include, but are not limited to, contracts for auditing and financial services, legal services, architectural and engineering services, planning services, and technical inspection services.
- B. The Board by resolution may designate additional service contracts or classes of service contracts as personal service contracts if the following conditions apply:
 - 1. Specialized skills, knowledge and resources are not available within the College staff;
 - 2. The work cannot be done in a reasonable time with the College's own work force;
 - 3. An independent and impartial evaluation of a situation is required by a consultant with recognized professional expertise and stature;
 - 4. It will be less expensive to contract for the work.
- C. Persons who are interested in performing services for the College may submit their areas of interest to the - Comptroller/Business Office, who will compile a list of prospective consultants. This list may be used in lieu of an advertisement when issuing a request for qualifications or a request for proposals for a specific project.
- D. The Board will be informed of action(s) taken.

106.2.2 - Formal Selection Process

Article No.: 106

Approved: April 7, 2008, October 13, 2014

Reference: ORS 279.A.060, ORS 279A.065

A. Except as provided in Section "Informal Selection Process" below, this procedure shall be used whenever the estimated fee to the contractor exceeds fifty thousand dollars (\$50,000).

B. Solicitation of Proposals

1. Responses shall be solicited through public advertisement or notice to persons on the College's consultant list, inviting response to either:
 - a. A request for proposals (RFP); or
 - b. A request for qualifications (RFQ) to establish a short list, followed by an RFP.
2. The advertisement, when used, shall appear at least once in at least one newspaper of general circulation in the local area. The solicitation may be advertised in additional issues and publications to achieve adequate competition or to reach the minorities, women, and emerging small business enterprise audiences.

C. Use of Request for Qualifications

1. An RFQ used to evaluate qualifications, screen potential consultants, and establish a short list shall contain the information required to screen and select qualified respondents.
2. The College President or designee shall review, score and rank the consultants according to the solicitation criteria and the results of any oral interview. The College President may delegate this screening to a committee composed of qualified employees of the College or others so designated. The committee may include private practitioners of the work encompassed by the project.
3. Following screening and evaluation, the College President or designee shall establish a short list of at least three qualified consultants. If four or fewer persons respond to the RFQ, then a short list of fewer than three qualified consultants may be established or the RFQ may be canceled and an RFP issued.
4. Every qualified consultant placed on a short list shall receive an RFP and have an opportunity to submit a proposal. No person shall be eligible for placement on a short list during the period in which any of the person's principals, partners or associates are a member of the College's evaluation committee.

Article No.: 106

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Reference: ORS 279.A.060, ORS 279A.065

5. Publication of an RFQ shall not make the College responsible for any consultant costs and expenses incurred in submitting responses to an RFQ. All potential consultants who respond to an RFQ do so solely at the consultant's cost and expense.
6. Any reasonable evaluation method may be used to establish a short list of qualified consultants.

D. Request for Proposals

1. A meeting may be held for all interested consultants to discuss the proposed project and the required services. Attendance at such a meeting, if held, may be mandatory.
2. An RFP consultant selection committee of at least three persons shall be appointed by the College President or designee to review, score and rank the consultant's responses to the RFP. If the RFP follows an RFQ, the RFP consultant selection committee may be the same as any RFQ consultant evaluation committee. The RFP consultant selection committee may interview consultants. The committee may be composed of highly qualified professional employees of the College or other agencies and may include private practitioners of the work encompassed by the project. The Board may establish a different consultant selection committee when selection of the consultant is done by the College President or Board.
3. No person or firm shall be eligible for award of a consultant contract during the period in which any of the person's principals, partners or associates is a member of the consultant selection committee.
4. The RFP consultant selection committee shall review, score and rank all responsive proposals according to criteria listed in the RFP. These criteria may include but are not limited to the following:
 - a. Availability and capability to perform the work.
 - b. Experience of key staff on comparable project(s).
 - c. Demonstrated ability to successfully complete similar projects on time and within budget.
 - d. References and recommendations from past clients, public and private.

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Reference: ORS 279.A.060, ORS 279A.065

- e. Consultant's performance history in (i) meeting deadlines; (ii) submitting accurate estimates; (iii) producing quality work; and (iv) meeting financial obligations.
 - f. Status and quality of any required licensing or certification.
 - g. Consultant's knowledge and understanding of the project as shown in the consultant's approach to the project's staffing and scheduling needs.
 - h. Fees required, whether estimated or firm.
 - i. Results from oral interviews, if conducted.
 - j. Design philosophy and project approach.
 - k. Any other criteria that are deemed to be relevant to the project, including where the nature and budget of the proposed project so warrant, a design competition between competing professional consultants.
 - l. Each of the evaluation criteria shall be of equal weight unless the RFP provides otherwise and states the weights or points applicable to each criterion.
5. The College may at any time during the solicitation process or during contract negotiation reject all proposals and cancel the solicitation without liability. The College shall not be responsible for any consultant costs and expenses incurred in submitting responses to the solicitation. All prospective consultants who respond to an RFP do so solely at the consultant's cost and expense.
6. An awarded project may become inactive, lapse, or change as a result of project phasing, insufficient appropriations, or other reasons. If the project is reactivated, the College may retain the same qualified consultant to complete the project. The College President or designee shall make a written finding that the College's interests are best served by retaining the same consultant.

106.2.3 - Informal Selection Process

- A. A personal service contract may be awarded using an informal selection process under any of the following circumstances:

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Approved: April 7, 2008, October 13, 2014

Reference: ORS 279.A.060, ORS 279A.065

1. When the estimated fee to the consultant does not exceed fifty thousand dollars (\$50,000);
 2. When the project consists of work which has been substantially described, planned, or otherwise previously studied or rendered in an earlier College contract;
 3. When the contract is with bond underwriters;
 4. When the contract is with financial advisors providing expert opinions for the purpose of negotiated bond sales;
 5. When the contract is for legal services.
- B. In the informal selection process, the College shall contact one or more prospective contractors with whom the College has had previous successful experience and request a brief proposal which should address the work to be performed, the prospective contractor's experience with the type of work to be performed, and the prospective contractor's compensation requirements to perform the work. The College shall evaluate the proposal(s) received, using criteria that are deemed appropriate, and do one (1) of the following:
1. Make an award based on the proposals received.
 2. Reject the proposals received and solicit proposals from other prospective contractors using the informal selection process.
 3. Reject the proposals received and solicit proposals using the formal selection process.
 4. Cancel the solicitation and make no award.

106.2.4 - Direct Appointment Procedure

The College may recommend direct consultant appointments when conditions require prompt action for the best interest of the College. The recommended appointment and a written description of the conditions requiring the appointment shall be submitted by the College President to the Board. The Board shall determine whether a direct appointment is appropriate, and if so, approve the appointment.

106.2.5 - Protest Procedure

Article No.: 106

Approved: April 7, 2008, October 13, 2014

Reference: ORS 279.A.060, ORS 279A.065

- A. Solicitation Protest. Unless a different deadline is specified in the solicitation document, prospective consultants may submit a written protest or request for change of particular solicitation provisions, specifications, or contract terms and conditions to the College no later than five calendar days prior to the close of the solicitation. Such protest or request for change shall include the reasons for the protest or request and any proposed changes to the solicitation provisions, specifications, or contract terms and conditions. No protest against selection of a consultant or award of a consultant contract, because of the contract terms and conditions, shall be considered after the deadline established for submitting such protest.
- B. Selection Protest. Unless a different deadline is specified in the solicitation document, a prospective consultant who has submitted a proposal and claims to have been aggrieved by the College's selection of a competing consultant, shall have fourteen calendar days after the College's notice of selection of the competing consultant to submit a written protest of the selection to the College. To be aggrieved for purposes of having a right to submit a protest, a proposer must claim that the proposer was the highest-ranked qualified consultant eligible for selection, i.e., the protester must claim that all higher-ranked consultants were ineligible for selection because their proposals were nonresponsive or the consultants nonresponsive. The College shall not consider a selection protest submitted after the time period established in this section nor any selection protest submitted after the deadline provided in the College's solicitation.
- C. The College President has authority to settle or resolve a written protest submitted in accordance with this section. The College President shall promptly issue a written decision on the protest. The action of the College President shall be the final action on the matter.

106.2.6 - Delegation of Authority--Applicability--Statutory Authority.

- A. The College President may delegate authority granted in this chapter to appropriate College employees. Such delegation must be in writing.
- B. Policy 106.1 applies to any public contract solicited or advertised after the date of adoption by the Tillamook Bay Community College Board of Education.
- C. The College Board finds that those portions of Policy 106.1 which exempt classes of contracts from the requirement of public bidding are justifiable under ORS 279. The exemption from public bidding for these types of contracts will not encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts and the award of these kinds of contracts without bidding will result in substantial cost savings to the College.

Article No.: 107

Approved: April 7, 2008, February 4, 2013

Reference: Article 100

107.1 - INTRODUCTION

Tillamook Bay Community College is a public institution whose purpose is to provide education for the public. The Board encourages and welcomes public participation and awareness of the operation of the College. College activities and public records are open to inspection except in those limited instances where inspection is confidential or exempt from disclosure under law. Public Records are NOT student records.

107.2 – Pursuant to Oregon Revised Statutes, every person has a right to inspect any non-exempt public record. (See Oregon Revised Statute, Public and Private Records; Public Reports and Meetings, Chapter 192, for definitions of exempt public records.)

“Public record” means any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by a public body regardless of physical form or characteristics, including, but not limited to, handwriting, typewriting, printing, photographing, and every means of recording, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, files, facsimiles, or electronic recordings.

Inspection and copying of a public record shall be done during regular business hours at the office where the record is located, or another facility designated by the College. College records shall not leave College premises for the purposes of public record disclosure. The College may directly supervise the inspection or copying of College records, may list records inspected or copied by or at the request of a requestor, and may contemporaneously copy for the College's own purposes records inspected or copied by or at the request of the requestor. The College may provide a copy of a record in lieu of the original to protect the original record. The College may provide a redacted copy in lieu of an original record in order to delete exempt material.

Article No.: 108

Approved: February 7, 2011

Reference: ORS 341.675; ORS 341.715

It shall be the policy of Tillamook Bay Community College, to efficiently and effectively manage the use of debt for the purpose of achieving institutional goals and objectives.

The College's Debt Management Policy and accompanying administrative rule provide for planning, issuing and monitoring debt and help ensure the availability of sufficient funds to meet debt service obligations while adequately providing for reoccurring operating requirements.

The issuance of debt limits the College's flexibility to respond to future learning priorities; consequently, the College shall issue and manage debt in a manner that maintains a sound fiscal position, protects its creditworthiness and complies with ORS 341.675 and ORS 341.715.

To meet the objectives of this policy the Board shall ensure that the College incurs and services all debts in a manner that will:

- A. Maintain a balanced relationship between debt service requirements and current operating needs.
- B. Maintain and enhance the College's ability to obtain access to credit markets, at favorable interest rates, in amounts needed for capital improvements and, if necessary, to provide essential services.
- C. Prudently incur and manage debt to minimize costs to the taxpayers and ensure that current decisions do not adversely affect the long-term financial standing of the College.
- D. Preserve the College's flexibility in capital financing by maintaining an adequate margin of statutory debt capacity.

The Board may authorize borrowing for the College, in compliance with state laws, by resolution stating the upper limit to be obligated at any one time. The president or designee may initiate emergency borrowing prior to Board approval should a quorum of the Board not be available to authorize borrowing. Long-term debt (due more than a year in the future) shall not be issued to fund normal operating needs.

Article No.: 109

Approved: December 5, 2011

Reference:

Tillamook Bay Community College is committed to an active, coordinated program of fund raising including grant writing, cash solicitation, and noncash and deferred gifts. The College will participate in fund-raising efforts to improve programs and services that fall within our mission. Fund-raising efforts supplement the College's major revenue sources and allow for growth, innovation, and improved services. For the purpose of this document, fund raising will be defined as the following three activities:

A. Grants

Federal, state, local government, or private foundations. Funding organization requires formal written requests for funds.

B. Cash Solicitation

An individual, organization, or business in the form of a personal contact or letter requesting a cash gift.

C. Solicitation of Noncash and Deferred Gifts

Noncash gifts of real estate, equipment, art objects, securities, trusts, and insurance policies.

The Tillamook Bay Community College Foundation is an independent, nonprofit, 501(c) (3) tax-exempt charitable organization with the purpose of raising funds for the college. The Foundation plays a critical role in institutional advancement activities, and the college will work closely with the Foundation to enhance resource development efforts.

In addition to receiving support from the Foundation, the college may provide staffing for the Foundation or may, when it is mutually beneficial, make cash payments or other contributions to the Foundation.

To assist with communication and alignment of the mission of the College at least one member of the Board of Education will be appointed to the Foundation Board.

Article No.: 202

Approved: June 7, 2010, April 1, 2013, May 2, 2016

Reference: Occupational Safety and Health Administration Regulations

202.1 INTRODUCTION

The safety and security of students, faculty and staff is a top priority at Tillamook Bay Community College and is an integral part of our culture. Tillamook Bay Community College has comprehensive response plans covering operations of the College. These plans, contained in Administrative Rule, establish procedures for the College's response to and recovery from emergencies that may threaten the health and safety of our College community or inhibit the College's ability to continue its mission-critical operations and activities. The objective of this plan is to increase the College's ability to react immediately in the most appropriate and effective way to emergencies of all types.

202.2 PERSONAL EMERGENCY PLANS

All employees and faculty are encouraged to develop a personal emergency response plan. This plan should include emergency communication plans and appropriate emergency supplies. In doing so, people should consider the logistics of being able to react quickly. Employees and faculty should make their supervisors aware of personal responsibilities they may have during such an event.

All students are likewise encouraged to develop an emergency communication plan and make appropriate preparations.

202.3 PLAN STRUCTURE AND OPERATION

The College's safety plan has six main components or annexes, each of which deals with a separate aspect of safety on our campus.

Annex 1 - Emergency Action Plan – immediate actions aimed primarily at protecting people and property from injury or damage caused in emergency situations.

Annex 2 – Emergency Communications Plan – identifies procedures and resources for providing effective and timely warnings before, during, and after an emergency.

Annex 3 – Laboratory Safety and Chemical Hygiene Plan – information and implementation activities aimed at preventing injury to those who use chemicals and to protect others who may be exposed to possible chemical hazards in the college environment.

The Laboratory Safety and Chemical Hygiene Plan are also required to comply with Occupational Safety and Health Administration (OSHA) Regulations.

Annex 4 – Chemical Hazard Communication Plan – procedures designed to prevent occupational injuries and illnesses related to chemical exposure in the workplace.

Article No.: 202

Approved: June 7, 2010, April 1, 2013, May 2, 2016

Reference: Occupational Safety and Health Administration Regulations

Annex 5 – Bloodborne Pathogen Exposure Control Plan – procedures to eliminate or minimize exposure to human blood or other infectious body fluids.

The Bloodborne Pathogen Exposure Control Plan is also required to comply with Occupational Safety and Health Administration (OSHA) Regulations.

Annex 6 – Loss Prevention and Business Continuity Plan – procedures for reducing the risk of injury, loss of life, and property; reporting losses; and, activities, including pre-planning, aimed primarily at ensuring that all critical functions and operations continue to be performed during and after an emergency situation.

In an emergency, the plan and its supporting annexes provide for a structured assessment process and cascaded activation of each of the six main components as needed.

202.4 – CHILDREN ON CAMPUS

Children are defined as all persons under the age of 18 unless enrolled in a course.

1. A child on property owned or leased by the College must be enrolled in a course and/or under the direct supervision of the child's parent or guardian or College staff at all times.
2. Children of an enrolled student may not attend a course without the advanced permission of the course instructor.
3. Children may not be present on property owned or leased by the College independently. College staff will take appropriate action, including if necessary, the notification of law enforcement authorities, if a child is unattended on College property or in College facilities.
4. College staff, including instructors, may not bring children to their worksite except in the case of an emergency and with the permission of their supervisor.
5. Concerns regarding the presence of children on campus should be brought to the attention of the Chief Academic Officer or Director of Facilities, Human Resources, and Safety.

202.5 – ANIMALS ON CAMPUS

Animals in College buildings, classrooms, offices or grounds may cause health, safety, liability, sanitary, or custodial problems. Animals are permitted in College building if they are: 1. Service animals that are specifically trained to perform tasks for students, staff or visitors with disabilities such as guiding people who are blind; alerting people who are deaf; pulling wheelchairs; alerting and protecting those who are having a seizure or performing other special tasks.

Article No.: 202

Approved: June 7, 2010, April 1, 2013, May 2, 2016

Reference: Occupational Safety and Health Administration Regulations

2. Animals under the guidance and control of College staff for the purpose of research, instruction, or other endeavors related to the College mission.

Animals on College grounds shall be on a leash or in a vehicle and remain outside all buildings. Owners shall exercise responsibility for immediate clean-up and proper removal of waste.

202.6 - INTEGRATED PEST MANAGEMENT

To ensure the health and safety concerns of student, staff and community members, the College shall adopt an integrated pest management plan (IPM) which emphasizes the least possible risk to students, staff and community members and shall adopt a list of low-impact pesticides for use with the IPM plan.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
 - a. Protect the health and safety of students and staff;
 - b. Protect the integrity of College buildings and grounds;
 - c. Maintain a productive learning environment; and
 - d. Protect local ecosystem health.
2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
5. Evaluates the need for pest control by identifying acceptable pest population density levels;
6. Monitors and evaluates the effectiveness of pest control measures;
7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;

Article No.: 202

Approved: June 7, 2010, April 1, 2013, May 2, 2016

Reference: Occupational Safety and Health Administration Regulations

8. Excludes the application of pesticides for purely aesthetic purposes;
9. Includes College staff education about sanitation, monitoring, inspection and pest control measures;
10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

POSTERS AND NOTICES

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Article No.: 203

Approved: April 7, 2008

Reference:

203.1 - PUBLIC POSTERS AND NOTICES

Public posters, flyers, notices, etc., are permitted on designated public bulletin boards only, subject to administrative rules.

Article No.: 204

Approved: December 7, 2009, April 1, 2013, May 2, 2016

Reference:

204 TOBACCO USE

For better health Tillamook Bay Community College is a smoke and tobacco free campus. The use, distribution, or sale of smoking and tobacco products is prohibited.

Smoking and tobacco products include, but are not limited to, cigarettes, cigars, smokeless tobacco, chew tobacco, e-cigarettes, and vaporizers.

A \$50.00 fine may be imposed for any smoking or tobacco use on any TBCC property.

Article No.: 205

Approved: April 7, 2008

Reference:

205.1 – PUBLIC RELATIONS

Tillamook Bay Community College is a service oriented institution. It is the responsibility of all employees to provide accurate, up-to-date information in a friendly, positive manner. All requests for information should be processed in a timely manner. If the information is not easily available, every effort should be made to identify resources for information. All requests must be answered even if information is not available.

Favorable publicity is desired and necessary. To ensure that all public information is in accord with Board policy and administrative rules, it is essential that all such information intended for release to the public be routed through the College President or designee.

Prospective news releases may originate from any source connected with the College, including administrators, faculty and students. Proposed articles should be submitted to the College President or designee for approval.
r designee.

Article No.: 206

Approved: April 7, 2008

Reference:

206.1 – REPRESENTATION OF THE COLLEGE

Any time a staff member of the College makes a contact on official College business they should immediately identify themselves, their position with the College, and the purpose of the contact. At no time is a staff member acting as an agent of the College, to make contacts or call anonymously, or to deliberately misrepresent the purpose of the call or contact.

PUBLICATIONS

Article No.: 207

Approved: April 6, 2009

Reference:

207.1 – PUBLICATIONS

The College Catalog, Schedule of Classes, Board Policy Manual, Faculty Handbook, Student Handbook, student publications, brochures, and website will be governed by College Administrative Rules.

RESEARCH AND PUBLICATION BY STAFF

Article No.: 208

Approved: April 7, 2008, June 3, 2013

Reference:

208.1 - INDIVIDUAL RESEARCH

Tillamook Bay Community College as a public college working within the framework of Oregon Legislative Directive for Community Colleges, is not designated as a research institution. The Board recognizes the need for professional growth, however, and encourages educational research activities which will benefit the employee and the College. Research projects which relate to the College may qualify for financial support. These projects must be reviewed by the President and approved by the Board.

The administration may permit the use of College equipment and facilities by those faculty or staff members conducting research on other than school time. Such use of equipment and facilities must not interfere with their use for instructional purposes, nor may it constitute other than nominal expense to the College. Advance approval is required for such use of equipment or facilities.

The writing of articles and books is a type of professional activity which the Board wishes to encourage. Financial allowance may be made for such activities when such activity is a consideration of professional growth and of benefit to the College.

208.2 - INSTITUTIONAL RESEARCH

The Board recognizes the importance of institutional research as a guide to the continuing improvement of programs and services of the College. Personnel and funds will be provided to further this activity.

To ensure that outside requests for research will serve these ends, Tillamook Bay Community College will participate only in those studies which have been approved by the President.

208.3 – INTELLECTUAL PROPERTY

The Board of Education at Tillamook Community College (College) employ a policy recognizing that employees of the College may receive appropriate recognition and compensation for the creation of intellectual property. To clarify the ownership rights of any such intellectual property, the contract considerations in Administrative Rule will govern. For purposes of this policy, a covered individual includes all full- or part-time employees or independent contractors who are contracted to teach or develop educational materials in support of student instruction. The College shall maintain an Administrative Rule governing Intellectual Property.

USE OF COLLEGE PROPERTY

Article No.: 209

Approved: April 7, 2008

Reference:

209.1 – USE OF COLLEGE PROPERTY

College property may not be removed from the campus for personal use or for use by individuals or organizations outside the College unless permission has first been obtained from, or special arrangements made with, the College President or designee.

210.1 USE OF FACILITIES

It shall be the policy of Tillamook Bay Community College to utilize its facilities for College purposes. When facilities are not in use for college-related purposes, the facilities will be made available to the public. Priority categories of users are as follows:

- A. College instructional and board activities
- B. College meetings and events
- C. Nonprofit organizations
- D. Private organizations' events

The College shall maintain an Administrative Rule governing the use of College facilities. The College President may deny or limit the use of College facilities, within the applicable federal and state laws, to any individual or group unable, or unwilling, to comply with the Administrative Rule.

Article No.: 211

Approved: April 7, 2008, April 1, 2013

Reference: Articles 208, 209, 316, and 322

211.1 - INTRODUCTION

The College's computer and information network is a continually growing and changing resource that supports students, faculty, staff and the outside community. These resources are vital for the fulfillment of the academic and business needs of the College community. Their use is provided as a privilege. In order to ensure a reasonable and dependable level of service, it is essential that each individual student, faculty, and staff member, must exercise responsible, ethical behavior when using these resources. Misuse by even a few individuals has the potential to disrupt College business, and, even worse, the legitimate academic and research work of faculty and students.

This policy outlines the application of the principles that govern our academic community in the appropriate use of College computer and information network resources. Because it is impossible to anticipate all the ways in which individuals may misuse these resources, this policy focuses on a few general rules and the principles behind them.

This policy applies to the entire user community of the College and to the use of any and all College owned or managed computer-related equipment, computer systems, and interconnecting networks, as well as all information contained therein.

211.2 USE OF RESOURCES

All users are expected to utilize College computing resources in a responsible manner consistent with policies outlined in the Tillamook Bay Community College Policy manual and approved by the Board of Education.

The unauthorized use of resources is prohibited and, in many cases, may be violations of the law. Unauthorized use includes, but is not limited, to the following types of activities.

A. Harassment or threats to specific individuals, or a class of individuals:

1. Transmitting unsolicited information that contains obscene, indecent, lewd, or lascivious material or other material which explicitly or implicitly refers to sexual conduct.
2. Using e-mail or newsgroups to threaten or stalk someone.
3. Transmitting unsolicited information that contains profane language or panders to bigotry, sexism, or other forms of prohibited discrimination.

B. Interference or impairment to the activities of others:

Article No.: 211

Approved: April 7, 2008, April 1, 2013

Reference: Articles 208, 209, 316, and 322

1. Creating, modifying, executing, or retransmitting any computer program or instructions intended to: (a) obscure the true identity of the sender of electronic mail or electronic messages, such as the forgery of electronic mail or the alteration of system or user data used to identify the sender of electronic e-mail; (b) bypass, subvert, or otherwise render ineffective the security or access control measures on any network or computer system without the permission of the owner; or (c) examine or collect data from the network (e.g., a "network sniffer" program).
2. Allowing unauthorized persons or organizations to use user computer accounts or TBCC network resources. Users are responsible for the appropriate use of all College computer access and accounts assigned them and must take all reasonable precautions, including password maintenance and file protection measures, to prevent unauthorized use. Users must not share passwords with anyone else or provide access to network resources to unauthorized persons.
3. Communicating or using any password, personal identification number, credit card number, or other personal or financial information without the permission of its owner.

C. Unauthorized access and use of the resources of others:

1. Use of College computer resources to gain unauthorized access to resources of this or other institutions, organizations, or individuals.
2. Use of false or misleading information for the purpose of obtaining access to unauthorized resources.
3. Accessing, altering, copying, moving, or removing information, proprietary software or other files (including programs, libraries, data, and electronic mail) from any network system or files of other users without prior authorization.
4. Making unauthorized copies of copyrighted materials. Users should assume all software, graphic images, music, and the like are copyrighted. Copying or downloading copyrighted materials without the authorization of the copyright owner is against the law, and may result in civil and criminal penalties, including fines and imprisonment.

D. Damage or impairment of College resources:

1. Use of any resource irresponsibly or in a manner that adversely affects the work of others. This includes intentionally, recklessly, or negligently (a) damaging any system (e.g., by the introduction of any so-called "virus," "worm," or "trojan-horse" program), (b) damaging or violating

Article No.: 211

Approved: April 7, 2008, April 1, 2013

Reference: Articles 208, 209, 316, and 322

- the privacy of information belonging to others, or (c) misusing or allowing misuse of system resources.
2. Use of College resources for non-College related activities that unduly increase network load (e.g., non-business or -education related email, chain mail, network games, and spamming).

E. Unauthorized commercial activities:

1. Using College resources for one's own commercial gain, or for other commercial purposes not officially approved by the College, including web ads.
2. Using College resources to operate or support a non-College related business.
3. Use of College resources in a manner inconsistent with the College's contractual obligations to suppliers of those resources or with any published College policy.

F. Violation of city, state, or federal laws:

1. Pirating software, music, and images.
2. Effecting or receiving unauthorized electronic transfer of funds.
3. Disseminating child pornography or other obscene material.
4. Violating any laws or participating in the commission or furtherance of any crime or other unlawful or improper purpose.

211.3 - WHEN INAPPROPRIATE USE OF COMPUTER RESOURCES OCCURS

The use of College resources is a privilege. The resources have always been, and will remain, the property of the College.

It is each user's responsibility to promptly report any violation of this policy to the IT Director.

Reports of unauthorized use or misuse of computer resources will be investigated pursuant to standard College procedures. All illegal activities will be reported to local, state, or federal authorities, as appropriate, for investigation and prosecution.

While the College desires to maintain user privacy and avoid the unnecessary interruption of user activities, the College, at the direction of the College President, reserves the right to investigate any suspected unauthorized or improper use of College resources (as described above). As directed by the College President, investigations may be initiated which could

Article No.: 211

Approved: April 7, 2008, April 1, 2013

Reference: Articles 208, 209, 316, and 322

include the inspection of data stored or transmitted on the network. In the event that use is determined to be contrary to College policy or applicable law, appropriate measures will be taken. These measures may include, but are not limited to, permanent or temporary suspension of user privileges, deletion of files, disconnection from the Tillamook Bay Community College network, referral to student or employee disciplinary processes, and cooperating with the appropriate law enforcement officials and government agencies.

211.4 - INFORMATION ON APPLICABLE LAWS AND STATUTES

All users of the College computer and information resources are expected to be familiar with and to abide by College policies, as well as local, state, and federal laws relating to electronic media, copyrights, privacy, and security. As a condition of being granted internet and network access, employees of the College complete and sign a user agreement affirming an understanding and intention to abide by these acceptable use guidelines. A summary of these guidelines are also posted at various locations across campus where they are freely accessible by students and other non-employee users.

211.5 - QUESTIONS RELATING TO THIS POLICY

The examples of unauthorized use set forth above are not meant to be exhaustive. Whenever in doubt regarding an issue of questionable use, it is in the user's best interest to resolve the issue before pursuing any questionable use of College computing resources. Questions of appropriate use should be addressed to the IT Director.

Article No.: 212

Approved: June 22, 2009, May 2, 2016

Reference: Fair and Accurate Credit Transactions Act, Oregon Identity Theft Act

212.1 - IDENTITY THEFT PREVENTION

This policy establishes an identity theft prevention program. The program is designed to detect, prevent and mitigate identity theft. This policy applies to College records or procedures which either allow a person to: 1) register, receive financial aid, make payments or be employed by the College; or 2) present a “reasonably foreseeable risk” of identity theft.

As general guidance, this policy will apply to any College record or procedure which contains a person’ personally identifiable information. Details of the program are contained in Administrative Rule.

This policy complies with Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACT Act) of 2003, and, by law, is deemed in compliance with the Oregon Identity Theft Act as provided by ORS 646A.622(2)(a) and (b).

Article No.: 213

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: ORS 475.005 or Schedules I through V under the Federal Controlled Substances Act, 21 USC 811 and 812)

1. Alcohol, Marijuana, and Controlled Substances

A. Employees

Tillamook Bay Community College is an alcohol and drug free workplace and campus. On occasion alcohol may be permitted, only when approved by the Board of Education, in accordance with Administrative Rules that govern alcohol service. The unlawful manufacture, distribution, dispensing, possession or use of alcoholic liquor, intoxicants, marijuana or controlled substances not medically prescribed, or being under the influence of these to any degree by any employee in or about the College buildings or on the College premises or while performing any duties for the College is prohibited and is cause for suspension and/or dismissal. If the employee is not dismissed, suspension may be imposed in combination with a requirement to complete a drug or alcohol treatment and rehabilitation program.

All employees are required to abide by this alcohol and drug-free workplace policy. In addition, they shall notify the Director of Facilities, Safety and Human Resources within five (5) days of their conviction for a violation of substance abuse laws involving the workplace, or if they became aware that another employee has been convicted of such a violation.

Employees may seek referral assistance from the Director of Facilities, Safety and Human Resources in connection with alcohol or drug-related problems. Reasonable efforts shall be made to handle such requests confidentially. Requests for assistance are encouraged and will not themselves be considered as ground for dismissal. Such requests shall not, however, excuse violations prohibited by this policy.

The consumption of alcoholic beverages by an employee at a social function held in relation to an employee's work for the College does not, by itself, constitute a violation of this Policy, provided the employee remains in compliance with all state or local laws and other provisions of this Policy.

B. Student Violations:

Possession, consumption, being under the influence, or furnishing of alcoholic beverages (as identified by federal or state law) or marijuana on College-owned or controlled property or at College or student organization supervised functions, except as provided by rules and procedures of the Tillamook Bay Community College Board of Education.

Possession, consumption, being under the influence, or furnishing of marijuana, a narcotic or dangerous drug, as defined by ORS 475 and ORS 167.203 to 167.252 (is

Article No.: 213

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: ORS 475.005 or Schedules I through V under the Federal Controlled Substances Act, 21 USC 811 and 812)

now law or hereinafter amended), except when use or possession is lawfully prescribed by an authorized medical doctor or dentist.

C. Student Penalties:

1. Expulsion from Tillamook Bay Community College (i.e., permanent removal of the privilege to attend Tillamook Bay Community College)
2. Suspension from Tillamook Bay Community College for a definite period of time and/or pending the satisfaction of conditions for readmission, (i.e., suspension of the privilege to attend Tillamook Bay Community College)
3. Removal from class(es) for which the student is currently registered
4. Restitution for damages
5. A specified period of college and/or community service
6. Disciplinary probation with or without the loss of privileges for a definite period of time. The violation of the terms of the disciplinary probation or the breaking of any College rule during the probation period may be grounds for suspension or expulsion from the College
7. Disciplinary admonition and warning
8. Any other sanction the College deems educationally appropriate.

2 – ALCOHOL SERVICE

It shall be the policy of Tillamook Bay Community College that serving wine and/or beer to individuals 21 years or older as an adjunct to food services may be permitted by the Board of Education on a limited basis at functions held at the College. The intent of this policy is to permit service and teach by example the responsible use of alcohol in appropriate social settings.

The service shall be carefully monitored by the College President, or Designee, to ensure that all external rules, including those of the Oregon Liquor Control Commission, are carefully adhered to and only those forms of service covered by the College's liability insurance are permitted.

The Administrative Rules that govern alcohol service will be kept current with external regulations.

If alcohol is to be served at an event sponsored or hosted by the Board of Education or by the Tillamook Bay Community College Foundation Board it shall not be served unless accompanied by food. Other service of alcohol may be permitted at the College when the person or group serving it first provides a certificate of liquor liability insurance that covers the

Article No.: 213

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: ORS 475.005 or Schedules I through V under the Federal Controlled Substances Act, 21 USC 811 and 812)

event in question, and names the College as an additional named insured with an aggregate liability limit of \$1 million.

Article No.: 214

Approved: March 7, 2011, May 2, 2016

Reference:

Art, collections and displays may be loaned, donated or purchased by the College to be displayed temporarily, on a rotating or permanent basis, at Tillamook Bay Community College. Any works of art, collections or displays donated or purchased by the College shall be documented, maintained and stored as appropriate and necessary. Insurance coverage for owned and loaned work shall be provided subject to standard policy exclusions, limitations and conditions.

Scope

This policy applies to all art, collections and displays owned by, loaned to, displayed or stored by the College in gallery spaces and common areas such as, but not limited to, building entryways and halls, meeting rooms, student spaces and outdoor locations. Student work in a juried exhibition is included in the scope of this policy; student work in a classroom in association with a course is not included. All art, collections and displays need to be sponsored by a TBCC staff person or organization and follow guidelines specified in Administrative Rules.

Definition

For the purpose of this policy, the College makes the following definitions:

Art: The creation of beautiful or thought-provoking works that include but are not limited to printmaking, drawing, book and paper art, painting, sculpture, ceramics, textiles, photography, installation art, sound-scapes, digital art, and mixed media.

Collection: A set of objects collected for their interest, value, or beauty.

Display: A collection of things arranged or done for others to see.

Purpose

The purpose of this policy and the associated Administrative Rule is to:

1. Maximize the visibility of art, collections and displays at Tillamook Bay;
2. Ensure diversity of art, collections and displays;
3. Coordinate displays; and
4. Create accurate records of ownership, disposal and art displays for archival purposes.

LOST AND FOUND

Article No.: 215

Approved: June 6, 2011

Reference:

Tillamook Bay Community College is not responsible for items left behind by faculty, staff, students or other patrons, but the College would like to provide a convenient mechanism for assisting in the return of items to the owner. The TBCC Lost and Found Administrative Rule establishes a procedure regarding the handling and return of items found on College property, the mechanism to track items reported lost, and the disposition of unclaimed items.

RECORD SECURITY, RETENTION AND DISPOSAL

Page1/1

Article No.: 216

Approved: December 5, 2011

Reference: OAR 166-450-000

All Tillamook Bay Community College employees have an important role in keeping the information and records we receive from students, customers, and employees safe and protected. Each employee shall take steps to protect records within their control and shall dispose of records in the appropriate manner, whether by recycling or destruction, and in accordance with college record retention requirements. The Oregon State Archivist grants authorization to Oregon government agencies, in the form of records retention schedules, for the retention or disposition of public records in their custody. General Records Retention Schedules published as Oregon Administrative Rule 166-450-0000 provide state and local agencies with the lawful authority to destroy or otherwise dispose of commonly occurring public records. Tillamook Bay Community College shall create Administrative Rules which set minimum record retention limits within all applicable laws and best practices, which meet or exceed the Oregon State Archivist guidelines for community college records.

Article No.: 224

Approved: April 7, 2008, April 1, 2013

Reference:

224.1 – ADVISORY COMMITTEES AND CONSORTIUMS

The Board of Education may establish citizen advisory committees to assist it and the College President in exploring the needs of the College.

Since the Board of Education has the legal duty to make final decisions, all committees appointed by the Board serve in an advisory capacity.

The College President or personnel designated by the College President shall be authorized to establish such internal committees, councils, and advisory groups deemed necessary for the organization and administration of the College.

The College President or personnel designated by the College President shall also be authorized to establish Career and Technical Education Program Advisory Committees or Consortiums made up primarily of private-sector members to support and strengthen programs and promote greater cooperation between Career and Technical Education at Tillamook Bay Community College and business/industry. Advisory Committees and Consortiums will have three major roles: 1) to advise, 2) to assist, 3) to support and advocate for career and technical education at Tillamook Bay Community College.

POLICY MANUAL UPDATES, CORRECTIONS, CHANGES

Tillamook Bay Community College reserves the right to employ at will. This means that employment can be terminated, with or without cause, and with or without notice, at any time, at the option of the company or at the option of the employee.

College policies are not to be construed as a contract of employment. Tillamook Bay Community College expressly reserves the right to change, add to, or delete policies at any time. Changes will be effective on dates determined by the college, and you may not rely on policies that have been superseded. Tillamook Bay Community College Board of Education has authority to alter the policies, and all such changes shall be in writing.

Article No.: 300

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: 309, Appendix A-1

300.0 Tillamook Bay Community College reserves the right to employ at will. This means that employment can be terminated, with or without cause, and with or without notice, at any time, at the option of the College or at the option of the employee.

College policies are not to be construed as a contract of employment. Tillamook Bay Community College expressly reserves the right to change, add to, or delete policies at any time. Changes will be effective on dates determined by the college, and you may not rely on policies that have been superseded. Tillamook Bay Community College Board of Education has authority to alter the policies, and all such changes shall be in writing.

300.1 For the purpose of this Policy statement, the following definitions shall apply:

1. "Board" shall mean the Board of Education of Tillamook Bay Community College District, comprised of the elected representatives of the citizens of the Tillamook Bay Community College.
2. "President" shall mean the President of Tillamook Bay Community College.
3. The word "Management" used herein refers to the Board or to the person to whom the Board has delegated its authority.
4. "Supervisor" shall mean any employee of the College who directly supervises the work of another employee.
5. "Exempt" shall apply to employees who are paid on the basis of an annual salary and are not subject to premium pay for overtime. Exempt employees include full and part-time personnel related to administrative functions of the college as defined annually in Appendix A-1.
6. "Non-Exempt (Classified) Support Staff" shall apply to employees who are paid a salary or an hourly rate and are subject to premium pay for overtime. Non-exempt employees include full and part-time personnel related to support functions of the college as defined annually in Appendix A-1.
7. "Regular Employee" shall refer to anyone hired for nine or more months per year to fill a classified or an administrative position established and included in the College annual budget and included in the listing contained in Appendix A-1.
8. "Temporary Employee" shall mean any person who is employed on a temporary basis for a particular period, such as an academic term, regardless of the number of hours worked per week. Temporary employment will not exceed one year.
9. "On-Call Employee" shall mean any person who works on an as-needed basis only.

Article No.: 300

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: 309, Appendix A-1

10. "Full-time Employee" shall mean an employee who, at the time of their employment, is scheduled to work 40 hours per week.
11. "Part-time Employee" shall mean an employee who, at the time of their employment, is scheduled to work fewer than 40 hours per week.
12. "Trial Service Employee" shall mean an intended regular employee who is undergoing the first six months of employment as provided in Article 309 herein.
13. "Probationary Employee" (disciplinary action) shall mean an employee on re-evaluation status, as provided in Article 309 herein.
14. "Confidential Employee" shall mean any employee of the College who has access to documents and information of a confidential nature, or those protected by Federal and State Right of Privacy laws.
15. "College" shall mean the institution of Tillamook Bay Community College District, which includes students, faculty, and employees.
16. "Facilities" shall mean all locations used by the College.
17. "Job Classification" shall mean an individual position or group of positions with a single job title.
18. "Salary Classification" shall mean the level on the salary schedule to which a given job title is assigned.
19. "Position Inventory" shall mean a statement which has been prepared by Management and is on file in the Director of Facilities, Safety, Human Resources that outlines the general function, duties, and responsibilities, for each job title within the job classification system adopted by Management.
20. Policy 300 also applies to faculty but is supplemented by additional instructional policies.
21. All references herein to employees or other persons include both genders.
22. The word "shall" is mandatory and the word "may" is permissive.
23. The singular shall apply to the plural where appropriate in the contract.
24. The College fiscal year extends from July 1 through June 30.

300.2 PROCESSING THE EMPLOYMENT OF COLLEGE PERSONNEL

Article No.: 300

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: 309, Appendix A-1

The College Board of Education has statutory authority to employ personnel. By policy the Board of Education has delegated to the College President or personnel designated by the College President the responsibility of processing applications for employment if the Board has previously authorized the positions. (In the case of non-regular employees, because of the number involved, the varying lengths of service required, as well as different rates of remuneration, the Board approves budgeted amounts instead of specific positions.)

In view of the constraints referred to above, the following regulations will govern the issuance of personnel contracts, agreements, letters of authorization, etc.

1. Authorization to employ individuals for positions previously approved by the Board of Education may be given only by the College President or his/her designee(s).
2. No promises of positions, salaries, working conditions, benefits, etc. shall be made by anyone unless authorized by the College President.
3. An appropriately signed contract must be filed in the Business Office before any payments for personnel services can be made.
4. Checks shall not be released to the employee or contractor before the appropriate service has been rendered. The responsibility for enforcing this provision shall be delegated to the designated program administrator.
5. Exceptions to these regulations may be made only upon authorization of the College President or personnel designated by the College President.

The Chair of the Board of Education, or any other Board of Education Member so designated at a duly constituted Board of Education Meeting, shall sign the College President's contract of employment on behalf of the Board.

The College President or personnel designated by the College President shall sign contracts of employment for all other College employees with the following stipulations:

1. Positions and funding have been authorized in the annual budget approved by the Board of Education.
2. Positions and funding have been authorized in an externally funded budget approved by a contractual funding agency.
3. The College President shall keep the Board of Education informed of all full-time staffing changes.

Notices of position openings, including required and preferred qualifications, for which applicants are solicited, will be processed as follows:

Article No.: 300

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: 309, Appendix A-1

1. Faculty

Position openings will be processed through the Chief Academic Officer as designated by the College President.

2. Professional Support Staff

Position openings will be processed through the Director of Facilities, Safety, Human Resources as designated by the College President.

3. Management Staff

Position openings will be processed through the appropriate Executive Officer as designated by the College President.

4. Executive Staff

Position openings will be processed through the College President or personnel designated by the College President.

300.3 PUBLICIZING VACANCIES

Position openings will be filled through internal promotion or external employment to best meet the needs of the College and Oregon employment laws.

1. Internal Promotion:

It is the practice of the College to promote from within when it has been determined by the College President that well-qualified individuals are already employed by the College.

If the College President determines that a personnel opening exists and may be filled by internal promotion, the President may authorize suitable advertising of the opening within the College. Reasonable time shall be provided to allow interested College employees to make application for the position.

External Employment:

When the College President determines that a personnel opening shall be advertised outside the College organization, such advertisement may be announced within the

Article No.: 300

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: 309, Appendix A-1

local community, throughout the State of Oregon, or nationally as deemed necessary by the College President to obtain qualified candidates.

2. Openings may be publicized in any or all of the following:

Openings will be publicized to current employees on campus, and, off-campus as broadly as is necessary and appropriate to assure an adequate pool of qualified applicants for the position being advertised.

3. All initial application materials are available at the TBCC website. These include:

- a. Position Opening Notice
- b. An official TBCC Application Form
- c. TBCC Affirmative Action Form
- d. Authorization to Release Information Form

Applying on line is encouraged; however on request applications may be e-mailed, mailed or given to applicants within two days of inquiry.

Once an application for a publicized vacancy has been received the following personal information is recorded:

- a. Name
- b. Address
- c. Telephone number
- d. Email address
- e. Date application material sent and received

Position information is kept with the Position Opening Notice file and as material is received, it is placed in alphabetical order. The custodian of all material is the Director of Facilities, Safety, Human Resources or his/her designee. When the position has been filled, the Position Opening Notice File is placed in the Closed Position File under title of position advertised. These files will be held for thirty-six (36) months or longer at the discretion of the Director of Facilities, Safety, Human Resources.

4. Testing of Applicants

Article No.: 300

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: 309, Appendix A-1

The decision to test applicants at the request of a screening committee shall be approved and the testing supervised by the Director of Facilities, Safety, Human Resources. The following procedures shall be adhered to:

- a. Each applicant will be notified of a testing date, time, and place.
- b. If applicant is unavailable for group testing, individual testing may be arranged.
- c. All tests will be graded and then reviewed for use during the interview process.
- d. The successful applicant's testing materials will be placed in his/her personnel file.
- e. If an applicant wishes to review test results, this request must be made within twenty (20) days of applicant's testing date. Applicant's test results must be reviewed in the presence of a District employee and shall not be taken from the area or copied.
- f. Test results will be retained for three years in the Closed Position File maintained by the Director of Facilities, Safety, Human Resources.

5. Screening and Selection

a. Screening:

1. To assist in the process of screening and interviewing candidates for a personnel opening, the College President, or Designee, may appoint a Screening Committee. Screening Committees shall be broadly representative.
2. When established by the College President, or Designee, the Screening Committee shall conduct initial screening and interviewing as follows:
 - A. Candidates who have submitted an application by a published deadline date shall have their credentials evaluated by the Screening Committee. Applications received after a published deadline date may be accepted at the discretion of the College President or his/her designee.
 - B. At the conclusion of the initial screening evaluation, the Screening Committee shall submit to the College President or personnel designated by the College President up to ten (10) candidates who, in the opinion of the Committee, meet the qualifications established for the position and are recommended for interviews.
3. Candidates shall be invited for an interview at the candidate's own expense. A list of all candidates interviewed shall be maintained in the Closed Position File.

Article No.: 300

Approved: June 2, 2008, April 1, 2013, May 2, 2016

Reference: 309, Appendix A-1

4. At the conclusion of the interview process, the Screening Committee chair shall submit a list identifying the strengths and weaknesses of each candidate interviewed to the College President or personnel designated by the College President.

b. Selection:

1. The selection of the candidate to be chosen shall be the responsibility of the Screening committee with a recommendation to the College President. In cases of disputes the President will make the final decision.
2. The personnel designated by the College President shall provide to all candidates not selected for the position written notification that the position has been filled. A sample of the letter sent to all unsuccessful candidates shall be maintained in the Closed Position File.
3. If the decision is made to reopen a position, all candidates shall be notified of the decision and asked to renew their application. For an application to be renewed, written notification must be received by the College.

300.4 - OUTSIDE EMPLOYMENT

Staff and faculty members of the College may engage in outside employment or maintain an outside business venture only if it does not interfere with regular College duties or create a conflict of interest. Prior to commencing any employment or business venture involving substantial time or a speaking engagement with reimbursements, the individual concerned shall obtain the approval of the College President.

Article No.: 301

Approved: June 2, 2008, May 2, 2016

Reference: ORS 341.290

- A. Pursuant to ORS 341.290, the Board retains and reserves to itself all rights, powers, authority, duties, and responsibilities conferred upon or vested in it by law, including but not limited to the right to employ administrative officers, professional personnel and other employees, define their duties, terms and conditions of employment and prescribe compensation therefore.
- B. The Board of Education reserves the right to delegate its authority granted through ORS 341.290 to the College President where appropriate.

Article No.: 302

Approved: June 6, 2011

Reference: Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d et seq., Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq., and Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C 794.

Tillamook Bay Community College Service District subscribes to the terms of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d et seq., Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq., and Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C 794, as well as laws of the State of Oregon pertaining to affirmative action. Equal employment opportunity and treatment shall be provided in hiring, retention, transfer, promotion, and training of all employees, regardless of age, disability, national origin, race, color, religion, marital status, sexual orientation, or sex. Equal opportunity in hiring and advancement considerations will be based on positive organization needs, and the individual's qualifications for and/or performance of specific duties.

Continuous effort will be devoted to the improvement of human relationships and to elimination of conditions from which discrimination results.

302.1 - PROVISIONS

The Board agrees that the provisions of this Policy statement shall be applied equally to all employees without discrimination as to race, religion, color, national origin, disability, sex, sexual orientation, age, height-weight ratio, marital status, organizational affiliation, or political affiliation.

302.2 – ALLEGATIONS

Allegations of discrimination in violation of federal or state statutes shall be excluded from the grievance procedure in Article 317 of this Policy statement. Such complaints shall be processed through College affirmative action channels or the appropriate federal or state agencies, in accordance with procedures in Article 318.

FAMILY EMPLOYMENT POLICY

Article No.: 304

Approved: June 2, 2008, April 1, 2013

Reference:

One (1) member of an immediate family (the employee's spouse, or the employee's or spouse's parents, children, grandchildren, grandparents, brothers, and sisters) shall not exercise supervisory authority over another member of the same family unless authorized by the President and approved by the Board of Education.

At no time shall members of the same family work in the same College departments where there is the potential for conflict of interest or a breach of privacy, security or confidentiality. Determination of potential conflict will be at the discretion of the President.

Article No.: 305

Approved: June 2, 2008, May 2, 2016

Reference:

A. Personnel File

1. The Director of Facilities, Safety, and Human Resources shall maintain employee personnel files.
2. Access to personnel files shall be limited to the employee, and persons designated by the Director of Facilities, Safety, and Human Resources, the College President, or authorized by the employee.
3. Employee files shall not be removed from the Director of Facilities, Safety, and Human Resources unless approved by the College President or his/her designee, required by law, or upon subpoena by a court or by an administrative agency with competent jurisdiction.

B. Contents of Personnel File

1. The personnel file shall be the repository of all materials relevant to the employee's employment with the College. Examples include but are not limited to:
 - a. initial employment application materials
 - b. salary history
 - c. official transcripts
 - d. position inventory
 - e. instructor approval forms
 - f. performance appraisals, classroom observations
 - g. Notice of Teaching Assignments
 - h. offer letters, employment agreements
 - i. other material deemed appropriate by the College
2. Materials that are obtained confidentially by the College during the employment application process and confidential medical and/or grievance documents shall not be made a part of the personnel file.

C. Employee Review of Personnel File

The employee, upon request, may review and/or receive a copy of any material in her/his personnel file.

D. Employee Response to and Knowledge of Documents in Personnel File

PERSONNEL FILES

Article No.: 305

Approved: June 2, 2008, May 2, 2016

Reference:

1. The employee has the right to respond to or answer any document in the personnel file. The response will be attached to the document to which it refers.
2. The employee will be given the opportunity to sign or initial documents pertaining to evaluation or discipline before placement in the employee's personnel file, as an indication that the material has been read by the employee. The employee's signature or initials do not necessarily imply agreement with the contents of the material.

E. Removal of Personnel File Materials

Materials may be expunged from the personnel file by mutual consent of the employee, his/her supervisor, the Director of Facilities, Safety, and Human Resources, and the President.

**PROMOTIONS, JOB RECLASSIFICATIONS, TRANSFERS
REASSIGNMENTS, TEMPORARY ASSIGNMENTS
AND POSITION OPENINGS**

Article No.: 308

Approved: June 2, 2008, February 4, 2013m, May 2, 2016

Reference: 300.1

**308 - PROMOTIONS, JOB RECLASSIFICATIONS, TRANSFERS REASSIGNMENTS,
TEMPORARY ASSIGNMENTS AND POSITION OPENINGS**

Management reserves the right to utilize existing personnel or declare position openings. Promotions, reclassifications, transfers, reassignments, and temporary assignments may be directed and approved by the College President in conjunction with the Director of Facilities, Safety, and Human Resources and the employee's supervisor.

308.1 PROMOTIONS

A promotion is defined as an increase in compensation to an employee which is based on either:

- A. advancement from one's current position to a position involving increased responsibility and authority, or
- B. demonstration of exemplary performance in one's current position in accordance with current College guidelines on performance-based advancement.

All promotions are subject to approval by the President.

308.2 JOB RECLASSIFICATION

A job reclassification is defined as a modification of a position based on the following:

- A. a substantive change in duties, and
- B. a substantive increase or decrease in responsibility.

See Article 310.2, A. for more details.

Part-time employees interested in additional assignments are encouraged to make written application to the Director - Facilities, Safety, and Human Resources specifying their area of interest.

308.3 TRANSFERS

A transfer is the lateral movement of an employee from one department to another within the same salary classification grade. Employees who desire a transfer must make written application to the Director of Facilities, Safety, and Human Resources for consideration.

**PROMOTIONS, JOB RECLASSIFICATIONS, TRANSFERS
REASSIGNMENTS, TEMPORARY ASSIGNMENTS
AND POSITION OPENINGS**

Article No.: 308

Approved: June 2, 2008, February 4, 2013m, May 2, 2016

Reference: 300.1

308.4 REASSIGNMENT

Reassignment is the movement of an employee to another position within the College and is at the discretion of management in accordance with needs of the college.

308.5 TEMPORARY ASSIGNMENTS

With the approval of the College President, an employee may be assigned the duties and responsibilities of a vacant position on a temporary basis. If the position is classified at a higher salary grade, additional compensation in the form of a stipend may be provided. Temporary assignments will not exceed one year, and does not guarantee permanent employment in the position. At the employee's request, a written evaluation of the performance of the temporary assignment shall be rendered and a copy shall be placed in the employee's personnel file.

308.6 ADDITIONAL ASSIGNMENTS

Part-time employees interested in additional assignments are encouraged to make written application to the Director of Facilities, Safety, Human Resources, specifying their area of interest.

308.7 POSITION OPENINGS

Position openings will be posted internally and externally at the same time or they may be filled by promotion, transfer, reassignment, or temporary assignment. Notices of position openings shall be distributed internally, concurrent with external advertisements. Each unsuccessful applicant shall receive a timely notice of non-selection. Administrative Rules shall establish procedures of application which comply with equal employment opportunities and affirmative action guidelines reflecting the College's commitment to non-discrimination in hiring. (See General Employment Policies, 300.1)

Article No.: 309

Approved: June 2, 2008, May 2, 2016

Reference: 311.1, 317

309.1 TRIAL PERIOD FOR NON-EXEMPT EMPLOYEES

- A. Each new non-exempt employee shall be placed on a trial period for six months beginning with the first full month of employment.
- B. At the second, fourth, and sixth full month of employment, the employee's supervisor will meet with the employee to discuss the employee's performance, with particular emphasis on any areas of deficiency that might prevent satisfactory completion of the trial period. This conference will be documented and shall be signed by both the employee and the supervisor, then forwarded through appropriate administrative channels to the College President. A copy will be provided to the employee and placed in the employee's personnel file. An extension of one (1) month may be granted if the supervisor has determined the additional time will allow the employee to reach the level of ability required to perform the duties of the position.
- C. If at any time during the trial period the employee's performance is deemed unsatisfactory, the employee shall be terminated without recourse to the grievance procedure.

309.2 ANNUAL EMPLOYEE PERFORMANCE APPRAISAL

Each employee will receive an annual performance appraisal; non-exempt employees will receive annual performance appraisals after completion of the trial period.

- A. The written performance appraisal shall be reviewed and signed by the employee and the employee's supervisor before it is sent through appropriate channels to the Director of Facilities, Safety, and Human Resources. A copy will be provided to the employee and placed in the employee's personnel file.
- B. Only employees who receive a satisfactory evaluation on their annual performance appraisal will be eligible for pay increases in accordance with Article 311.1.

309.3 PERFORMANCE APPRAISAL

The College retains sole discretion to determine whether the employee's performance is satisfactory or unsatisfactory.

309.4 PROBATION FOR UNSATISFACTORY WORK PERFORMANCE

- A. An employee who receives an unsatisfactory evaluation will be placed on a special probationary period of up to and including three months.

Article No.: 309

Approved: June 2, 2008, May 2, 2016

Reference: 311.1, 317

- B. All salary increases will be withheld during the probationary period.
- C. Before the end of the probationary period, the employee's supervisor shall prepare a written evaluation of the employee's performance.
- D. The performance evaluation shall be reviewed with the employee, signed by the employee's supervisor and the employee, and forwarded through appropriate administrative channels to the College President. A copy will be provided to the employee and placed in the employee's personnel file.
- E. If the employee fails to achieve a satisfactory performance evaluation within the specified probationary period, the employee shall be terminated.

309.5 EMPLOYEE CHALLENGE TO A PERFORMANCE APPRAISAL

An employee desiring to challenge a performance appraisal may submit a written response to their supervisor within seven calendar days of the date of the written performance appraisal. The written response shall be forwarded with the performance appraisal through appropriate administrative channels to the College President. A copy will be placed in the employee's personnel file. In the event the College President is the designated supervisor, the employee may use the grievance procedure (Article 317) to challenge a performance appraisal.

309.6 TRIAL PERIOD UPON PROMOTION OR ASSIGNMENT TO A NEW POSITION

- A. Employees shall serve a six month trial period upon promotion or assignment to a new position.
- B. Should the employee receive an unsatisfactory during the trial period in the new job position, the employee shall revert either to the employee's former position, if vacant, at the employee's previous rate of pay, or to another vacant position for which the employee is deemed qualified by Management. If the employee's previous position has been filled and there is no other vacant positions for which the employee is deemed qualified by Management, the employee will be terminated.

309.7 PRESIDENT'S EVALUATION

The Performance Appraisal of the College President is under the direction of the Board of Education.

Article No.: 310

Approved: June 2, 2008, May 2, 2016

Reference: 310.2A, Appendix A1, Appendix A2

310.1 POSITION INVENTORY

- A. Each employee is provided with a copy of a Position Inventory at the time of job entry. The employee shall perform the duties as listed in the Position Inventory.
- B. Modifications to an employee's Position Inventory that do not change the job classification shall be made during the annual performance appraisal as approved by the employee's supervisor. See 310.2 A. for substantial modifications to position inventories.

310.2 JOB REEVALUATION

- A. When the duties and responsibilities of a position substantially change, when the position is perceived as inaccurately classified, or when a title change is being requested, employees will have an opportunity to have their position/title reevaluated.
- B. Requests for a job classification reevaluation must be submitted with the endorsement of the employee's supervisor(s) to the Director of Facilities, Safety, and Human Resources between July and October of each year.
- C. Reclassifications submitted to the Director of Facilities, Safety, and Human Resources will be presented to the College President as part of a preliminary annual budget and, if approved by the College President, will be included in the next annual budget and become effective upon the implementation of that budget.

Article No.: 311

Approved: January 5, 2009, June 3, 2013, May 2, 2016

Reference: 310.2, 309.4, 312, 313, Appendix A, B, C, Fair Labors Standards Act

311.1 PAY**A. Salary Schedule/Placement**

1. Salary schedules and placement for all positions exclusive of the College President are contained in Appendix A-1, A-2, C-1, and C-3 and shall be reviewed and adopted each fiscal year by the Board of Education.
2. Initial salary placement of each new position shall normally be on the first longevity step of the grade at which the position is classified. The College President has the prerogative to authorize initial salary placement on a higher step.
3. Longevity step movement may occur once each year and increments at the beginning of each new fiscal year provided the employee has completed at least three months of service in the prior fiscal year. Longevity steps are maintained by the College, but may not reflect the salary step, when an employee is promoted, reclassified, transferred, or reassigned. Salary steps reflect position and pay for the fiscal year. Salary steps may not align to Longevity steps based on fiscal budget.
4. Temporary full-time or temporary part-time employees shall be paid at the Salary Step 1 rate for their classification on the salary schedule and no movement shall be granted for longevity.
5. Executive and Management positions are classified as Grade 20 or higher and are exempt for purposes of application of the Fair Labor Standards Act regarding overtime and compensatory time. Professional Support Staff positions classified as Grade 19 or lower are classified as non-exempt for purposes of application of the Fair Labor Standards Act regarding overtime and compensatory time.
6. Placement on the Salary Schedule for Executive and Management positions will be based on position grade and background experience.
7. The College President may grant a discretionary increase or decrease of up to three grades and/or steps.

B. Work Schedule

1. Non-Exempt Employees.

For full-time employees, the work year shall equal 249 days over 12 months with 12 equal payments (1992 hours). From September through June, the workweek shall be Monday through Sunday, consisting of forty hours during five

Article No.: 311

Approved: January 5, 2009, June 3, 2013, May 2, 2016

Reference: 310.2, 309.4, 312, 313, Appendix A, B, C, Fair Labors Standards Act

consecutive days, with eight hours of work each day. With approval of the immediate supervisor and the College President, an employee may work forty hours on four consecutive working days, with ten hours of work each day. Part-time employees shall work a schedule designated by their immediate supervisor and be prorated based on FTE.

2. Exempt Employees.

For full-time employees, the normal workweek shall be Monday through Sunday, consisting of forty hours during five consecutive days. A workweek in excess of forty hours is exempt from overtime compensation. Part-time employees shall work a schedule designated by their immediate supervisor.

3. Rest Periods

The working day for all employees will include either one fifteen minute rest period during each four-hour work period and an unpaid meal period of not less than one-half hour for each eight hours of work; or three ten minute rest periods and an unpaid meal period of not less than one-half hour for each ten hours of work.

C. Overtime Compensation

1. As provided for in the Fair Labor Standards Act and in accordance with State wage and hour law, all overtime for non-exempt employees will be calculated at the rate of one and one-half times the established hourly rate on the salary schedule for time worked in excess of forty hours per week.

311.2 BENEFITS

A. Health Insurance Coverage

1. Tillamook Bay Community College shall provide all eligible employees as described in the Summary of Employee Benefits Chart contained in Appendix B-1, with a monthly stipend, defined in Appendix A-2 and C-1 which shall be reviewed and adopted each fiscal year by the Board of Education. Any amount of the stipend provided for insurance in excess of the cost of the employee-only coverage may be applied to dependent insurance coverage effective July 1, 2009.
2. Eligible employees as described in A.1. above, may elect to waive or opt-out of College sponsored health insurance plans coverage. When an employee opts-

Article No.: 311

Approved: January 5, 2009, June 3, 2013, May 2, 2016

Reference: 310.2, 309.4, 312, 313, Appendix A, B, C, Fair Labors Standards Act

out, Tillamook Bay Community College shall provide a monthly cash payment. This cash payment, defined in Appendix A-2 and C-1, shall be reviewed and adopted each fiscal year by the Board of Education. . The option to waive or opt-out of the College's health insurance plan is limited to 25% of eligible employees – once that threshold is reached employees will be added to a waiting list and will be allowed to opt-out only as space within the threshold becomes available. In order to waive coverage, employees will be required to complete a "Declination of Coverage" form (available from the Director of Facilities, Safety and Human Resources and provide proof of other equivalent health insurance coverage.

- B. Tillamook Bay Community College shall contribute to the Public Employees Retirement System (PERS), for eligible employees, in compliance with PERS Rules.
- C. Tillamook Bay Community College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation Insurance for all employees.
- D. Tuition Waiver/Tuition Assistance Policy
 - 1. The Board agrees to waive tuition for classes for any eligible employee in accordance with policy in Appendix B-1. An employee's spouse and dependent or unmarried children up to age 24 may also be eligible for tuition waivers as described in the Summary of Employee Benefits Chart and the Tillamook Bay Community College Tuition Waiver/Tuition Assistance Policy in Appendix B-1. In circumstances when federal financial aid is provided in the form of grants, the federal financial aid grant funds shall be expended first. Additional tuition shall be waived in accordance with policy in Appendix B-1.
 - 2. Enrollment in a class by an employee shall not interfere with the employee's regular duties and responsibilities. When job-related courses require absence from work, supervisor approval is required.
 - 3. Employees shall be granted a fifteen percent discount on all Tillamook Bay Community College Bookstore purchases. Employees may petition in writing to their supervisor for reimbursement of book cost and course fees if the course in which they are enrolled relates directly to their job duties. Petitions for reimbursement must be forwarded to and approved by the College President.
 - 4. Tuition, fees, and admission charges for non-reimbursable or Agency and for other college functions are not included in this policy statement. Exceptions may be petitioned in writing to the College President.

Article No.: 311

Approved: January 5, 2009, June 3, 2013, May 2, 2016

Reference: 310.2, 309.4, 312, 313, Appendix A, B, C, Fair Labors Standards Act

5. Community partner and other college or university courses which enhance employees' job performance or develop necessary job skills are considered staff and professional development. Subject to available funds, Tillamook Bay Community College will provide up to \$200 per semester hour tuition and fees reimbursement for each hour earned to a maximum of ten (10) credit hours annually and thirty (30) credits cumulative. Regular full-time and regular part-time staff may petition their supervisors, in writing, for assistance with tuition, fees, and related costs for courses, conferences, and training for staff and professional development. Staff applications for assistance will be forwarded to Director of Facilities, Safety and Human Resources for approval. Application and approval for reimbursement must be made, in advance of enrollment, on the Tillamook Bay Community College Professional Development Application Form. Applications should be submitted as early as possible prior to the actual class or training. Scheduled review of requests will take place twice in the current academic year. Applications received by September 10 will be considered in the first review; applications received by January 10 will be considered in the second review.
- E. Leave (See Articles 312, 313)
1. As provided for in the Fair Labor Standards Act and in accordance with State wage and hour law, all overtime for non-exempt employees will be calculated at the rate of one and one-half times the established hourly rate on the salary schedule for time worked in excess of forty hours per week.
 2. All non-exempt, regular employees will take overtime in compensatory time off, provided that no more than 24 hours of compensatory time is carried forward from one month to the next. A maximum of 24 hours of compensatory time may be carried over from one fiscal year to the next. Hours beyond the maximum and overtime hours for non-exempt hourly (i.e., temporary, on-call) employees will be paid to the employee. Supervisor approval must be obtained before compensatory time is taken.
 3. Non-exempt employees shall receive overtime compensation for time worked on a holiday as defined in Article 312.2.

LEAVE

Article No.: 312

Approved: June 2, 2008, May 2, 2016

Reference: Appendix B1, 311.1, Family Medical Leave Act 1993, State of Oregon
Family Medical Leave Law

Definitions:

Full-time employee - classified as 1.0 FTE and scheduled to work a minimum of 1992 hours per year.

Part-time employee – classified as at least 0.5 FTE but less than 1.0 FTE and scheduled to work a minimum of 996 hours per year.

Part-time hourly – classified as working 15 hours a week or less.

312.1 PAID VACATION LEAVE

Eligible employees, as described in the Summary of Employee Benefits Chart contained in Appendix B-1, shall earn prorated paid vacation leave each month according to the following schedule:

STAFF

FIRST YEAR	10 Days (80 Hours) Per Year
SECOND YEAR	15 Days (120 Hours) Per Year
THIRD YEAR & THEREAFTER	20 Days (160 Hours) Max. Per Year

ADMINISTRATIVE

FIRST YEAR AND EACH YEAR THEREAFTER - 20 Days (160 Hours) Max. Per Year

A. Eligibility

1. Eligible part-time employees shall earn prorated paid vacation leave based on FTE.
2. Full-time employees who work less than a full-time schedule (unpaid leave or professional leave) for a temporary period will earn leave on the basis of FTE.
3. Accrued vacation leave may be taken during the introductory period only with permission from the employee's supervisor and the College President.

B. Scheduling

1. Vacation schedules shall be approved by the employee's supervisor in accordance with the needs of the College, and when feasible, shall be scheduled to prevent the loss of vacation time earned.
2. In cases of conflict, the supervisor will determine which request will have precedence.

LEAVE

Article No.: 312

Approved: June 2, 2008, May 2, 2016

Reference: Appendix B1, 311.1, Family Medical Leave Act 1993, State of Oregon
Family Medical Leave Law

C. Unused Vacation Leave

1. Employees may accrue an unlimited amount of vacation leave. However, when an employee leaves the employment of the College, unused vacation will be paid up to 20 days (160 hours) at the current salary rate.

2. Employees whose compensation is not fully funded by the College's General Fund will be paid all wages due and will be paid for all earned, unused vacation pay if funding for that purpose is provided by the funding entity providing their compensation. Severance pay is at the discretion of the President in consultation with the Board of Education.

312.2 HOLIDAYS

There shall be eleven paid holidays annually: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, day after Thanksgiving, day before Christmas, Christmas Day, and one floating holiday during the Christmas holiday to be designated by the President.

A. Eligibility

1. Eligible employees, as described in the Benefits Chart in Appendix B-1, shall earn paid holiday leave.

2. Eligible part-time employees shall earn paid holiday leave for the hours they are normally scheduled to work on the day of the week on which the holiday falls

B. Scheduling

1. In the event that essential College operations require that an employee work on a designated paid holiday, a non-exempt employee shall be compensated overtime wages in accordance with Article 311.1.

2. In the event that a designated paid holiday falls during a period of an employee's scheduled paid vacation leave, that holiday shall not be charged against the employee's vacation leave.

312.3 PAID SICK LEAVE

LEAVE

Article No.: 312

Approved: June 2, 2008, May 2, 2016

Reference: Appendix B1, 311.1, Family Medical Leave Act 1993, State of Oregon
Family Medical Leave Law

Tillamook Bay Community College provides paid sick leave to college employees as required under Oregon law. Sick leave hours are provided only for the employee's own illness or injury, or to care for a family member (as defined below).

A. Eligibility

1. Eligible employees, as described in the Benefits Chart in Appendix B-1, shall earn paid sick leave as outlined in the Benefits Chart.
2. Eligible part-time employees .5 -.99 shall earn prorated sick leave on the basis of FTE.
3. Full-time employees who work less than a full-time schedule (unpaid leave or professional leave) for a temporary period will earn prorated sick leave on the basis of FTE.
4. Effective January 1, 2016; under SB 454, employees less than .5 FTE shall earn sick leave. Sick leave shall be earned as described in the Benefits Chart in Appendix B-1.

Part-time employees less than .5 FTE and adjunct faculty may earn up to a maximum of 40 hours of sick leave a year. Maximum accrual of sick leave is 80 hours. Maximum use of sick leave is 40 hours per year.

For current employees sick leave hours may be used after they are earned in one-hour increments, following the College's regular leave notification policy.

For new employees, accrued sick leave hours may be used after the 91st day of employment in one-hour increments following the college's regular leave notification policy.

5. In the event of a change in an employee's FTE, in which the new FTE is .5 or greater, sick leave will be prorated on the basis of the new FTE. Previously accrued sick leave will remain with the employee.

In the event of a change in an employee's FTE, in which the new FTE is less than .5 sick leave shall be earned as described in the Benefits Chart in Appendix B-1. Employees will be eligible to use previously accrued sick leave for a period of 90 days from the effective date of the change in employment status.

Upon termination of employment accrued sick leave shall not be compensated for unless otherwise allowed under ORS.238.350.

LEAVE

Article No.: 312

Approved: June 2, 2008, May 2, 2016

Reference: Appendix B1, 311.1, Family Medical Leave Act 1993, State of Oregon
Family Medical Leave Law

The College provides regular notification to each employee of the amount of accrued and unused sick leave by written notice in the employee's paycheck.

B. Scheduling

1. In the event of illness or injury as applied to this section, the employee shall make a reasonable attempt to notify the employee's supervisor before or at the beginning of each scheduled work day. Each day's absence shall be reported on the monthly time sheet or leave record upon the employee's return to work and shall be applied against any unused sick leave.

2. In the event of illness or injury of an employee's immediate family which necessitates the employee's absence, unused sick leave may be used to a maximum of three days in any one instance. At the discretion of the College President or those designated by the College President, the three day period may be extended in exceptional circumstances.

3. If an illness or injury exhausts unused sick leave, then vacation days, accumulated compensatory time and/or unpaid leave may be taken, only if said leave does not jeopardize the efficient operation of the College as determined by the College President or those designated by the President.

4. A doctor's note may be required by the employee's supervisor for any sick leave referred to above.

1.

C. Use of Sick Leave

Sick leave may be used for the following purposes:

2. For the employee's mental or physical illness, injury or health condition; need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or need for preventive medical care;
3. For care of a family member with a mental or physical illness, injury or health conditions; care of a family member who need medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or care of a family member who needs preventive medical care;
4. To care for an infant or newly adopted child under 18, or for a newly placed foster child under 18, or for a child over 18 if the child is incapable of self-care because of mental or physical disability.
5. To care for a family member with a serious health condition

LEAVE

Article No.: 312

Approved: June 2, 2008, May 2, 2016

Reference: Appendix B1, 311.1, Family Medical Leave Act 1993, State of Oregon
Family Medical Leave Law

6. To recover from or seek treatment for a serious health condition that renders the employee unable to perform at least one of the essential functions of the employee's job.
7. To care for a child of the employee who is suffering from a non-serious illness, injury or condition.
8. To deal with the death of a family member by attending the funeral or alternative, making arrangements necessitated by the death of a family member, or grieving the death of a family member.
9. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent for proceedings related to domestic violence, harassment, sexual assault, or stalking.
10. To seek medical treatment, recover from injuries, or obtain services related to domestic violence, sexual assault, harassment or stalking incidents to the employee or employee's minor child or dependent.

312.4 UNPAID SICK LEAVE - FAMILY MEDICAL LEAVE

The College will comply with all provisions of the Family and Medical Leave Act (FMLA) of 1993 and the Oregon Family Leave Act (OFLA) of 1995.

A. Family Medical Leave Act

Unpaid leave for eligible employees will be provided to care for themselves or family members in cases of illness, injury, childbirth and adoption.

"Family members" for the purpose of FMLA leave means a (n): spouse, child of the employee, custodial parent, noncustodial parent, biological parent, adoptive parent, step or foster parent, in loco parentis when the employee was a child.

In order to be eligible for the benefits under FMLA, an employee must have been employed by the College for at least 12 months and have worked at least 1250 hours during the past 12 month period.

Employees who qualify for FMLA leave will have continued health care insurance coverage. Employees shall be responsible for any health insurance premium costs in excess of the current benefit amount paid by the College.

B. Oregon Family Medical Leave Act

LEAVE

Article No.: 312

Approved: June 2, 2008, May 2, 2016

Reference: Appendix B1, 311.1, Family Medical Leave Act 1993, State of Oregon
Family Medical Leave Law

Unpaid leave for eligible employees will be provided to care for themselves or family members in cases of illness, injury, death, childbirth and adoption.

“Family members” for the purpose of OFLA leave means a(n): spouse, child of the employee, custodial parent, noncustodial parent, biological parent, adoptive parent, step or foster parent, in loco parentis when the employee was a child, same-gender domestic partner, child of same-gender domestic partner, grandparent, grandchild, parent-in-law or parent of same-gender domestic partner.

In order to be eligible for benefits under OFLA, an employee must work an average of 25 hours per week and have been employed at least 180 days prior to the first day of the family medical leave of absence. However for parental leave, an employee becomes eligible upon completing 180 days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

Employees who qualify for OFLA leave will have continued health care insurance coverage. Employees shall be responsible for any health insurance premium costs in excess of the current benefit amount paid by the College.

Under OFLA an eligible employee is entitled to take up to two weeks bereavement leave following the death of a family member as defined by OFLA. The employee must complete the leave within 60 days of learning of the death.

Federal and state leave entitlements generally run concurrently.

Absence beyond the entitlement provided in State and Federal law will be treated as Extended Leave of Absence.

OTHER LEAVE

Article No.: 313

Approved: June 2, 2008, June 2, 2014, May 2, 2016

Reference: 312.1, 312.3, 312.4, Appendix B1, ORS 408.290, Oregon Parental Leave Law (HB 2321)

313.1 SPECIAL PAID LEAVE

Eligible employees, as defined in College policy and Summary of Benefits Chart, Appendix B-1, shall be entitled to special paid leave as follows:

A. Personal Leave

An employee may elect to use accrued sick leave as personal days off at the following rate:

1. Full-time, 12 month employee: 3 days per fiscal year
2. Part-time: Pro-rated on full-time rate based on position FTE assignment. Scheduling of personal days will be in accordance with regular leave scheduling, Article 312.1, Paragraph B.

No carry-over of personal days from one fiscal year to another will occur. Sick leave accruals are not compensable.

B. TBCC Bereavement Leave

An employee may be absent with pay for up to five working days following the death of a member of his/her immediate family. For the purposes of this policy statement, "immediate family" shall include spouse, domestic partner, parent, child, sibling, or other person who is or has resided in the employee's household and for whom the employee is or was legally responsible.

An employee may be absent without pay for up to eight hours to attend a funeral of an individual not included in his/her immediate family. Other accrued leave may also be used for this purpose extending beyond eight hours.

C. Court and Jury Duty

An employee should notify his/her management supervisor as soon as possible after receiving notification or summons so that coverage may be arranged.

College employees will be allowed time off with no loss of income for the following:

1. To serve when summoned for jury duty.
2. To appear in court when subpoenaed as a witness in a matter involving other

OTHER LEAVE

Article No.: 313

Approved: June 2, 2008, June 2, 2014, May 2, 2016

Reference: 312.1, 312.3, 312.4, Appendix B1, ORS 408.290, Oregon Parental Leave Law (HB 2321)

than the personal business of the employee. Generally, this will be defined as a legal matter in which the employee is not one of the principal parties.

The amount of remuneration received by the employee from the College and/or for jury duty and/or court appearance, other than per diem and travel, shall not exceed the employee's regular salary.

Any monetary remuneration received by the employee for jury duty and/or court appearance, other than per diem and travel, shall be reported to the College within five days after the employee's receipt of such funds. The salary or wages of the employee shall be reduced by an equal amount. In the event the employee receives remuneration for jury duty/or court appearance and the employee has received compensation from the College, for those hours, the remuneration shall be signed over to the College.

If a required court appearance or jury duty is for eight (8) hours or less, the employee's supervisor may elect to have the employee make up lost time; in which case no fees received for the court appearance or jury duty need be reported to the College by the employee.

D. Military Leave

1. An employee who is a member of one of the reserve components of the armed forces of the United State or the Oregon National Guard shall be entitled to leave without loss of pay for Military duty for a period or periods not to exceed a total of fifteen days each calendar year, as provided in ORS 408.290.

2. Requests for military leave shall be submitted through regular channels as provided in Article 312.3, Paragraph B and shall be accompanied by official orders specifying the dates and location of such military duty.

313.2 PROFESSIONAL IMPROVEMENT LEAVE

It shall be the policy of Tillamook Bay Community College to grant a professional improvement leave to eligible administrators upon formal application only when such leave contributes to the goals of the College and enhances the professional competence of the individual. A Professional Improvement Leave is considered to be a privilege granted to an eligible administrator rather than a right which automatically accrues because of prior service. In unique situations, leave may be granted for a staff employee.

OTHER LEAVE

Article No.: 313

Approved: June 2, 2008, June 2, 2014, May 2, 2016

Reference: 312.1, 312.3, 312.4, Appendix B1, ORS 408.290, Oregon Parental Leave Law (HB 2321)

Professional Improvement Leave may be authorized by the President, in consultation with the Board. Such leaves may be granted for one or two terms.

A. Eligibility

Administrators must meet the following requirements to be eligible for professional leave:

1. Must have completed five or more consecutive years of full-time employment with the College as an administrator on regular employee status.
2. Must complete one year of college employment upon return from professional leave before terminating employment or repay the compensation received while on leave.

B. Compensation

Professional Improvement Leaves may be granted for one or two terms, with compensation at 70% of scheduled annual salary.

Exceptions to this compensation schedule must be recommended by the College President in consultation with the Board of Education.

C. Application Procedures

Proposals for Professional Improvement Leave will be submitted to the President by December 31. The applicant will be notified in writing regarding College President and Board of Education action by the following March 31. If an administrator needs to cancel a previously granted leave, presidential approval is required.

D. Report and/or Documentation Required

Upon return from his/her leave, the administrator or staff employee shall, within three months of the completion of the professional leave, submit to his/her immediate supervisor a written report or other documentation as agreed upon. Copies of the report will be forwarded to the College President. A presentation will be made to the Board of Education Within three months of completion of the professional leave.

E. Benefits

1. Health, dental, life and long term disability insurance, tuition waivers, and PERS benefits, as applicable will continue during the period of the Professional Improvement Leave.

OTHER LEAVE

Article No.: 313

Approved: June 2, 2008, June 2, 2014, May 2, 2016

Reference: 312.1, 312.3, 312.4, Appendix B1, ORS 408.290, Oregon Parental Leave Law (HB 2321)

2. Sick leave and vacation leave will not accrue during Professional Improvement Leave.

The Leave Agreement and Approved Professional Improvement Leave application will be placed in the employee's personnel file with copies to the President and the applicant.

313.3 UNPAID LEAVE

A. Short-Term Leave of Absence

1. An unpaid leave of absence of thirty days or less for regular and limited duration employees will be considered on an individual basis and approved by the employee's supervisor. Requests should be made on a Leave Request Form.

B. Extended Leave of Absence

Employees may require absence from work for a period in excess of accumulated authorized leave time. It should be understood that the best interest of the College will be considered in the granting of such leave. The following guidelines shall be used for granting of unpaid leave:

1. Only regular employees, as defined in College policy, are eligible for extended leave of absence.
2. Requests for unpaid leave must be made in writing by the employee. Requests should include reason for leave and beginning and ending dates.
3. All unpaid leave must be recommended by the employee's supervisor and approved by the College President.
4. Unpaid leave shall not exceed one year.
5. The employee is not entitled to any benefits, including leave accrual, tuition waivers, or College paid insurance while on unpaid leave of absence over 30 days. Employees may use COBRA provisions to continue their medical and dental coverage at their own expense during the unpaid leave of absence.
6. Employee must submit an "intent to return" no later than 30 days prior to leave ending date. Failure to submit letter of intent will be considered automatic termination of employment.

OTHER LEAVE

Article No.: 313

Approved: June 2, 2008, June 2, 2014, May 2, 2016

Reference: 312.1, 312.3, 312.4, Appendix B1, ORS 408.290, Oregon Parental Leave Law (HB 2321)

7. Unpaid leave for pursuit of other permanent employment will not be considered.

C. Parental Leave

In accordance with Article 312.4, absence due to pregnancy shall be treated no differently from any other illness or condition that would be covered by unused paid sick leave.

Unpaid leave beyond the employee's accumulated leave for the birth of an employee's infant or adoption of a child will be treated in accordance with State of Oregon Parental Leave Law (HB2321) and will be considered unpaid leave.

Absence beyond the twelve (12) week period provided in Oregon Law will be treated as Extended Leave of Absence.

313.4 CURTAILED OPERATIONS

- A. In the event of hazardous conditions beyond Management control, it may become necessary to delay opening and/or close some or all College operations at one or more facilities. Only the College President or his/her designee may make the decision to curtail operations. For delays or closures prior to regular hours of operation, notice will be made via FlashAlert multimedia notification system. General notice of curtailed operations will be made via the TBCC website, local and Portland media and/or by recorded message on the TBCC telephone system. Should a closure be imposed after the College has opened, initial notice will be via staff e-mail and/or verbal notification.

- B. In the event of potentially hazardous conditions, all employees are urged to make wise choices regarding their personal safety. If an employee determines it would be unwise to report to work, or remain at work, such absences will be handled in one of the following ways:
 - 1. Chargeable to accrued vacation leave.
 - 2. Chargeable to compensatory time, with the approval of the supervisor.
 - 3. Chargeable to personal leave, if vacation leave and compensatory leave are exhausted.
 - 4. Chargeable to leave without pay.

OTHER LEAVE

Article No.: 313

Approved: June 2, 2008, June 2, 2014, May 2, 2016

Reference: 312.1, 312.3, 312.4, Appendix B1, ORS 408.290, Oregon Parental Leave Law (HB 2321)

- C. Should an employee choose to absent themselves from work and the College close, or that portion of the College which is the normal duty station of the employee close, only the time absent due to the decision of the employee will be charged as leave as detailed in Article 313.4 Paragraph B, Items 1, 2, 3 and 4.
- D. In the event of a decision, by the College President or his/her designee, to curtail operations, employees who are 0.5 FTE or more will receive regular pay for hours they would have worked during the regular College operations schedule.
- E. Employees shall be responsible for monitoring the closure schedule and return to work when normal operations resume.

RETIREMENT

Article No.: 315

Approved: June 2, 2008, May 2, 2016

Reference: ORS 237.153

- A. All employees who qualify will be retired according to State law and will participate in the various contributory retirement plans provided by the laws of the State of Oregon.
- B. The College shall participate in, and eligible employees shall be compensated for, accumulated unused sick leave in the form of increased retirement benefits in accordance with ORS 238.350.
- C. Employees may transfer accumulated sick leave, for the purpose of retirement, from institutions participating in the PERS system.

**STANDARDS OF CONDUCT,
EMPLOYEE TERMINATIONS, LAYOFFS, AND RESIGNATIONS**

Article No.: 316

Approved: September 8, 2008, May 2, 2016

Reference: 305.E, 316.3, 316.4, 317

316.1 For the purpose of this Policy statement, "College" shall be defined to mean the Tillamook Bay Community College Board of Education and or its designee(s).

316.2 STANDARDS OF CONDUCT

In order to promote individual development and the common good, the College has outlined the following standards to guide employees on how to conduct themselves when dealing with others in an academic institution. The College is committed to a learning environment that fosters respect, integrity, professional behavior, and fair and impartial treatment of students and staff in serving the educational needs of the community.

- A. Respect for all persons.
- B. Honesty in actions and speech.
- C. Fairness and justice in the treatment of all.
- D. A pervasive sense of integrity and promise-keeping.
- E. A commitment to:
 - 1. Intellectual and moral development
 - 2. Quality
 - 3. Individual empowerment
 - 4. The Community College philosophy
 - 5. The College
- F. Openness in communication.
- G. Belief in diversity within an environment of collegiality and professionalism.

316.3 CONFLICT OF INTEREST

It is the policy of the College that conflicts of interest should be avoided where possible, or otherwise disclosed to your supervisor for appropriate action. A conflict of interest exists if an employee has the ability to use his or her position with the College to secure a personal benefit for themselves, a family member, a close personal friend, etc. For example, a conflict of interest arises if the employee is in a position to influence a business decision of the College in a way that could result in a financial benefit to the employee. Supervisors and employees are expected to use good judgment to identify possible conflicts of interest and deal with them appropriately.

**STANDARDS OF CONDUCT,
EMPLOYEE TERMINATIONS, LAYOFFS, AND RESIGNATIONS**

Article No.: 316

Approved: September 8, 2008, May 2, 2016

Reference: 305.E, 316.3, 316.4, 317

Consensual sexual or mutually recognized romantic or dating relationships pose an apparent or actual conflict of interest if one of the parties in the relationship has responsibility for supervising, evaluating, directing or overseeing the other, or has the power to directly influence the other person's educational or employment status.

The conflict of interest these relationships pose can undermine both the integrity of the supervisory or evaluative relationship and the College's commitment to a positive educational/employment environment. If these relationships exist, the person of greater authority or power will bear the primary burden of accountability in ensuring that the relationship is consensual, and that he or she exercises no supervisory or evaluative function over the other person in the relationship.

The President shall assure that College procedures regarding consensual sexual or mutually recognized romantic or dating relationships between employees and with students are clearly stated and consistently administered.

316.4 DISCIPLINARY STANDARDS

- A. The College believes that most employees prefer to work in an environment in which serious or repeated violations of the College's standards are not permitted. With that in mind, the infractions listed in 316.3 and 316.4 below describe behaviors which conflict with the College's accepted standards of conduct and warrant disciplinary action.
- B. The College believes these infractions are clear and require little explanation. However, if an employee has any questions, he/she may consult his/her supervisor or the Director of Facilities, Safety and Human Resources. Obviously, every possible infraction cannot be listed. Conduct not specifically mentioned will be disciplined according to the standards followed for what the College feels is the most equivalent type of conduct listed.
- C. Aside from the College's right and an employee's right to terminate the relationship at any time and for any reason, the College may issue verbal or written warnings, suspend, demote, or take other disciplinary action against employees for violation of rules or policies as the College deems appropriate.
- D. Each situation will be evaluated according to the circumstances involved, and the type of discipline administered may vary from that listed in each group based upon the College's determination of the seriousness of the offense.

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Approved: September 8, 2008, May 2, 2016

Reference: 305.E, 316.3, 316.4, 317

- E. An employee's overall record may be considered in determining the appropriate degree of discipline to be imposed in a particular case. The College will determine what the facts are, whether discipline is warranted, how serious the violation is, and what level of discipline is appropriate.
- F. Nothing in this policy is intended to alter an employee's "at-will" status of employment. Employment may be terminated by the employee or the College at any time and for any reason, unless expressly stated otherwise in a written contract or employment agreement signed by the President of the College.
- G. If an employee believes he/she has been unfairly disciplined, the employee may use the grievance procedure in Article 317.

316.5 VIOLATIONS OF SIGNIFICANCE

- A. When a regular employee has committed a violation of significance, the employee will generally receive a written warning prior to termination. Employees on trial period or temporary employees will not generally be given a written warning prior to termination.
 - 1. A warning for different violations or infractions may be combined to determine the type of discipline administered.
 - 2. Written warnings will remain on an employee's record indefinitely, subject to Policy 305.E.
- B. These types of violations or infractions include, but are not limited to, the following:
 - 1. Unsatisfactory, careless, inaccurate, unreliable, or otherwise poor work performance or productivity.
 - 2. Unsatisfactory attendance, including unauthorized or excessive absenteeism, tardiness, and failure to notify the College of intended absence or tardiness or failure to comply with other reporting policies.
 - 3. Interfering with or impeding any employee's work by talking or creating other distractions.
 - 4. Performing other than College work during work hours without authorization.

**STANDARDS OF CONDUCT,
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Article No.: 316

Approved: September 8, 2008, May 2, 2016

Reference: 305.E, 316.3, 316.4, 317

5. Failure to follow safe working practices. (Note: When the College feels an employee has committed a serious safety violation, that employee is subject to immediate discharge).
6. Failure to promptly report an accident or injury or cooperate in accident or injury investigations.
7. Using College property for personal use, without advance approval.
8. Discriminatory behavior or harassment of a racial, ethnic, sexual, disability related or religious natures, which in the College's view, is not serious enough to justify immediate discharge. This also includes discriminatory behavior resulting from a consensual sexual or mutually recognized romantic or dating relationship in which one of the parties has the power to directly influence the other person's educational or employment status.
9. Being rude or otherwise uncooperative in dealing with co-workers, supervisors, students, or members of the public.
10. Violating any College policy or practice which is presently in effect or subsequently issued.
11. Violating one or more of the Standards of Conduct, or any other conduct which is, in the view of the College, sufficient to justify discipline.

316.6 VIOLATIONS OF GREATER SIGNIFICANCE

- A. When an employee has committed a major violation, that employee is subject to immediate discharge or suspension.
- B. These types of infractions include, but are not limited to, the following:
 1. Threatening, intimidating, coercing or assaulting another employee, supervisor, student, or member of the public.
 2. Insubordination, including failure to follow any verbal or written job instructions issued by a person in a position of authority as determined by the College.
 3. Provoking or instigating arguments, dissension or fights during working hours or on College premises or engaging in horseplay which results in injury or property damage.

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Approved: September 8, 2008, May 2, 2016

Reference: 305.E, 316.3, 316.4, 317

4. Deliberately delaying or restricting the operations of the College, or inciting others to delay or restrict the operations of the College.
5. Destroying, or damaging College property, tools or equipment, or the property of others on College premises.
6. Falsifying any reports or records, such as applications, absence and sickness reports, or time records.
7. Dishonesty of any type.
8. Committing violations of safety rules or safe working habits which the College feels are repeated or serious.
9. Engaging in discriminatory behavior or harassment of a sexual, racial, ethnic, disability related, or religious nature which the College considers to be repeated or serious. This also includes discriminatory behavior resulting from a consensual sexual or mutually recognized romantic or dating relationship in which one of the parties has the power to directly influence the other person's educational or employment status.
10. Violation of the College's Drug and Alcohol Policy.
11. Violating any College policy presently in effect or subsequently issued which the College feels is serious enough to justify immediate discharge.
12. Violating the College's Standard of Conduct or any other conduct which is, in the view of the College, serious enough to justify discharge or suspension.

316.7 LAYOFFS

- A. The work performed by the College is subject to work load fluctuations and the general economy of the community the College serves. Changes in scheduled work load and/or decreases in financial resources may affect staffing needs. In the event the College determines it is necessary to eliminate jobs or otherwise curtail operations, layoffs will be necessary.
- B. The decision of individuals to be laid off will be made by the College based on its determination of overall needs and the relative skills and ability of the employees.

**STANDARDS OF CONDUCT,
EMPLOYEE TERMINATIONS, LAYOFFS, AND RESIGNATIONS**

Article No.: 316

Approved: September 8, 2008, May 2, 2016

Reference: 305.E, 316.3, 316.4, 317

- C. Employees who are laid off do not have recall or reinstatement rights, except as required by law.

316.8 RESIGNATIONS

- A. A resignation is defined as voluntary termination of employment by an employee.
- B. Employees who voluntarily resign their employment with the College should submit a written resignation to their department head or the Director of Facilities, Safety and Human Resources. A brief statement of the reason for the resignation should be included in the written resignation.
- C. Employees who decide to leave the College are encouraged to provide as much notice as possible.

316.9 PAYMENT OF VACATION UPON TERMINATION OF EMPLOYMENT

An employee, whose compensation is fully funded by the College General Fund and who leaves the College's employment will be paid all wages due and all accrued, unused vacation pay up to 160 hours.

Article No.: 317

Approved: June 2, 2008, May 2, 2016

Reference: 318, 317.4

317.1 DEFINITIONS

- A. A "grievance" is a claim by an employee, or a group of employees, of a violation of the terms of their employment.
 - 1. Allegations or complaints of discrimination based on race, creed, religion, color, national origin, handicap, age, sex, or marital status as protected are excluded from this procedure and shall be processed through College Affirmative Action grievance procedures (Article 318) or the appropriate state and federal agencies.
- B. "Informal grievance" is that stage of a grievance procedure involving the grievant and the person responsible for the alleged grievance.
- C. "Formal grievance" is that stage of grievance proceedings other than informal grievance. Formal grievance proceedings commence with the giving of written notice as herein provided.
- D. "Parties or persons directly involved" mean the grievant, the person responsible for the alleged grievance, the Board of Education, any other employee including the College President, who has rendered prior decision in processing the grievance.
- E. "Day" as used herein refers to a working day.
- F. The "Grievance Officer" is appointed by the College President

317.2 BOARD GRIEVANCE PROCEDURES

The Board agrees that:

- A. The grievant has the right to be assisted by counsel at all stages of the grievance procedure at the grievant's expense.
- B. Management has the right to be assisted by counsel at all stages of the grievance procedure.
- C. The grievant shall be allowed time away from their jobs without loss of pay when required to attend meetings with Management for the purposes of adjusting grievances under the procedures defined herein.
- D. A grievance may be withdrawn at any time.

GRIEVANCE

Article No.: 317

Approved: June 2, 2008, May 2, 2016

Reference: 318, 317.4

- E. Time limits may be extended by mutual agreement. If either party fails to comply with the established time limits, the grievance shall be declared settled in favor of the other party.
- F. There shall be no restraint, interference, discrimination, or reprisal against an employee who uses these procedures for resolving a grievance.

317.3 INFORMAL GRIEVANCE PROCEDURE

- A. The Board agrees that every attempt should be made to resolve grievances at the lowest level possible. The grievant and the person responsible for the alleged grievance shall meet to attempt to resolve the grievance on an informal basis. Another administrative-level employee may be requested by mutual consent of the parties to assist in the resolution of the grievance at the informal level.
- B. The grievant may invoke the formal grievance procedure if the grievance is not resolved during the informal process.

317.4 FORMAL GRIEVANCE PROCEDURE

- A. The grievant shall submit to the Grievance Officer a written complaint which shall specify the factual details of the violation, and the remedy requested. This statement shall be the basis for any further formal consideration of the grievance and requested remedy and shall not be materially altered when presented for consideration at various steps in the grievance process unless new facts or evidence appear.
- B. No grievance shall be heard unless it is submitted pursuant to Article 317.4, Paragraph A within thirty days of the grievant's knowledge of the facts giving rise there to. If there is more than one grievant, they must all meet this time limit. Any grievant not meeting this time limit shall be dropped from the grievance.
- C. A meeting between the Grievance Officer and the grievant shall occur within seven (7) days of the written complaint.
- D. The Grievance Officer shall issue a written decision within seven (7) days of such meeting as to whether or not the facts support the grievant's complaint and the remedy and state the rationale for the decision.
- E. If the grievant is not satisfied with the written determination of the Grievance Officer, the grievant may, within seven days, file a written notification with the College President.

GRIEVANCE

Article No.: 317

Approved: June 2, 2008, May 2, 2016

Reference: 318, 317.4

1. Within seven (7) days of the written notice, the College President shall meet with the grievant and discuss the grievance. The grievant may present written or oral evidence in support of the written complaint. A formal record shall be made of these discussions.
 2. Within seven (7) days of the written notice, the College President shall issue a written decision providing copies to the parties directly involved.
- F. If the grievant is not satisfied with the actions taken by the College President, the grievant may, within seven (7) days, submit the grievance to the Chair of the Board of Education.
1. Within five(5) days the Chair of the Board will appoint a committee made up of Board members to review the grievance.
 2. Within fourteen (14) days of receipt of the grievance, the committee shall meet with the grievant and discuss the grievance. The committee shall, within seven (7) days of this meeting, issue a written decision providing copies to the parties directly involved. The decision of this committee shall be final.

Article No.: 318

Approved: June 2, 2008, May 2, 2016

Reference: Title IX of the Higher Education Act of 1972 (No. 20 U.S.C. 1681 et seq.)

318.1 POLICIES**A. Separate Affirmative Action Grievance Procedures:**

The procedures described in this plan shall be used only for complaints related to the College's affirmative action and equal opportunity policies. It shall not be employed for grievances on personnel matters which do not involve charges of discrimination.

318.2 ORDERLY AND TIMELY PROCESS

- A. The intent of the procedure described below is to provide an orderly and timely resolution of discrimination complaints, and to provide full opportunity for internal consideration of problems and potential remedies. None of the time limits or procedures outlined in this plan will be used to deprive a complainant of fair hearing or appeal.

318.3 AUTHORITY

- A. Initial responsibility for resolving complaints rests with complainant and the parties specified in the complaint. Failing such resolution, the College President shall have the ultimate authority to decide how an internal affirmative action complaint will be resolved, and the College Board of Education shall serve as an appeal body. Recommendations pertaining to a particular case made by the Affirmative Action Officer, review committees, or other persons shall be on an advisory nature.
- B. The Affirmative Action Officer is the Director of Facilities, Safety, and Human Resources or a designee appointed by the College President.

318.4 GRIEVANCE PROCEDURES**Informal Procedure:**

- A. The Board of Education agrees that every attempt should be made to be able to resolve the complaint at the lowest level possible. The complainant and the person responsible for the alleged complaint shall meet to attempt to resolve the grievance on an informal basis. Another administrative level employee may be requested by mutual consent of the parties to assist in the resolution of the grievance at the informal level.
- B. The complainant may invoke the formal grievance procedure if the complaint is not resolved on an informal basis.

Notification:

Article No.: 318

Approved: June 2, 2008, May 2, 2016

Reference: Title IX of the Higher Education Act of 1972 (No. 20 U.S.C. 1681 et seq.)

The complaint shall be in writing and filed with the Affirmative Action Officer of the College within thirty (30) calendar days of the discovery of the alleged incident. The complaint shall set forth the basis of the claim, identifying the particular policy, procedure, practice or act being challenged, the facts surrounding the incident giving rise to the claim, or the language of the policy, practice or procedure involved, and list the names and classifications (whenever possible) of all employees involved in the claim.

Representation:

For the purpose of processing complaints filed under this affirmative action program, a party may be represented by legal counsel or any individual or organization designated by the complainant at the expense of the complainant.

A. Review Committee:

When a complaint is filed, the Affirmative Action Officer shall assess the sufficiency of the claim and advise the complainant of grievance procedure. If the complainant seeks a hearing, the Equal Opportunity Compliance Committee shall be convened as a review committee, comprised of the following membership:

1. Affirmative Action Officer
2. College President
3. One (1) Classified Employee
4. One (1) Administrative Employee
5. One Board of Education Member

In case where several complaints are filed against a single party or a single practice of the College, a review committee will hear these cases collectively.

B. Hearing:

1. Upon receipt of the complaint, the Affirmative Action Officer shall:
 - a. Schedule hearings of the review committee to permit all parties involved in the complaint (or their representatives) to present evidence or interpretations of incidents giving rise to the claim; and
 - b. Make recommendations based on the record to the affected department for resolution of the complaint.

Article No.: 318

Approved: June 2, 2008, May 2, 2016

Reference: Title IX of the Higher Education Act of 1972 (No. 20 U.S.C. 1681 et seq.)

The Affirmative Action Officer shall transmit a report to the College President, including a statement of all particulars (i.e., parties involved, statement of facts, etc.) and recommendations for an orderly and expeditious resolution of the complaint within thirty (30) calendar days after the Review Committee hearings are completed.

Presidential Recommendation

1. The process of filing and hearing complaints will result in findings of fact, conclusions, and recommendations for action by the College President. The President shall announce their decision within thirty (30) calendar days after the complaint is filed. Said period of time can be extended at the discretion of the Board of Education. At the time of the action, the President shall notify the complainant, the affected department, and the Affirmative Action Officer in writing of the action or decision.

Appeals:

1. Complainants who consider themselves aggrieved by the College President's decision may appeal such decision within thirty (30) calendar days of notification of said decision. Written requests for review should be addressed to the chairperson of the Board of Education and state the basis of the grievance and reasons or policies which justify further review of the decision. The Board shall act on the appeal within a reasonable period of time. The decision of the Board shall be final.
2. Either before or after pursuing an internal grievance, a complainant shall have full recourse to the Office for Civil Rights and all other legal remedies provided by Title IX of the Higher Education Act of 1972 (No. 20 U.S.C. 1681 et seq.)
3. A complaint against the educational program or activities may be filed with the State Department of Education, Civil Rights, Region X, Jackson Federal Building 915 Second Avenue, Seattle, Washington 98174-1099. Complaints related to employment may be referred to the Office for Civil Rights or to the State Department of Labor, 115 Labor and Industries Building, Salem, Oregon 97310.

Article No.: 319

Approved: June 2, 2008, January 7, 2013

Reference:

Travel of College personnel is governed by Board of Education policy and Annual Designations. Attendance at meetings, conferences and other gatherings is encouraged, subject to budget limitations, when determined by the College President or his/her designee that such attendance serves the best interest of the College. The President or his/her designate shall exercise his/her authority to approve travel of employees within the budgetary allocations.

319.1 AUTHORIZATION

- A. Procedure for travel approval for all employees should begin with management supervisors for advance authorization. Executive employees whose duties require continuous or frequent travel are deemed to have advance approval when travel is within the usual limits of their duties.
- B. All out-of-state travel will require advance approval from the College President.
- C. Arrangements for all airline travel will be made through the Business Office.

319.2 REIMBURSEMENT

Related expenses for approved travel will be reimbursed within the budgetary allowance and in accordance with approved travel reimbursement procedures. Travel reimbursement requests must be accompanied by a supervisor's signature and, in accordance with IRS rules, receipts for all expenses. Mileage is an exception to this rule.

CAR:	Reimbursement rate for personal car mileage will be established by the IRS. Expense Report form is required for reimbursement by the Business Office.
MEALS:	Reimbursement for the cost of employee's meals will be at the rate established in Annual Designations adopted annually by the Board of Education. All charges must be supported by receipt.
MOTEL/HOTEL:	Reimbursement for lodging will be for the actual amount. These charges shall be supported by receipt. Attempts should be made to find reasonably priced lodging.
OTHER EXPENSES:	Many unforeseen expenses may arise during a trip such as parking, registration fees, etc. Reimbursement for such items may be requested and must be supported by receipts.

319.3 TRAVEL ADVANCES

It is understood that persons incurring substantial travel expenses might suffer from financial inconvenience as a result. Therefore, a travel advance may be requested from the employee's

TRAVEL

Article No.: 319

Approved: June 2, 2008, January 7, 2013

Reference:

supervisor. Advance amounts must be approved by the employee's management supervisor. Employees will be required to return any money that was not used, as well as the Expense Report Form and accompanying receipts.

Article No.: 320

Approved: June 2, 2008

Reference:

320.1 GENERAL PHILOSOPHY

The goal of the Board of Education is to provide an educational program of the highest quality possible.

The President shall be responsible for maintaining administrative procedures that implement the health and safety related personnel policies of the Board of Education. All employees of the College shall be entitled to fair and equal treatment.

In order to support an educational program of the highest quality possible, of prime importance to the College, is a safe and healthy work environment for students and staff. Employees are actively encouraged to make suggestions and to be aware of potential health/safety concerns.

320.2 INFECTIOUS DISEASES

The Surgeon General of the United States has determined that there is a classification of infectious diseases that does not put people at risk in terms of casual contact. This classification includes AIDS (Acquired Immune Deficiency Syndrome). Therefore, Tillamook Bay Community College will treat persons with these diseases in the same manner as handicapped or disabled. The College will not discriminate against employees with AIDS or any other infectious disease that does not put people at risk through casual contact so long as they are otherwise qualified to perform their job.

Article No.: 321

Approved: June 2, 2008, May 2, 2016

Reference: ORS 475.005 or Schedules I through V under the Federal Controlled Substances Act, 21 USC 811 and 812)

A. Alcohol, Marijuana, and Controlled Substances

The manufacture, distribution, dispensing, possession or use of alcoholic liquor, intoxicants, marijuana or controlled substances not medically prescribed, or being under the influence of these to any degree by any employee in or about the College buildings or on the College premises or while performing any duties for the College is prohibited and is cause for suspension and/or dismissal. If the employee is not dismissed, suspension may be imposed in combination with a requirement to complete a drug or alcohol treatment and rehabilitation program.

As a recipient of federal funding Tillamook Bay Community College adheres to federal laws and regulations regarding marijuana. Federal laws and regulations supersede Oregon state and local laws and regulations pertaining to marijuana use. All employees are required to abide by this alcohol, marijuana, and drug-free workplace policy. In addition, they shall notify the Director of Facilities, Safety and Human Resources within five (5) days of their conviction for a violation of substance abuse laws involving the workplace, or if they became aware that another employee has been convicted of such a violation.

Employees may seek referral assistance from the Director of Facilities, Safety and Human Resources in connection with alcohol or drug-related problems. Reasonable efforts shall be made to handle such requests confidentially. Requests for assistance are encouraged and will not themselves be considered as ground for dismissal. Such requests shall not, however, excuse violations prohibited by this policy.

The consumption of alcoholic beverages by an employee at a social function held in relation to an employee's work for the College does not, by itself, constitute a violation of this Policy, provided the employee remains in compliance with all state or local laws and other provisions of this Policy.

B. Student Violations:

Possession, consumption, being under the influence, or furnishing of alcoholic beverages (as identified by federal or state law) or marijuana on College-owned or controlled property or at College or student organization supervised functions, except as provided by rules and procedures of the Tillamook Bay Community College Board of Education.

Possession, consumption, being under the influence, or furnishing of marijuana, a narcotic or dangerous drug, as defined by ORS 475 and ORS 167.203 to 167.252 (is now law or hereinafter amended), except when use or possession is lawfully prescribed by an authorized medical doctor or dentist.

Article No.: 321

Approved: June 2, 2008, May 2, 2016

Reference: ORS 475.005 or Schedules I through V under the Federal Controlled Substances Act, 21 USC 811 and 812)

C. Student Penalties:

1. Expulsion from Tillamook Bay Community College (i.e., permanent removal of the privilege to attend Tillamook Bay Community College)
2. Suspension from Tillamook Bay Community College for a definite period of time and/or pending the satisfaction of conditions for readmission, (i.e., suspension of the privilege to attend Tillamook Bay Community College)
3. Removal from class(es) for which the student is currently registered
4. Restitution for damages
5. A specified period of college and/or community service
6. Disciplinary probation with or without the loss of privileges for a definite period of time. The violation of the terms of the disciplinary probation or the breaking of any College rule during the probation period may be grounds for suspension or expulsion from the College
7. Disciplinary admonition and warning
8. Any other sanction the College deems educationally appropriate.

Article No.: 322

Approved: June 2, 2008, May 2, 2016

Reference:

Tillamook Bay Community College recognizes sexual harassment as a form of sex discrimination under federal and state law.

It is the policy of Tillamook Bay Community College that all employees and students enjoy a positive and productive work and learning environment, free from all forms of discrimination, including sexual harassment. Any employee found to be sexually harassing any other employee or student will be subject to disciplinary action up to and including dismissal.

Definition of Sexual Harassment

Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors or other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Gender-based harassment refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not involving conduct of a sexual nature. All of these types of sex-based harassment are forms of sex discrimination. Sexual harassment exists when:

- A. Such conduct is of such frequency and/or severity that it has the effect of unreasonably interfering with an individual's work or academic performance to an objectively unreasonable level or creating a work or learning environment that is objectively intimidating, hostile or offensive; or
- B. The offender is attempting to compel or induce a specific person or persons to engage in or experience sexual conduct from which he/she has a legal right to abstain and has an objectively reasonable fear that negative personal consequences will occur if such conduct is not undertaken or tolerated.
- C. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or academic advancement; or
- D. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual.

Examples of conduct that could rise to the level of sexual harassment if the standards of A, B, C, or D are met may include, but are not limited to:

- Verbal harassment or abuse;
- Inappropriate touching, massaging or brushing against;

Article No.: 322

Approved: June 2, 2008, May 2, 2016

Reference:

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- Demands and/or subtle pressure for sexual favors;
 - Jokes or pranks about sex or gender traits;
 - Whistling or obscene gestures;
 - A male tells a female she looks "hot";
 - A female tells a male he has a nice derriere;
 - Discussion in mixed groups of recent sexual exploits;
 - Sexually explicit photos in a work or learning area.

Employee or Student Action

A report of sexual harassment may be made at any time, but preferably as close in time to the incident as possible. It is recommended that an employee or student who feels he/she is subjected to harassment:

- A. Tell the offender to stop. Say it firmly, without smiling or apologizing. It is not required that a complaint be made to the alleged harasser.
- B. Keep a diary or log of what is happening to you. Include direct quotes, any witnesses, or patterns to the harassment. Save any notes or letters sent to you by the alleged harasser; or
- C. Report the complaint to the Director of Facilities, Safety and Human Resources. Employees or students may opt to ask their supervisor or another administrator for assistance with this process.

Employees or students have the right to file a formal complaint with the Civil Rights Division of the Bureau of Labor and Industries.

District Action

Once a complaint is filed with the Director of Facilities, Safety and Human Resources, an investigation will begin, including:

- A. The complainant will be interviewed;
- B. The alleged harasser will be interviewed;

Article No.: 322

Approved: June 2, 2008, May 2, 2016

Reference:

C. Witnesses may be contacted as well as others who may have information.

All interviews will be documented. The interview may be recorded to ensure accuracy as well as documented in writing. Interviews will be conducted individually and confidentially and may be conducted with the assistance of a second confidential employee of the College. The College will not tolerate any form of retaliation from the alleged harasser. The College will keep the information confidential except as otherwise requested by law.

Once the investigation is completed, written responses to both parties will be drafted stating that:

- A. The allegations remain unproven; or
- B. Sexual harassment has occurred; the harasser will be subject to corrective and/or disciplinary action up to and including dismissal or expulsion.

Article: 323

Approved: December 3, 2012

Reference: ORS 4198.005 to 050

Effective January 1, 2013, all Tillamook Bay Community College employees are required by Oregon law to report suspected cases of child abuse to the Oregon Department of Human Services (DHS) or law enforcement officials. This duty is personal to the individual College employee and applies twenty-four hours-a-day, seven days-a-week whether or not the employee is on work time. College employees must immediately report to DHS or local law enforcement when the employee has "reasonable cause to believe" that any child with whom the employee comes in contact with has suffered abuse, or that any person with whom the employee comes in contact with has abused a child.

In addition, College employees and students must report to the College Director of Safety instances of inappropriate conduct when they witness, receive a report of, or reasonably believe an instance of child abuse has occurred. This requirement applies to cases of abuse that allegedly occur on campus, on property owned or leased by the College, or while members of the faculty, staff or student body are participating in a College-connected activity off campus. Reporting to the designated College official does not satisfy the legal duty to report to DHS or local law enforcement.

DEFINITIONS

"Abuse" means:

- Any assault of a child and any physical injury to a child which has been caused by other than accidental means;
- Any mental injury to a child, which shall include only observable and substantial impairment of the child's mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child;
- Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest;
- Sexual abuse;
- Sexual exploitation, including:
 - Contributing to the sexual delinquency of a minor;
 - Allowing, permitting, encouraging or hiring a child to engage in prostitution or patronize a prostitute;
- Negligent treatment or maltreatment of a child;
- Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health or welfare;
- Buying or selling a person under 18 years of age;
- Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured; or

Child Protection/Mandatory Reporting

Page 2/2

Article: 323

Approved: December 3, 2012

Reference: ORS 4198.005 to 050

- Unlawful exposure to a controlled substance, as defined in ORS 475.005, that subjects a child to a substantial risk of harm to the child's health or safety.

"Child" means an unmarried person who is under 18 years of age.

"Law enforcement agency" means:

- a city or municipal police department;
- a county sheriff's office;
- the Oregon State Police; or
- a county juvenile department.

LEGAL REFERENCE

ORS 419B.005 to 419B.050

Article No.: 400

Approved: October 6, 2008, April 1, 2013, May 2, 2016

Reference:

A. DEFINITIONS

For the purpose of this Policy statement, the following definitions shall apply:

1. Regular Faculty member refers to faculty who receive annual employment agreements of 0.5 to 1.0 FTE and specifically excludes instructors employed in the Continuing and Community Education Programs.
2. Adjunct Faculty refers to faculty teaching credit courses on a term-by-term basis.
3. Community Education refers to all non-credit courses, activities and programs which do not lead to a degree or certification. These include courses recognized by the State of Oregon as Adult Continuing Education (ACE).
4. Continuing Education refers to all Continuing Education Unit (CEU) courses. See Administrative Rules for further definition of CEU courses.

B. ACADEMIC CALENDAR

Tillamook Bay Community College follows the academic calendar approved by the Tillamook Bay Community College Board of Education. A current calendar is published in the College Catalog as well as in the quarterly schedule of classes.

C. ACADEMIC RULES AND REGULATIONS

Tillamook Bay Community College will establish appropriate rules and regulations regarding academic procedures, professional ethics, and academic standards. These academic regulations and procedures apply to all students enrolled in, or seeking admission to courses. These policies and procedures will be governed by College Administrative Rules. A complete review of Administrative Rules will take place annually.

401.1 FACULTY CONFLICT OF INTEREST

Instructional employees of Tillamook Bay Community College have an obligation to avoid such activities or situations which may result in a conflict of interest or the appearance of a conflict of interest. College employees must not use their position to influence outside organizations or individuals for the direct financial, professional, or personal benefit of themselves, members of their families, or others with whom they have a personal relationship.

An instructor who is concerned that a conflict of interest may exist, or who is uncertain as to the impact or appearance of his/her activity, should consult the Chief Academic Officer prior to engaging in the activity.

401.2 CLASSROOM MATERIALS

- A. Books, tools, equipment, clothing and supplies required by Tillamook Bay Community College students shall be obtained by the students from sources other than the instructor, whenever possible.
- B. No classroom instructor of Tillamook Bay Community College shall provide Tillamook Bay Community College students with books, tools, equipment, clothing and supplies, unless written consent of the College President or his/her designee is first obtained by the instructor.
- C. This policy is not to be interpreted or applied in such a manner as to restrict any instructor who is normally engaged in retail business from making sales in the usual and ordinary course of their business to students.
- D. Instructors shall be impartial at all times in recommending sources of supply for books, tools, equipment, clothing and supplies.

Article No.: 402

Approved: October 6, 2008, April 1, 2013, May 2, 2016

Reference:

402.1 PRE-REGISTRATION AND CANCELLATION POLICY

Early registration is encouraged for all courses. A decision to cancel a course, based on enrollment or instructor availability will be made at least two days prior to the start date. Courses are canceled by the Chief Academic Officer or his/her designee. Generally, the criterion for such cancellation is an enrollment of less than ten students or the guarantee set by the College. However, depending upon individual course circumstances, courses may be offered with fewer students.

402.2 STUDENT CONTACT INFORMATION

All instructors should have contact information for all their students at the beginning of each term. In the event that a class must be cancelled or modified in some way that will affect the students in that class, it is the instructor's obligation to contact their students as soon as possible to advise them of those changes. In addition, the Office of Instruction is to be notified when classes are to be cancelled, relocated, or re-scheduled.

402.3 COURSE EVALUATION POLICY

All courses are subject to evaluation by the Office of Instruction. Such an evaluation might take the form of student interviews or questionnaires, and/or a visit by the Chief Academic Officer or designee. Instructors will be notified in advance if their course is to be visited.

402.4 GRADING POLICY

Course grades or marks are assigned according to criteria established in Administrative Rules.

402.5 TEXTBOOK SELECTION

Instructors may suggest textbooks for courses with the approval of Tillamook Bay Community College's Chief Academic Officer and Curriculum Committee to ensure instructional consistency.

402.6 COMMUNITY EDUCATION FUND

The College's Community Education Program is a self-supporting program as determined by the receipts and expenditures of funds designated for this purpose. To facilitate this objective, the College President or designee is authorized to:

1. Establish market rate tuition and fees to be charged those who enroll or otherwise participate in Community Education offerings;
2. Hire instructors on a term-by-term contractual basis and pay 50% of community education course or workshop tuition (excluding fees) to the instructor as compensation

The purpose of this policy is to promote understanding and support of academic freedom and professional responsibility to the students, to the community, and to Tillamook Bay Community College.

404.1 A. Academic Freedom

Academic freedom is applied to teaching and other college-related activities. It is fundamental for the protection of the rights of the instructor in teaching and of the student to freedom in learning.

This institution is being operated for the common good and not to further the interest of either the individual instructor or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

1. Instructors are entitled to freedom in their presentation and discussion of the subject matter, as outlined in the Course Content Outcome Guide.
2. Instructors are entitled to full freedom in professional development activities, including publication of the results.
3. Instructors are citizens, members of a learned profession, and members of the educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes responsibilities. Thus, an instructor should clearly state to a public audience that he/she is communicating as a private citizen and not as a representative of the College. All employees should consider that the public may judge Tillamook Bay Community College by their communications.
4. As members of the Institution, instructors seek above all to be effective teachers. Although they observe the stated regulations of the institution, they maintain their right to disagree and seek possible revisions.
5. Instructors are encouraged to be involved in their community and, as members of the community, have the rights and obligations of any citizen. They determine the amount and character of their civic and community involvement outside the institution with due regard to their responsibilities within it. As citizens engaged in a profession that depends upon freedom for its health and integrity, instructors have particular obligations to promote conditions of free inquiry and to further public understanding of academic freedom.

404.1 B. Personal Freedom

Faculty and instructors who have citizenship and exercise their rights, as well as race, religion, color, age, national origin, disability, marital status, sex, or sexual orientation shall not be grounds for discipline or discrimination. The Board

Article No.: 404

Approved: October 6, 2008, May 2, 2016

Reference:

recognizes that the personal lives of instructors are of concern to the Board only as it affects job performance.

Article No.: 405

Approved: October 6, 2008, May 2, 2016

Reference:

Course offerings and teaching assignments are based on students' needs.

405.1 DEFINITION OF FACULTY POSITIONS

1. Regular Faculty

- A. 173-day work year as specified in the Faculty Employment Agreement
- B. A full-time teaching load consists of 15-16 instructional credit hours per term.
 - 1. Lecture: one hour per week for a term equals one instructional credit hour.
 - 2. Lecture/Lab: one and one-quarter (1.25) hours per week equals one instructional credit hour.
 - 3. Lab: one and one-half (1.5) hours per week for a term equals one instructional credit hour.
- C. The 40-hour work week, with a minimum of 30 hours on campus, includes:
 - 1. instructional credit hours,
 - 2. course preparation and grading hours,
 - 3. office/student advising hours, and
 - 4. committee participation and professional growth hours.
- D. A faculty employment agreement greater than or equal to .5 FTE and less than 1 FTE has a workload based on the percentage of FTE applied to the 40-hour work week and includes:
 - 1. instructional credit hours,
 - 2. course preparation and grading,
 - 3. office/student advising hours, and
 - 4. committee participation and professional growth.

2. Adjunct Faculty

Adjunct Faculty are faculty teaching credit courses and employed on a term-by-term basis.

Article No.: 406

Approved: October 6, 2008, July 15, 2013, May 2, 2016

Reference: 317, 407.1

06.1 Trial Period for Regular Faculty

Instruction is the core of the College's mission. Therefore, an instructor's first year is considered a trial period during which he/she has the opportunity to demonstrate his/her ability to meet the needs of our students and fulfill the duties and responsibilities outlined in the instructor's Position Inventory. In order to facilitate the instructor's success, the Chief Academic Officer or his/her designee will:

1. Conduct a minimum of two classroom observations;
2. Review student evaluations with the instructor from each of his/her classes;
3. Before the end of their second teaching term, complete a written Performance Appraisal based on the duties and responsibilities outlined in the instructor's Position Inventory, classroom observations, and student evaluations. The written Performance Appraisal shall be reviewed by the instructor and the Chief Academic Officer before it is sent to the Director of Facilities, Safety and Human Resources for inclusion in the instructor's file. A copy will be provided to the instructor.
4. In March, the College will notify the regular faculty, who do not have a current two (2) year employment agreement, whether an employment agreement will be offered for the next academic year. The decision will be based on the Performance Appraisal, recommendation of the Chief Academic Officer and the availability of funding.

Unless otherwise notified by the Chief Academic Officer, during the instructor's second academic year, his/her performance will be appraised according to the process outlined in Article 406.2.

406.2 ANNUAL FACULTY PERFORMANCE APPRAISALS

Regular faculty will receive annual Performance Appraisals. The Performance Appraisal is based on:

1. the duties and responsibilities outlined in the instructor's position inventory
 2. administrator evaluations
 3. student evaluations
 4. peer evaluations
 5. self evaluations
- A. The written Performance Appraisal shall be reviewed by the instructor and the Chief Academic Officer before it is sent to the Director of Facilities, Safety and Human Resources for inclusion in the instructor's file. A copy will be provided to the instructor.
 - B. Instructors who receive a satisfactory Performance Appraisal will be eligible for pay increases in accordance with Article 407.1.

Article No.: 406

Approved: October 6, 2008, July 15, 2013, May 2, 2016

Reference: 317, 407.1

- C. Administrator evaluations based on classroom observations will be performed at least twice during the first year, at least once in year two, at least once in year three, and at least every third year thereafter.
- D. Student evaluations are performed in all sections taught each term.
- E. Peer evaluations will be performed by evaluators chosen by the faculty:
 - 1. A first-term evaluation will be performed for a strictly formative purpose. The peer evaluator will observe one class session and hold a discussion regarding the practices observed as well as strengths and weaknesses.
 - 2. Summative peer evaluations will occur in the fourth year for new faculty, and after that every third year. The Report must be submitted to the Chief Academic Officer.
- F. Each faculty member will complete a self evaluation at the end of their second year and every third year thereafter. The evaluation includes an updated c.v. (including professional development, public service, artistic creation, scholarship, and research as applicable), analysis of student course evaluations, reflection on teaching strengths and areas for improvement, and a minimal portfolio (course syllabus, assessment tool(s), and anything else the instructor wants to include). Such documentation should be kept by the faculty member until requested. The primary purpose of the self evaluation is formative and should support the continuous improvement of instruction.
- G. The foregoing material deals with regularized procedures for faculty evaluations. It should be understood that the College reserves the right to examine the work of College faculty on a periodic/daily basis throughout the year in response to indications of performance deficiencies and may provide written or oral evaluation comments regarding the work of such faculty at any time during the year.

406.3 PROBATION FOR UNSATISFACTORY PERFORMANCE

- A. An instructor who receives an unsatisfactory Performance Appraisal will be placed on a probationary period of at least one term but no more than one year. Before the probationary period begins, the instructor and the Chief Academic Officer will develop a plan for improvement.
- B. All salary increases will be withheld during the probationary period.
- C. Prior to March of the next school year or the end of the probationary period, the Chief Academic Officer shall prepare a written evaluation of the instructor's performance.

Article No.: 406

Approved: October 6, 2008, July 15, 2013, May 2, 2016

Reference: 317, 407.1

- D. This written evaluation shall be reviewed with the instructor and signed by the Chief Academic Officer. Copies will be forwarded through appropriate administrative channels to the President and will be provided to the instructor and placed in the instructor's personnel file.
- E. If the instructor fails to achieve a satisfactory performance within the specified probationary period, the instructor's employment agreement may not be renewed.

406.4 PERFORMANCE APPRAISAL

The Chief Academic Officer, subject to the approval of the President, determines whether the instructor's performance appraisal is satisfactory or unsatisfactory. If the instructor does not agree with the performance appraisal, he/she may follow the grievance procedure as outlined in Policy 317.

406.5 LETTERS OF INTENT

In March of each year, letters of intent to rehire or not to rehire will be sent to instructors who do not have a current two (2) year employment agreement. The decision to rehire will be based on satisfactory performance, recommendation of the Chief Academic Officer, and availability of funding.

406.6 FACULTY EMPLOYMENT AGREEMENTS

- A. Contingent upon satisfactory performance appraisals, instructors will be offered employment agreements with the recommendation of the Chief Academic Officer, approval of the College President, and availability of funding.
- B. Each June thereafter, instructors will be offered another employment agreement based on satisfactory performance appraisals, the recommendation of the Chief Academic Officer, approval of the College President, and availability of funding unless they qualify for a two (2) year employment agreement.

406.7 ADJUNCT FACULTY EVALUATIONS

- A. Adjunct faculty will be evaluated by their students.
- B. Adjunct faculty teaching credit courses and continuing education instructors identified by the Chief Academic Officer will receive a classroom observation by the Chief Academic Officer or his/her designee.

The Classroom Observation Report shall be reviewed by the adjunct faculty member, and the Chief Academic Officer before it is sent to the Director of Facilities, Safety and Human Resources for inclusion in his/her personnel file. A copy will also be provided to the adjunct faculty member.

Article No.: 407

Approved: January 5, 2009, April 1, 2013, May 2, 2016

Reference: Articles 312, 313; Appendix A-2, B-1, and C-1

407.1 Tillamook Bay Community College recognizes that quality of learning is dependent upon the quality of the faculty. Therefore, a continued endeavor is made to discover, attract, and retain the best teaching talent available. Consistent with this policy, a full-time and regular part-time faculty salary schedule is adopted (see Appendix C-1), with the Board of Education reserving the right to consider and modify annually this schedule. In the application of this policy, 1.33 quarter or term based credits will be counted as equivalent to one semester credit. Credit must be from a regionally accredited institution.

1. Initial Placement on the Salary Schedule

A. Education and Occupational Experience

1. New occupational faculty without a Bachelor’s Degree will be placed on the salary schedule at the BA Step 1 Level upon presentation of an Associate’s Degree or at least sixty-four (64) semester hours and, in addition, five years of approved and verified occupational experience.
2. New occupational faculty with a Bachelor’s Degree must also document 4 years of recent, full-time, non-teaching work experience in the field for initial placement on BA Step 1.
3. New faculty with a Master’s Degree in the field to be taught and no teaching or occupational experience are initially placed on MA Step 1.
4. New faculty with a Doctorate and no post-secondary teaching experience in the field to be taught are initially placed on Ph.D. Step 1.

B. Longevity Credit for Teaching Experience and Occupational Experience Beyond Initial Placement

1. New faculty may receive additional credit for steps on the salary schedule beyond Step 1 upon presentation of approved and verified post-secondary teaching and/or occupational experience in the field to be taught. After initial placement on the salary schedule, applicable teaching or occupational experience may be credited for additional steps as follows:

<u>Prior Teaching Experience</u>	<u>Step Placement</u>
0 to .9 year	1
1 to 1.9 years	2
2 to 2.9 years	3
3 to 4.9 years	4
5 to 6.9 years	5
7 or more years	6
<u>Prior Occupational Experience</u>	<u>Step Placement</u>
0 to 1.9 years	1
2 to 3.9 years	2
4 to 5.9 years	3

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Reference: Articles 312, 313; Appendix A-2, B-1, and C-1

6 to 7.9 years	4
8 to 9.9 years	5
10 or more years	6

C. Education Credit for Professional Growth Beyond Initial Placement

1. New faculty who hold a Bachelor’s or Master’s Degree may receive additional credit on the salary schedule for approved and verified graduate semester credits and/or occupational experience. Verified graduate semester credits in the field to be taught will be credited on a one for one basis, to a maximum of thirty (30) graduate semester credits for new occupational faculty with a Bachelor’s Degree. New faculty who hold a Master’s Degree may be credited with up to sixty (60) verified, graduate semester credits in the field to be taught. For occupational faculty, each additional full year of verified occupational experience in the field to be taught, beyond eleven (11), will substitute for five (5) graduate semester credits. The maximum placement on the salary schedule for a Bachelor’s Degree is the MA + Thirty (30), Step Six (6). No more than thirty (30) graduate semester credits will be credited to the salary schedule for occupational experience. Faculty without a Bachelor’s Degree cannot be placed beyond the MA column.
2. New faculty will normally be placed on the schedule through Step 6. The College President may elect to place new faculty at any point on the schedule. Placement beyond the schedule requires approval of the College President.

2. Advancement Through the Salary Schedule for Professional Growth

A. Limitations to advancement through the salary schedule

1. Faculty without a Bachelor’s Degree will not advance beyond the MA column.
2. Movement on the salary schedule will not be approved for advancement on the salary schedule in fields other than that for which faculty are employed by Tillamook Bay Community College. An exception may be granted by the Chief Academic Officer for an outlined sequence of specific courses leading to a degree or instructor qualification to teach in an additional discipline. Official transcripts must be furnished to the Chief Academic Officer to verify successful completion.
3. A maximum of six (6) semester credits of undergraduate course work will be allowed for advancement on the salary schedule. Official transcripts must be furnished to the Chief Academic Officer to verify successful completion.
4. Faculty may seek advance approval for a maximum of ten (10) semester credits outside the teaching field to be applied to the salary schedule if

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these are clearly related to non-teaching assignments, such as curriculum development. Official transcripts must be furnished to the Dean of Instruction and Student Services to verify successful completion.

B. Conditions for advancement through the salary schedule

1. All credits for advancement through the salary schedule must be recommended by the Faculty Curriculum Committee and the Chief Academic Officer and approved by the College President.
2. Graduate credit courses in the major teaching area will be awarded provided the courses are completed. An official transcript must be furnished to the Chief Academic Officer to verify successful completion. Faculty should notify the Chief academic Officer by January 15 of intent to submit transcripts for completed coursework for salary advancement for the next academic year.
3. Continuing Education Unit (CEU) credits will not be considered for advancement on the salary schedule.
4. Credits applied to the salary schedule for Bachelor's Degree occupational faculty must either be in the instructor's major teaching area or part of an approved Master's program in the major teaching area. An outlined sequence of specific courses leading to the degree, including authorized signatures from the university, must be submitted in advance for approval. Official transcripts must be furnished to the Chief Academic Officer to verify successful completion.
5. Occupational experience will be credited at a rate of sixty (60) clock hours of employment equivalent to one (1) graduate semester credit to a maximum of thirty (30) graduate semester credits. In order to receive credit, an instructor must submit in advance to the Faculty Curriculum Committee and Chief Academic Officer a description of the occupational experience to be gained through the employment. Appropriate verification of the occupational experience must be submitted to the Chief Academic Officer prior to the beginning of the next academic year. Occupational experience will only be credited to faculty whose teaching loads are comprised of at least 75% occupational courses.
6. Credit for academic experience directly related to teaching responsibilities may be awarded using the following guidelines. Prior approval for academic experience is not required; however, documentation must be presented as specified below in order to allow for evaluation for credit to be applied to the salary schedule.
 1. Artistic Activity: Public exhibitions, concerts, dramatic presentations, recitals, productions, performances and poetry/literary readings.
 - a) Art Exhibits: An exhibit must be viewed in a public place such as a museum, art gallery, college, etc. It must be a juried show. Other acceptable activities may include a

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colloquium on the arts, published art work, performances before a public audience, and jurying.

- b) Documentation: The event should be documented by media reviews and coverage, regional and national art publications, brochures, programs, and/or letters.
 - c) Credits: One semester credit equals 60 hours of documented activity including preparation time to a maximum of three (3) credits per activity and six (6) total credits.
 - d) Limitations: Vanity gallery, home exhibitions, or home performance are not acceptable.
 - e) Evaluation for Credit: Upon submission of necessary documentation, the Faculty Curriculum Committee and Chief Academic Officer will evaluate the activity and recommend to the College President the amount of credit to be awarded, if any.
2. Publications and Other Printed Material: The production of such materials as books, book reviews, musical scores, articles, stories, lab books, and handbooks.
- a) Types of Printed Material: Items printed for use at Tillamook Bay Community College will be excluded. Printed material must be published in refereed journals, magazines, and other sources recognized and used by faculty in the field or with significant numbers of subscribers. The publication must be appropriate to the faculty person's discipline.
 - b) Documentation: A copy of the printed material.
 - c) Credits: One credit for each sixty (60) hours of documented activity including preparation time to a maximum of three (3) credits per activity and six (6) total credits.
 - d) Limitations: Credit will not be given for unpublished manuscripts. The publication must be appropriate to the faculty person's discipline.
 - e) Evaluation for Credit: Upon submission of necessary documentation, the Faculty Curriculum Committee and Chief Academic Officer will evaluate the activity and recommend to the College President the amount of credit to be awarded, if any.
7. Non-credit courses that require certification of successful completion prior to faculty being approved to teach the courses may be applied to the faculty salary schedule. In order to receive credit, faculty must submit in advance to the Faculty Curriculum Committee and Chief Academic Officer a description of the course(s) and the applicability to their

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instructional responsibility. If approved, credit will be awarded at a rate of sixty (60) clock hours of preparation equivalent to one (1) graduate semester credit to a maximum of fifteen (15) credits. Appropriate verification of the successful completion must be submitted to the Chief Academic Officer prior to the beginning of the next academic year.

8. Providing conditions have been appropriately met, payment for approved salary credits will be reflected on the next regular employment agreement.

3. Advancement Through the Schedule for Longevity

- A. Faculty without a Bachelor's Degree will not move beyond the MA column.
- B. Eligible faculty may be advanced through the steps of the salary schedule, at the rate of one step per year, for satisfactory performance of assigned duties and availability of funding.
- C. Faculty on improvement leave shall continue to advance through the schedule.
- D. The College President may recognize faculty for exceptional teaching and/or service to Tillamook Bay Community College and advance faculty more than one step and may also advance faculty beyond the salary schedule in an amount not to exceed 15% of the Master's base salary. The College President may hold faculty on step.

4. Unsatisfactory performance

Pay increases will be withheld for unsatisfactory performance appraisals in accordance with Article 406.3. Pay increases may be granted upon return to satisfactory status without retroactive compensation.

407.2 Pay increases for adjunct faculty

1. Adjunct faculty initial salary placement is Tier 1 of the Adjunct Faculty Salary Schedule.

With the approval of the Tillamook Bay Community College President, based on sufficient funding, and satisfactory performance, adjunct faculty will advance in tier based on the following:

- A. Adjunct faculty will move to Tier 2 the July 1 following completion of teaching 500 adjunct faculty contact hours at Tillamook Bay Community College. The 500 contact hours must be completed by the end of Spring Term.
- B. Adjunct faculty will move to Tier 3 the July 1 following completion of teaching 1,000 adjunct faculty contact hours at Tillamook Bay Community College. The 1,000 contact hours must be completed by the end of Spring Term.

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- C. Adjunct faculty will move to Tier 4 the July 1 following completion of teaching 1,500 adjunct faculty contact hours at Tillamook Bay Community College. The 1,500 contact hours must be completed by the end of Spring Term.
- D. Adjunct faculty will move to Tier 5 the July 1 following completion of teaching 2,000 adjunct faculty contact hours at Tillamook Bay Community College. The 2,000 contact hours must be completed by the end of Spring Term.
- E. Adjunct faculty will move to Tier 6 the July 1 following completion of teaching 2,500 adjunct faculty contact hours at Tillamook Bay Community College. The 2,500 contact hours must be completed by the end of Spring Term.
- F. Adjunct faculty will move to Tier 7 the July 1 following completion of teaching 3,000 adjunct faculty contact hours at Tillamook Bay Community College. The 3,000 contact hours must be completed by the end of Spring Term.

407.3 Pay increases for instructional assistants and tutors

1. Instructional assistants and tutors initial salary placement is Tier 1 of the Instructional Assistants and Tutors Salary Schedule.

With the approval of the College President, based on sufficient funding, and satisfactory performance, instructional assistants and tutors will advance in tier based on the following:

- A. Instructional assistants and tutors will move to Tier 2 the July 1 following completion of 500 instructional assisting or tutoring contact hours at Tillamook Bay Community College. The 500 contact hours must be completed by the end of Spring Term.
- B. Instructional assistants and tutors will move to Tier 3 the July 1 following completion of 1,000 instructional assisting or tutoring contact hours at Tillamook Bay Community College. The 1,000 contact hours must be completed by the end of Spring Term.
- C. Instructional assistants and tutors will move to Tier 4 the July 1 following completion of 1,500 instructional assisting or tutoring contact hours at Tillamook Bay Community College. The 1,500 contact hours must be completed by the end of Spring Term.
- D. Instructional assistants and tutors will move to Tier 5 the July 1 following completion of 2,000 instructional assisting or tutoring contact hours at Tillamook Bay Community College. The 2,000 contact hours must be completed by the end of Spring Term.

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- E. Instructional assistants and tutors will move to Tier 6 the July 1 following completion of 2,500 instructional assisting or tutoring contact hours at Tillamook Bay Community College. The 2,500 contact hours must be completed by the end of Spring Term.
- F. Instructional assistants and tutors will move to Tier 6 the July 1 following completion of 3,000 instructional assisting or tutoring contact hours at Tillamook Bay Community College. The 3,000 contact hours must be completed by the end of Spring Term.

407.4 Community Education and Continuing Education Instructor Compensation and Benefits

1. Community Education and Continuing Education Instructors are hired on a short-term contractual basis and receive as compensation 50% of the course or workshop tuition (excluding fees) revenue of the courses they teach. The Chief Academic Officer may guarantee a minimum enrollment level of compensation in continuing education courses in order to support a degree or certificate program or meet a community occupational training need.
2. Community and Continuing Education instructors receive no employee benefits except as required by law.
3. Pay increases for Community and Continuing Education Faculty will be solely based on tuition increases or enrollment increases in the courses or workshops they teach.

407.5 Benefits

1. Tillamook Bay Community College shall provide all eligible employees as described in the Summary of Employee Benefits Chart contained in Appendix B-1, with a monthly stipend, defined in Appendix A-2 and C-1 which shall be reviewed and adopted each fiscal year by the Board of Education. Any amount of the stipend provided for insurance in excess of the cost of the employee-only coverage may be applied to dependent insurance coverage effective July 1, 2009.
2. Eligible employees as described in A-1 above, may elect to waive or opt-out of College sponsored health insurance plans coverage. When an employee opts-out, Tillamook Bay Community College shall provide a monthly cash payment. This cash payment, defined in Appendix A-2 and C-1, shall be reviewed and adopted each fiscal year by the Board of Education. The option to waive or opt-out of the College's health insurance plan is limited to 25% of eligible employees – once that threshold is reached employees will be added to a waiting list and will be allowed to opt-out only

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as space within the threshold becomes available. In order to waive coverage, employees will be required to complete a "Declination of Coverage" form (available from the Director of HR, Safety, and Facilities) and provide proof of other equivalent health insurance coverage.

3. Tillamook Bay Community College shall contribute to the Public Employees Retirement System (PERS), for eligible employees, in compliance with PERS Rules.
4. Tillamook Bay Community College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation Insurance for all employees.
5. Tuition Waiver/Tuition Assistance Policy
 - A. The Board agrees to waive tuition for classes for any: eligible employee in accordance with policy in Appendix B-1., An employee's spouse, and dependent or unmarried children up to age 24 may also be eligible for tuition waivers, as described in the Summary of Employee Benefits Chart and the Tillamook Bay Community College Tuition Waiver/Tuition Assistance Policy in Appendix B-1. In circumstances when federal financial aid is provided in the form of grants, the federal financial aid grant funds shall be expended first. Additional tuition shall be waived in accordance with policy in Appendix B-1.
 - B. Enrollment in a class by an employee shall not interfere with the employee's regular duties and responsibilities. When job-related courses require absence from work, supervisor approval is required.
 - C. Employees may petition in writing to their supervisor for reimbursement of book cost and course fees if the course in which they are enrolled relates directly to their job duties. Petitions for reimbursement must be forwarded to and approved by the College President.
 - D. Tuition, fees and admission charges for community non-reimbursable or agency classes and other College functions are not included in this policy statement. Exceptions may be petitioned in writing to the College President.
 - E. Courses which enhance employees' job performance or develop necessary job skills are considered staff and professional development. Subject to available funds, Tillamook Bay Community College will provide up to \$200 per semester hour tuition and fees reimbursement for each hour earned to a maximum of ten (10) credit hours annually and thirty (30) credits cumulative. Regular faculty may petition the Chief Academic Officer, in writing, for assistance with tuition, fees and related costs for courses, conferences, and training for staff and professional development. Application and approval for reimbursement must be made, in advance of enrollment, on the Tillamook Bay Community College Professional

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Reference: Articles 312, 313; Appendix A-2, B-1, and C-1

Development Application Form. Applications should be submitted as early as possible prior to the actual class or training. Scheduled review of requests will take place twice in the current academic year. Applications received by September 10 will be considered in the first review; applications received by January 10 will be considered in the second review.

PROFESSIONAL IMPROVEMENT LEAVE COMMITTEE GENERAL GUIDELINES

1. An employee committee, appointed by the Leadership Team, will serve as the Professional Improvement Leave Committee and make recommendation to the College President.
2. The College President must approve all Professional Improvement leaves.
3. The applicant's proposal shall address how the Professional Improvement Leave will provide the faculty member the opportunity for professional growth and development related to his/her instructional area(s) or assignment(s), thereby enhancing his/her value to the College. The following includes, but does not limit, areas in which professional improvement leave may enhance a faculty member's value:
 - a) instructional methodology
 - b) curriculum development
 - c) instructional content
 - d) learning philosophies
 - e) incorporation of advanced/emerging technologies
 - f) supervisory training
 - g) teamwork skills
3. The committee will consider other factors that appear to be relevant, such as:
 - a) needs identified by the College's Strategic Plan
 - b) funding
4. The committee will assure a fair distribution of Professional Improvement Leave opportunities.
5. The committee will develop a tool to evaluate the application(s).

408.1 PURPOSE

The purpose of Professional Improvement Leave is to provide eligible faculty or staff an opportunity for professional growth and development related to their instructional area(s) and/or assignment(s), thereby enhancing their value to the College. Professional Improvement Leave is awarded to an eligible faculty member; it is not a right based on years of service.

Examples of professional improvement leave activities include, but are not limited to:

- A. Study at a recognized college, university, or technical school;

Article No.: 408

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Reference:

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- B. A work experience program designed to update or upgrade knowledge and/or skills;
and
 - C. Independent or collaborative study, research, writing or other project.

All professional improvement leave activities must be related to the faculty or staff member's current or future instructional area(s) and/or assignment(s) as determined by the College.

408.2 ELIGIBILITY

Faculty or staff must meet the following requirements to be eligible for professional improvement leave:

- A. Must have completed six or more academic years of employment at Tillamook Bay Community College.
- B. Any year in which an employee has an unpaid leave of absence of one full term or more shall not constitute a completed year of service for purposes of computing eligibility for professional improvement leave.
- C. Must have fulfilled previous professional improvement leave agreements, if applicable.

408.3 COMPENSATION

A. Compensation During Leave

Professional Improvement Leaves may be for one or two terms depending upon the length of the faculty member's work year. Compensation during the term(s) of leave will be pro-rated based on the following percentages:

1. 70% for a one-term or two-term leave
- 2.

Contact the Business Office Specialist for specific calculations.

B. Salary and/or Salary Schedule Placement on Return from Leave

Pay increases approved by the Board of Education will apply to faculty or staff members currently on or returning from Professional Improvement Leave.

408.4 BENEFITS

- A. Health, dental, life and long term disability insurance, tuition waivers, and PERS benefits, as applicable to faculty, will continue during the period of the Professional Improvement Leave.

Article No.: 408

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Reference:

B. Sick leave and vacation leave will not accrue during Professional Improvement Leave.

408.6 PROFESSIONAL IMPROVEMENT LEAVE AGREEMENT

The Professional Improvement Leave Agreement will include, but is not limited to:

A. Report and/or Documentation Required

Upon return from his/her leave, the faculty or faculty member shall, within one month of the completion of the professional leave, submit to his/her immediate supervisor a written report or other documentation as agreed upon. Copies will be forwarded to the Chief Academic Officer and the College President. A presentation will be made to the Board of Education within three months of completion of the professional leave.

B. Time Commitment upon Return

Upon completion of the professional improvement leave, the faculty member agrees to return to Tillamook Bay Community College for a minimum period of time equal to the professional improvement leave. The Leave Agreement does not preclude the faculty member's employment agreement.

C. Repayment in Lieu of Return

Provisions shall be made so that the faculty member may repay the professional improvement leave salary in lieu of his/her return to Tillamook Bay Community College.

The Leave Agreement and the Approved Professional Improvement Leave Application will be placed in the faculty member's personnel file with copies to the Chief Academic Officer and applicant.

Article No.: 500

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Reference: Policy 322, ORS 341.290, Catalog

500.1 COLLEGE/STUDENT RESPONSIBILITIES

Tillamook Bay Community College provides students with programs of general education, developmental/remedial programs, and vocational/technical curricula. The College also provides cultural, recreational, and community service activities.

It is, in turn, the responsibility of the student to observe College Rules and Regulations and to help maintain appropriate conditions in the classroom, on the campus, and in the community.

A. General Policies

A student's registration obligates him/her to comply with the policies and regulations of the College. Tillamook Bay Community College will restrict a student's admission to or registration with the College and will withhold degrees, and official transcripts as prescribed by the College and/or state guidelines if a student fails to meet financial obligations to the College or for other legal reasons.

Tillamook Bay Community College is granted the right by law, to adopt such rules as are deemed necessary to govern its operations.

Students have the right to participate in formulating and reviewing policies and rules pertaining to student conduct and, to the extent permitted by law in the enforcement of all such rules.

B. Right to Freedom from Harassment and Discrimination**a. Intro**

The College's goal is to enable students to achieve their education and career goals. Therefore, it is against this policy for any manager, supervisor, faculty, staff, or student to engage in harassment or sexual harassment or discrimination of any member of the College community based on his/her race, color, religion, ethnicity, use of native language, national origin, age, sex, marital status, height/weight ratio, disability, or sexual orientation. The prohibition against harassment or discrimination based on the use of native language does not require the College to offer courses in any language other than English. Under this policy, harassing or discriminatory behaviors will not be tolerated. The College also prohibits retaliation against any person who makes a good faith complaint of discrimination of harassment and retaliation against any person who in good faith cooperates in an investigation of alleged harassment or discrimination.

b. Definition of Sexual Harassment

Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors or other verbal, nonverbal, or physical conduct of a sexual nature.

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Reference: Policy 322, ORS 341.290, Catalog

Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Gender-based harassment refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not involving conduct of a sexual nature. All of these types of sex-based harassment are forms of sex discrimination.

Sexual harassment exists when:

- i. Such conduct is of such frequency and/or severity that it has the effect of unreasonably interfering with an individual's work or academic performance to an objectively unreasonable level or creating a work or learning environment that is objectively intimidating, hostile or offensive; or
- ii. The offender is attempting to compel or induce a specific person or persons to engage in or experience sexual conduct from which he/she has a legal right to abstain and has an objectively reasonable fear that negative personal consequences will occur if such conduct is not undertaken or tolerated.
- iii. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or academic advancement; or
- iv. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual.

Examples of conduct that could rise to the level of sexual harassment if the standards of A, B, C, or D are met may include, but are not limited to:

- Verbal harassment or abuse;
- Inappropriate touching, massaging or brushing against;
- Demands and/or subtle pressure for sexual favors;
- Jokes or pranks about sex or gender traits;
- Whistling or obscene gestures;
- A male tells a female she looks "hot";
- A female tells a male he has a nice derriere;
- Discussion in mixed groups of recent sexual exploits;
- Sexually explicit photos in a work or learning area.

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Reference: Policy 322, ORS 341.290, Catalog

c. Responsibilities

Therefore, it is the responsibility of every member of the College community to strictly comply with this Policy. This includes notifying each employee/student of his or her rights and responsibilities under Tillamook Bay Community College's Student Rights and Responsibilities and Sexual Harassment Policies.

Management staff will be held accountable for taking reasonable action to maintain work areas and educational environments free of conduct that causes, or reasonably could be considered to cause, intimidation, hostility, or discrimination.

Any person who believes he or she has been discriminated against or harassed by a College employee, representative, or student is encouraged to file a complaint with the Director of Facilities, Safety, and Human Resources. Non-affirmative action complaints are to be filed in accordance with the Student Grievance Procedure.

C. Right to Freedom of Expression

Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study in which they are enrolled.

As constituents of the academic community, Tillamook Bay Community College students shall be free, individually and collectively, to express their views on issues of institutional policy and procedures which shall include the examination and discussion of issues of interest to them and expression of opinions both publicly and privately. They shall be free to invite and to hear persons of their choosing and to support causes by orderly means that do not substantially disrupt the regular and essential operations of the College.

Demonstrations are a legitimate mode of expression, whether politically motivated or directed against the College administration, and will not be prohibited. Demonstrators, however, have no right to deprive others of the opportunity to speak or be heard, take hostages, physically obstruct the movement of others, or otherwise substantially disrupt educational or institutional processes in a way that interferes with the safety or freedom of others. Students may be subject to disciplinary action when their acts or actions cause or are likely to cause substantial disruption or interference with the regular and essential operation of the College.

D. Right to Protection from Improper Academic Evaluation and Improper Disclosure of Students' Views, Beliefs, and Associations

Student academic performance shall be evaluated solely on an academic basis (which may include attendance and the ability to apply skills), not on the student's opinions or conduct in matters unrelated to academic standards. The course syllabus shall contain and articulate the evaluation standards and grading criteria by which student performance is measured. Students shall have the right to grieve their academic evaluation under the Grievance Procedure only if the student believes that these standards and criteria were not followed by

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Reference: Policy 322, ORS 341.290, Catalog

the instructor, or were not fairly and consistently applied to all students.

At the same time, students are responsible for meeting standards of academic performance established for each course in which they are enrolled. Information about student views, beliefs, and political associations which staff members acquire in the course of their association with students is to be considered confidential.

E. Right of Access to, and Protection from Improper Disclosure of Student Records

To minimize the risk of improper disclosure, academic and disciplinary records shall remain separate. Transcripts of academic records shall contain only information about academic status.

Information from disciplinary or advising files shall not be available to unauthorized persons on campus or to individuals off-campus without the written consent of the student involved, except under legal compulsion or in cases where the safety of persons or property is involved, in compliance with the Family Educational Rights and Privacy Act, College Policy, and Oregon laws pertaining to education records.

In order to assist students to benefit from courses, programs, and activities, the College requires advising services and Career Education Plans for degree-seeking students. The confidentiality of student record information obtained by advising services will be strictly maintained, except when Tillamook Bay Community College is legally permitted to disclose student record information.

F. Right to Form Student Organizations

Students may form student clubs and organizations under the provisions of the Associated Students of Tillamook Bay Community College (ASTBCC) Constitution. Any chartered student club or officially recognized student organization acting through the Associated Students of Tillamook Bay Community College may invite any person of their own choosing to the campus, provided the invitation and arrangements are in compliance with established policies of the College.

College procedures must be followed to ensure orderly scheduling of facilities, adequate preparation for the event, and that activities are conducted in a manner appropriate for an academic community.

G. Right to Sell and Distribute Materials and Engage in Fund-Raising Activities

Students have the right to engage in legal incidental sales of personal property in private transactions. TBCC has not designated any facilities for this purpose, however, except for the use of designated College bulletin boards.

All fund-raising activities for any student group must be approved by the Chief Finance Officer and the Executive Director of the Foundation and College Advancement, and

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coordinated with the Tillamook Bay Community College Foundation.

All merchandise, periodicals, magazines, and books offered for commercial sale may be sold only through the College Bookstore except when within College Policy and approved by the Chief Finance Officer and the Executive Director of the Foundation and College Advancement.

All free publications not in violation of state laws, federal laws, and/or College rules, such as books, magazines, newspapers, handbills, leaflets, and similar materials may be distributed on campus. Any persons desiring to distribute publications shall first register with the Chief Finance Officer and the Executive Director of the Foundation and College Advancement so that reasonable areas and times can be assured and the activities of the College will not be interfered with.

All handbills, leaflets, newspapers, and similar materials must bear the name and address of the organization and/or individual distributing the materials.

Printed materials shall not be placed on any vehicle parked on campus.

H. Right of Access to College Facilities

Students have the right of access to College facilities, subject to ordinary schedules and policies and regulations governing the use of each facility. When using these facilities, the student has the responsibility to respect these regulations and to comply with the spirit and intent of the rules governing facility use. Chartered ASTBCC student clubs have free access to facilities unless additional services (custodial, Campus Safety, etc.) are required.

When faced with a situation which he/she determines is likely to or does disrupt the order of the College, threatens the health and welfare of the College community, or that interferes with the ingress and/or egress of persons from College facilities, the College President or designee shall have the authority to:

1. Prohibit the entry of any person or persons, or to withdraw the license or privilege of any person or group of persons to enter or remain upon any portion of a College facility; or
2. Give notice against trespass by any manner specified by law to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from entering into or remaining within a College facility.

Any student(s) disobeying a directive given by the College President or designee, pursuant to the statements above, shall be subject to disciplinary action and/or criminal trespass laws.

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Reference: Policy 322, ORS 341.290, Catalog

I. Right to Student Publications

Student publications and student press provide for free and responsible discussion of topics and for intellectual exploration. The responsibility for developing, administering and reviewing procedures for the operation of College sponsored student publications is delegated to the Student Publications Committee. Editors are protected from arbitrary suspension and removal due to editorial policy or content. Editors and staff of student publications are guided by the professional standards of the Oregon Code of Journalistic Ethics, related Oregon Revised Statute and by other state or federal laws.

500.2 CODE OF STUDENT CONDUCT

A. General Policies

Admission to Tillamook Bay Community College carries with it the presumption that the student will conduct him/herself as a responsible member of the College community. Thus, when a student is admitted to and/or enrolled at Tillamook Bay Community College, the student likewise assumes the obligation to observe standards of conduct which are appropriate to the pursuit of educational goals.

Students shall generally have an opportunity to participate in the formulation of policies and rules pertaining to student conduct and, to the extent legally permitted, in the enforcement of such rules. Tillamook Bay Community College administration and its Board, however, retain the authority to create and enact College policy.

Programs based on contracts with government agencies or external funding sources operated outside of the campus may adopt separate conduct procedures consistent with Tillamook Bay Community College's Code of Student Conduct, the program's goals, and the principle of due process for all parties.

Tillamook Bay Community College may take appropriate disciplinary action when student conduct deemed by a college Director or Chief Academic Officer or designee to be disruptive to the operation of the College, or constitutes one or more of the behaviors identified below.

B. Violations

Disciplinary action may result from the commission of any of the actions listed herein, or any violation of civil or criminal law while on College property or while engaged in any College activity.

1. Academic cheating or plagiarism or aiding or abetting cheating or plagiarism, which may also result in academic penalties under the College's Academic Integrity Policy.
2. Furnishing false information to the College with the intent to deceive the College or

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- any person or agency.
3. Forgery, alteration, or misuse of College documents, records, or identification cards whether in written or electronic form.
 4. Unauthorized use or access of College electronic communications media, equipment, files, or data or failure to comply with Tillamook Bay Community College Terms of Usage.
 5. Abuse, harassment, intimidation, or threatening of a student, staff member, vendor, visitor, or invited guest of the College.
 6. Malicious destruction, damage, or misuse of College or private property (including library materials).
 7. Theft or conversion of College property.
 8. Failure to comply with the lawful directions of College personnel acting in performance of their duties.
 9. Unwanted contact or communication of any nature with another student or a staff member after being advised by a College official or the other student that such contact or communication is unwelcome.
 10. Any behavior that is disruptive to the educational process of the College as determined by a College official.
 11. Interference by force or by violence (or by threat of force or violence) with any administrator, faculty or staff member, or student at the College who is in the discharge or conduct of his/her duties or studies.
 12. Possession, consumption, being under the influence, or furnishing of marijuana, alcoholic beverages (as identified by federal or state law) on College-owned or controlled property or at College or student organization supervised functions, except as provided by rules and procedures of the Tillamook Bay Community College Board of Education.
 13. Possession, consumption, being under the influence, or furnishing of marijuana or any narcotic or dangerous drug, as defined by ORS 475 and ORS 167.203 to 167.252 [as now law or hereinafter amended], except when use or possession is lawfully prescribed by an authorized medical doctor or dentist.
 14. Failure to disperse when an assembly is ordered to disperse by College officials.
 15. Failure to comply with a notice against trespass.

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16. Failure to comply with the following rules regarding firearms and weapons:

- a. The use, carrying, exhibiting, or displaying of any weapon (as defined by Oregon Revised Statute 161.015), or facsimiles thereof, is prohibited on or in College facilities, except as provided by Oregon law or when approved by College administration for official College activities.
- b. Explosives, incendiary devices, or any facsimiles thereof are prohibited on or in College facilities, except as provided by Oregon law, or when approved by College administration for official College activities.
- c. The above rules do not apply to equipment or materials owned, used, or maintained by the College, used by the College or under College direction, nor to law enforcement officers or campus security personnel.

17. Violations of published College regulations, including those related to entry and use of College facilities, the rules in this Section, and any other College regulations which may be enacted.

18. Conduct that substantially interferes with the College's educational responsibility of ensuring the opportunity for all members of the College community to attain their educational objectives, or the College's subsidiary responsibilities, which may include, but are not limited to: record-keeping, providing miscellaneous services, and sponsoring out-of-class activities, such as lectures, concerts, athletic events, and social functions.

If a student is charged or convicted of an off-campus violation of the law, the matter shall be no cause for disciplinary action by the College unless there is a reasonable possibility, as determined by the a Director or the Chief Academic Officer, that the behavior is substantially likely to disrupt the educational process of the College.

C. Sanctions

The College Board has directed the College President, pursuant to ORS 341.290, to establish administrative rules to govern the College and its students, and to administer disciplinary action. Sanctions shall be primarily administered by the college Director or Officer deemed most appropriate in relation to the violation. Generally, safety violations will be directed to the Director of Facilities, Safety, and Human Resources, student conduct and academic progress violations will be directed to the Director of Student Services and academic integrity violations will be directed to the Chief Academic Officer. The Director of Student Services, the Director of Facilities, Safety, and Human Resources or the Chief Academic Officer may impose the following sanctions for violations of the Code of Student Conduct:

Type of Violation / Suspension	Initial Review	First Appeal	Final Appeal
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Student Conduct	Director of Student Services	Chief Academic Officer	College President
Safety	Director of Facilities, Safety, and Human Resources	Director of Student Services	College President
Academic Integrity	Chief Academic Officer	Director of Student Services	College President
Academic Progress	Director of Student Services	Chief Academic Officer	College President

1. Expulsion from Tillamook Bay Community College (i.e., permanent removal of the privilege to attend Tillamook Bay Community College);
2. Suspension from Tillamook Bay Community College for a definite period of time and/or pending the satisfaction of conditions for re-admission, (i.e., suspension of the privilege to attend Tillamook Bay Community College);
3. Removal from class(es) for which the student is currently registered;
4. Restitution for damages;
5. A specified period of college and/or community service;
6. Disciplinary probation with or without the loss of privileges for a definite period of time. The violation of the terms of the disciplinary probation or the breaking of any College rule during the probation period may be grounds for suspension or expulsion from the College;
7. Disciplinary admonition and warning.
8. Any other sanction the College deems educationally appropriate.

The parents or guardian of any student under 16 years of age who receives a sanction under the Code of Student Conduct shall be notified.

D. Disciplinary Due Process Hearing Procedures

In keeping with the educational purposes of the College, disciplinary actions other than those requiring expulsion are intended to be remedial rather than punitive. Often disciplinary proceedings will be conducted informally between the student(s) and the designated College official listed above.

Classroom Conduct

Each faculty member is responsible for conduct in class and is authorized to take such steps as are necessary when behavior of a student interrupts the normal class procedure. When behavior is so serious as to result in expulsion from the class, the faculty member

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may remove the student from class for one day and may also require the student to meet with the instructor and/or Chief Academic Officer to identify and set conditions for his/her return to the class. Permanent removal of a student from a class or classes may only be imposed by the designated College official listed above in section C or designee pursuant to the provisions of the Code of Student Conduct.

Student Conduct:

1. Students in violation of institutional regulations or civil or criminal law shall be so informed.
2. During investigation of the charges, the status of the student shall not be altered nor shall his/her right to be present on the campus and to attend classes be suspended except for reasons related to the safety and well-being of students, faculty, staff, or College property, or which relate to or interfere with the orderly operation of the College, as determined by Director of Student Services or designee.
3. The student has the right to appeal any disciplinary (as distinct from academic) action to the President solely on the basis of alleged procedural violation(s). If a violation is found to have occurred, the President will remand the case to the Director of Student Services or designee for reprocessing.

No disciplinary sanction shall be imposed unless the student has been notified of the charges against him/her and the nature and source of the evidence. In cases in which the College does not intend to suspend or expel a student, the source of information may be kept confidential if, in the discretion of the designated College official listed above in section C or his/her designee, he/she believes that revealing the source would create a risk of physical or emotional harm to the source, or might otherwise have a chilling effect on enforcement of these rules. A student subject to these sanctions will be allowed to present his/her case to an appropriate College official and to have an advisor of his/her choice present. Advisors are not permitted to present the case but may advise the student.

Both the College and the student may seek legal advice at their own expense, but, to avoid an adversarial situation, neither the College nor the student will be represented by an attorney during any meeting or hearing involving the College and the student. The student may withdraw from College of his/her own volition at any time during the disciplinary process. Disciplinary sanctions may still be assessed, however, if the student withdraws from the College prior to the completion of the disciplinary process, or elects not to participate in disciplinary proceedings.

Formal Resolution

In cases that are not resolved informally, the Director or Officer shall use the following hearing procedure:

Step 1: At an initial conference with the Director or Officer as designated in section C the student will be informed verbally and in writing of the charges and the maximum penalty which might result from consideration of the disciplinary matter. The

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College retains the right, upon learning new information and giving notice to the student, to revise the proposed maximum penalty.

Step 2: The student must submit all of his/her evidence within 7 calendar days of the initial conference

Step 3: After considering the evidence in the case and interviewing persons as appropriate, the Director or Officer, may take one of the following actions:

- a. Terminate the proceedings, exonerating the student.
- b. Dismiss the case after appropriate counseling and advice.
- c. Impose an appropriate sanction as described above.

The student shall be notified in writing of the decision of the Director or Officer.

Step 4:

The student may appeal a sanction imposed if the student feels that additional information is available that has bearing on the situation. The student may file this appeal by bringing the additional information to designated Director or Officer.

If the student decides to appeal the decision on the basis of alleged violation of due process, he or she may do so by filing a written appeal with the President or designee within 7 calendar days of the decision. The President or designee shall render a decision regarding the alleged violation of due process within 7 calendar days of its filing.

E. Readmission after Suspension

A student suspended from the College may be readmitted only on written petition to the Director or Officer with responsibility over the issue leading to the suspension. Petitions must, if applicable, indicate how specific reinstatement conditions have been met and reasons which support reconsideration. The Director or Officer or designee shall convey his/her decision in writing to the student; and in the case of non-readmission, shall express his/her reasons in writing. If the student decides to appeal the decision, a first appeal may be made to the designated Director or Officer. The Director or Officer shall convey his/her decision in writing to the student and shall express his/her reasons for the decision. The Director or Officer sends his/her report to the College President. The decision of the College President is final.

F. Records

Records of all disciplinary actions shall be kept as part of the student record by the Director of Student Services in accordance with the state archival policies.

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Reference: Policy 322, ORS 341.290, Catalog

500.3 ACADEMIC INTEGRITY POLICY

A. Introduction

Students of Tillamook Bay Community College are expected to behave as responsible members of the College community and to be honest and ethical in their academic work. Tillamook Bay Community College strives to provide students with the knowledge, skills, judgment, and wisdom they need to function in society as educated adults. To falsify or fabricate the results of one's research; to present the words, ideas, data, or work of another as one's own; or to cheat on an examination corrupts the essential process of higher education.

B. Guidelines for Academic Integrity

Students assume full responsibility for the content and integrity of the coursework they submit. The following are guidelines to assist students in observing academic integrity:

1. Students must do their own work and submit only their own work on examinations, reports, and projects, unless otherwise permitted by the instructor. Students are encouraged to contact their instructor about appropriate citation guidelines.
2. Students may benefit from working in groups. They may collaborate or cooperate with other students on graded assignments or examinations as directed by the instructor.
3. Students must follow all written and/or verbal instructions given by instructors or designated college representatives prior to taking examinations, placement assessments, tests, quizzes, and evaluations.

Students are responsible for adhering to course requirements as specified by the instructor in the course syllabus.

C. Forms of Academic Dishonesty

Actions constituting violations of academic integrity include, but are not limited to, the following:

1. Plagiarism: the use of another's words, ideas, data, or product without appropriate acknowledgment, such as copying another's work, presenting someone else's opinions and theories as one's own, or working jointly on a project and then submitting it as one's own.
2. Cheating: the use or attempted use of unauthorized materials, information, or study aids; or an act of deceit by which a student attempts to misrepresent academic skills or knowledge; unauthorized copying or collaboration.

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3. Fabrication: intentional misrepresentation or invention of any information, such as falsifying research, inventing or exaggerating data, or listing incorrect or fictitious references.
4. Collusion: assisting another to commit an act of academic dishonesty, such as paying or bribing someone to acquire a test or assignment, taking a test or doing an assignment for someone else, or allowing someone to do these things for one's own benefit.
5. Academic Misconduct: the intentional violation of college policies, such as tampering with grades, misrepresenting one's identity, or taking part in obtaining or distributing any part of a test or any information about the test.

D. Penalties for Academic Dishonesty

If a student is found guilty of violating academic integrity, any one or a combination of the following penalties may be imposed by the faculty member:

1. Verbal or written warning.
2. A grade of "F" or "NP" for the assignment, project, or examination.

The following penalty may be imposed by the faculty member only after a hearing conducted by the Chief Academic Officer:

1. A grade of "F" or "NP" for the course, overriding a student withdrawal from the course.

The Chief Academic Officer may also issue the following disciplinary sanctions, in accordance with the Code of Student Conduct:

1. Disciplinary admonition and warning.
2. Disciplinary probation with or without the loss of privileges for a definite period of time. The violation of the terms of the disciplinary probation or the breaking of any College rule during the probation period may be grounds for suspension or expulsion from the College.
3. Suspension from Tillamook Bay Community College for a definite period of time. (i.e., suspension of the privilege to attend Tillamook Bay Community College).
4. Expulsion from Tillamook Bay Community College (i.e., removal of the privilege to attend Tillamook Bay Community College).

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E. Academic Dishonesty Complaint and Hearing Procedures

1. The faculty member observing or investigating the apparent act of academic dishonesty documents the commission of the act, usually by writing down the time, date, place, and a description of the act.
2. The faculty member collects evidence, often by photocopying the plagiarized assignment and creating a paper trail of all that occurs after the alleged act of academic dishonesty. Often the evidence will include various samples of the student's work showing a radical disparity in style or ability.
3. The faculty member provides the student an opportunity to explain the incident.
4. The faculty member explains to the student the procedures and penalties for academic dishonesty and gives the student a copy of the Tillamook Bay Community College Academic Integrity Policy.
5. The faculty member may resolve the matter informally by determining an appropriate course of action, which may include a verbal or written warning, or a grade of "F" or "NP" on an assignment, project, or examination, or no further action. If the accused student contests the faculty member's decision, a hearing with the Chief Academic Officer (CAO) may be requested in writing to the CAO within 10 days of the time the student is notified of the faculty member's decision. A hearing requested by a student under this section is informally conducted by the CAO, who may take steps he or she deems appropriate to resolve the conflict.
6. If the faculty member wishes to initiate further action (e.g. assign a lower grade or a grade of "F" or "NP" for the course), the student is entitled to a hearing with the CAO. The faculty member submits a copy of the Academic Dishonesty Report form and any additional evidence to the CAO within 10 days of the alleged act of academic dishonesty, which initiates the hearing process.
7. Within 10 days of receiving an Academic Dishonesty Report form, the CAO notifies all parties in writing of the date, time and location of the hearing. At the hearing, the student meets with the faculty member and CAO to hear the charges and present his/her side of the case. The student may bring an advisor, who may advise the student but not present the case. If the student misses the hearing, the faculty member and CAO may proceed with the process to completion. The CAO will consider any evidence submitted within seven days of the hearing, and interview persons as warranted. The CAO determines if the action recommended by the faculty member is appropriate.
8. Within 10 days of the hearing, the CAO sends a written notification of the results to the student and faculty member.

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Within 10 days of the notification, the student may submit a written appeal to the Director of Student Services for a first appeal.. The Director shall review all information of the case. The Director may hold an additional hearing if deemed necessary. The Director of Student Services shall convey his/her decision to the student within 10 days of the appeal.

9. If the student decides to appeal the decision on the basis of alleged violation of due process, he or she may do so by filing a written appeal with the President or designee within 7 calendar days of the decision. The President or designee shall render a decision regarding the alleged violation of due process within 7 calendar days of its filing.
10. For each decision conveyed to the student the CAO or Director sends a final report to the College President. The Chief Academic Officer or Director of Student Services may also issue the following disciplinary sanctions, in accordance with the Code of Student Conduct:
 - a. Disciplinary admonition and warning.
 - b. Disciplinary probation with or without the loss of privileges for a definite period of time. The violation of the terms of the disciplinary probation or the breaking of any College rule during the probation period may be grounds for suspension or expulsion from the College.
 - c. Suspension from Tillamook Bay Community College for a definite period of time. (i.e., suspension of the privilege to attend Tillamook Bay Community College).
 - d. Expulsion from Tillamook Bay Community College (i.e., removal of the privilege to attend Tillamook Bay Community College).

SOURCES

With permission, contents of this policy were adapted from "Academic Honesty" and "Academic Dishonesty," Oregon State University, Corvallis, Oregon; and "Student Rights & Responsibilities: Scholastic Ethics Code," Pima Community College, Tucson, Arizona.

500.4 GRIEVANCE PROCEDURE**A. Introduction**

Students enrolled at Tillamook Bay Community College may use the Grievance Procedure to challenge decisions and/or actions taken by college faculty and staff that are alleged to violate their rights as defined in the College Catalog. This procedure does not apply to any other dispute. Any other complaint about College services, programs, or activities not addressed in the College Catalog or Policy should be put in writing and sent to the Director of Student Services

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Programs based on contracts with government agencies or external funding sources may adopt separate grievance procedures consistent with Tillamook Bay Community College's Grievance Procedure, the program's goals, and the principle of due process for all parties.

The student will be allowed to have an advocate of his/her choice (such as a Tillamook Bay Community College Advisor, or student government representative) present in meetings throughout the grievance process. Advocates are not permitted to present the case, but may advise the student. Both the College and the student may seek legal advice at their own expense; however, neither the College nor the student shall be represented by a lawyer during any grievance meeting or hearing involving the College and the student.

Concerns involving harassment or discrimination by a College staff member on the basis of race, color, religion, sex, sexual orientation, age, national origin, disability, or veteran status should be directed to the College's Affirmative Action Officer. Concerns involving harassment or discrimination by a student on the basis of race, color, religion, sex, sexual orientation, age, national origin, disability, or veteran status should be directed to the Director of Student Services.

B. Grievance Procedure

Step 1: Communicate with the Faculty/Staff Member:

- a. The student must directly communicate with the faculty/staff member involved within 30 calendar days of the event that is the subject of the grievance. Otherwise the student forfeits the right to grieve the issue. The student is encouraged to put the grievance in writing, including a specific description of the problem, the reasons the student believes his/her rights have been violated as defined in the College Catalog, and a proposed remedy.

Step 2: Director of Student Services or the Chief Academic Officer

- a. In cases where the problem is not resolved through direct communication with the faculty/staff member involved, the student will submit a Grievance Form obtained from the Chief Academic Officer or the Director of Student Services with supporting evidence, to the CAO or Director within 14 calendar days of the communication with the faculty/staff member. The CAO or Director will review the grievance.
- b. Within 14 calendar days, the CAO or Director will objectively investigate the grievance, consult and share appropriate information with all involved parties, consider relevant evidence, and render a decision in writing to the student and the College President.

Step 3: Appeal to the College President

- a. The student may appeal the decision in Step 2 if (1) Tillamook Bay Community College procedures were not followed or (2) there is relevant evidence that was not

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available during Step 2. An appeal must be made within 14 calendar days to the College President. The student must submit written justification for further review and provide evidence that there are grounds for the appeal.

- b. The President will objectively investigate how the grievance process was conducted in Step 2, consult with all involved parties, consider relevant evidence that was not available or not considered during Step 2, and render a decision in writing. The decision will be final and not subject to appeal.

C. Reporting, Recording, and Maintaining Records

When the grievance is concluded, all documentation shall be forwarded to the Director of Student Services, who will maintain them as part of student records in accordance with the state archival policies.

500.5 CONSENSUAL RELATIONSHIPS

It is the policy of Tillamook Bay Community College that all employees and students enjoy a positive and productive work and learning environment, free from all forms of discrimination, including sexual harassment. This objective is promoted by professionalism in the relationships that faculty and staff have with students. These relationships are intended to foster free and open exchange of ideas, productive learning, and the work that supports it.

In addition, those who supervise or evaluate the work of students must be perceived to be making their decisions fairly and without favoritism. This responsibility is potentially jeopardized when faculty/staff enter into consensual romantic relationships with their students.

Faculty and staff are cautioned that consensual romantic relationships with their students can prove to be unwise and problematic, and should be avoided. When consensual romantic relationships occur, questions of fairness, favoritism, and coercion arise:

1. Such relationships may undermine the real or perceived integrity of the supervision provided, and the particular trust inherent in the student-faculty relationship.
2. Relationships in which one party is in a position to review the work, or influence the career of the other may provide grounds for complaint when that relationship appears to give undue access or advantage, restricts opportunities, or creates a hostile and unacceptable environment for others.
3. Such relationships may, moreover, be less consensual than the individual whose position confers power believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect. While some relationships may begin and remain harmonious, they are susceptible to being characterized as unprofessional and disrespectful to others.

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Therefore, faculty/staff should not engage in consensual romantic relationships with their current students.

If a faculty or staff member has a pre-existing consensual romantic/sexual relationship with a student, the student should be discouraged from enrolling in courses taught by the instructor or entering into work situations in which she/he would be supervised by the staff member. If the student does enroll in the course or work for the staff member, the faculty/staff member should remove him/herself from academic or professional decisions concerning the student.

Should a romantic/sexual relationship between a faculty/staff member and his/her student lead to a sexual harassment charge, the College is obligated to investigate and resolve the charge in accordance with the complaint procedure in the Sexual Harassment Policy (Article 322).

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Reference: ORS 341.485

INTRODUCTION

TBCC endorses the philosophy that the primary source of support for a student should come from his/her own family. However, to the extent funding will allow, TBCC will try to assist a student with financial aid when the person/family is unable to meet college expenses. Financial aid is a privilege, not a right. Therefore, it is the student's responsibility to: (1) obtain and file the appropriate forms; (2) maintain the correct contact information on file; (3) respond promptly and fully to all requests for information; and (4) understand and comply with the rules governing the aid received.

Student employment may be available at the College. Positions will be defined by the College in Administrative Rule. A minimum of two pay grade levels of student employment are available.

501.0 – BOARD SET RATES

The Board will periodically set and publish tuition rates, deferred tuition, interest charges and other financial programs and charges. Student financial resource processes will be developed and implemented through College administrative procedures including but not limited to: 1) Scholarships; 2) Tuition Waivers; 3) Federal Financial Aid; 4) Veteran's Affairs; 5) Debt Repayment; and, 6) Collections.

501.1 - GENERAL TUITION WAIVERS/SCHOLARSHIPS

Tuition waivers and discounts are allowed in some circumstances for courses offered by Tillamook Bay Community College (excluding partner agency courses) as prescribed in College Administrative Rules.

501.2 - GED GRADUATES

To encourage GED graduates to continue their education, those students who pass the GED exam will receive a tuition waiver for a single credit course or a single continuing education course (maximum value equivalent to four credits tuition).

501.3 - TUTORS

Tutors will be hired as a student employee on a term-by-term basis. The total employment for each term shall not exceed 40 hours per term. Exceptions to the maximum hours per term may be determined by the peer-tutor supervisor in consultation with the Human Resource Director.

501.4 - RECRUITING

Tuition waivers will be granted at the President's discretion to support an organized student recruitment marketing campaign.

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Reference: ORS 341.485

501.5 - SCHOLARSHIPS

Throughout each academic year, scholarship opportunities are made available to prospective and continuing Tillamook Bay Community College students. These scholarships can have different funding sources, different award criteria (e.g., local high school graduate, academic achievement, financial need, etc.), and often have different application requirements (e.g., completed FAFSA, student essays, etc.) and filing deadlines. Specific guidelines for advertising and award of institutional scholarships are part of College Administrative Rules.

- A. On a regular basis and as approved by the College President, Tillamook Bay Community College will advertise the available scholarships, their award criteria, application requirements, and filing deadlines.
- B. Following the filing deadline, the Tillamook Bay Community College Scholarship Committee will meet to review the applications, verify that the applicants meet the published requirements, and identify award finalists based on the award criteria and availability of scholarship funds.

501.6 - STUDENT GOVERNMENT AND HONOR SOCIETY OFFICERS

TBCC supports student leadership and values students developing their leadership skills. It is important to have as many students as possible develop their skills. To that end, a student may be an officer in only one of the student government and honor society organizations. An employment position of student employee will be granted on a per term basis to officers of the following College student organizations:

- A. Associated Students of Tillamook Bay Community College – President, Vice President, Finance Manager, Public Relations Director, and Office Manager
- B. Phi Theta Kappa International Honor Society – President, Vice President, Secretary, Public Relations Director, and Treasurer

To qualify, student officers of ASTBCC and PTK need to be actively participating in the administration, planning, and leadership of their respective organization for documented hours served. Hours qualifying include acting as a liaison between students, faculty and administration, assisting in the coordination and implementation of a variety of student interest topics to contribute to the social and intellectual development of the student body, and representing the student body in committee meetings and college events.

Each term, the staff advisor to each organization will identify qualified officers and the Director of Facilities, Safety and Human resources or designee will approve the award. The

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total value of each officer's employment each term shall not exceed the equivalent cost of four credits of tuition.

501.7 - GOLDEN AGE TUITION WAIVER

A 50% tuition waiver for credit or continuing education courses may be granted to individuals who are 62 years of age or over when classes begin. This tuition waiver does not apply to course or lab fees and textbook costs. The waiver is on a first-come, first-serve and space-available basis.

501.8 – SENIOR AUDIT TUITION WAIVER

An Oregon resident 62 years of age or over will qualify for a tuition waiver to audit a course if: space is available in the course after tuition-paying students have registered; the department the course is being taught in approves; the auditing student is registered for eight credits or fewer per term; and, if the course is designated as a lower division collegiate course. This waiver is on a first come, first-served basis and does not apply to course or lab fees and textbook costs.

501.9 – VETERANS TUITION WAIVER

501.9.1 – DISABLED OREGON VETERANS

Tillamook Bay Community College shall waive tuition (not covered by any other agency or government sponsored program) of veterans who are identified as disabled fifty percent or more while participating as a result of military service and who listed Oregon as their permanent residence at time of discharge.

These waivers will be administered through processes outlined in Administrative Rules.

501.9.2 –DEPENDENTS OF FALLEN OR 100% DISABLED OREGON SERVICE PERSONNEL

Tillamook Bay Community College will provide a tuition waiver to the spouse and children age 23 and under (including adoptive and step-children) of all branches of the United States Armed Forces or United States Coast Guard who:

- Died while on active duty, or
- Died as a result of a military service-connected disability, or
- Is 100% permanently disabled as a result of a military service-connected disability as certified by the U.S. Department of Veterans' Affairs.

In addition, the student must be a resident of Tillamook Bay Community College district at the time of application for a waiver.

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Reference: ORS 341.485

These waivers will be administered through processes outlined in Administrative Rules.

Article No.: 503

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Reference:

503.1 The Board will periodically set and publish tuition rates, deferred tuition, interest charges and other financial programs and charges implemented through College administrative procedures. Without prior approval by the Chief Finance Office or Chief Academic Officer, students with past due debts to the College will not be allowed to register for classes until the total indebtedness is paid in full. Individuals whose accounts have been submitted to the Oregon Department of Revenue for collection will not be eligible for a deferred tuition note or the Student Assistance Fund.

NON-FACULTY SALARY GRADES

Article No.: Appendix A - 1

Approved: June 6, 2016

Reference:

2016-2017 Executive and Management Staff Salary Grades (Exempt)

GRADE	POSITION TITLE(or other similar position titles)
30	Chief Academic Officer
28	Director, Tourism
28	Director, Economic and Small Business Development Center
27	Chief Finance Officer
26	Director of Foundation and College Advancement
26	Chief Student Services Officer
24	Director, Student Services
22	Director, Information Technology
22	Director, Facilities, HR, and Safety
22	Director, Career, Technical and Workforce Education
22	Director, Skills Development Center
22	Director, Title III Program
21	Director, Library
20	Librarian
20	Coordinator, Institutional Research
20	Coordinator, Tourism Sales and Marketing

2016-2017 Professional Support Staff Salary Grades (Non-Exempt)

GRADE	POSITION TITLE(or other similar position titles)
17	Coordinator, Information Technology
17	Coordinator, Manufacturing and Industrial Technology Program
15	Career Education Advisor/Enrollment Specialist
15	Online Instructional and Professional Development Support
15	Tourism Marketing/Administrative Assistant
15	Curriculum Development/Pathways Coordinator
13	Assistant Registrar/Enrollment Specialist
13	Community Education/Dual Credit Coordinator;
13	Custodial/Evening Coordinator
13	Executive & Marketing Specialist
13	Facilities Maintenance Specialist
13	Financial Aid Advisor/Enrollment Specialist
13	Support Specialist (IT/Literacy/Instruction/College Support)
13	Business Office Specialist/Tourism Accountant
13	Learning Center Assistant
13	Curriculum & Assessment Support Assistant
11	Economic and Small Business Development Center Specialist
11	Enrollment Services Office Specialist
10	Secretary
10	Testing Specialist
10	Marketing/Development Specialist
6	Library/Office Assistant
3	Custodian/Security Specialist



STAFF SALARY SCHEDULE

Article No.: Appendix A-2

Approved: June 6, 2016

Reference:

TILLAMOOK BAY COMMUNITY COLLEGE
2016-2017 Regular Full-Time & Regular Part-Time Staff Salary Schedule

Step Grade	1	2	3	4	5	6	7	8	9	10	11	12	13
1													
2													
3	\$20,697	\$21,318	\$21,958	\$22,616	\$23,295	\$23,994	\$24,713	\$25,455	\$26,219	\$27,005	\$27,815	\$28,650	\$29,509
4	\$21,732	\$22,384	\$23,055	\$23,747	\$24,460	\$25,193	\$25,949	\$26,728	\$27,529	\$28,355	\$29,206	\$30,082	\$30,985
5	\$22,819	\$23,503	\$24,208	\$24,935	\$25,683	\$26,453	\$27,247	\$28,064	\$28,906	\$29,773	\$30,666	\$31,586	\$32,534
6	\$23,960	\$24,678	\$25,419	\$26,181	\$26,967	\$27,776	\$28,609	\$29,467	\$30,351	\$31,262	\$32,200	\$33,166	\$34,161
7	\$25,158	\$25,912	\$26,690	\$27,490	\$28,315	\$29,164	\$30,039	\$30,941	\$31,869	\$32,825	\$33,810	\$34,824	\$35,869
8	\$26,415	\$27,208	\$28,024	\$28,865	\$29,731	\$30,623	\$31,541	\$32,488	\$33,462	\$34,466	\$35,500	\$36,565	\$37,662
9	\$27,736	\$28,568	\$29,425	\$30,308	\$31,217	\$32,154	\$33,118	\$34,112	\$35,135	\$36,189	\$37,275	\$38,393	\$39,545
10	\$29,123	\$29,997	\$30,897	\$31,823	\$32,778	\$33,762	\$34,774	\$35,818	\$36,892	\$37,999	\$39,139	\$40,313	\$41,522
11	\$30,579	\$31,497	\$32,441	\$33,415	\$34,417	\$35,450	\$36,513	\$37,608	\$38,737	\$39,899	\$41,096	\$42,329	\$43,599
12	\$32,108	\$33,071	\$34,063	\$35,085	\$36,138	\$37,222	\$38,339	\$39,489	\$40,674	\$41,894	\$43,151	\$44,445	\$45,778
13	\$33,713	\$34,725	\$35,767	\$36,840	\$37,945	\$39,083	\$40,256	\$41,463	\$42,707	\$43,988	\$45,308	\$46,667	\$48,067
14	\$35,399	\$36,461	\$37,555	\$38,682	\$39,842	\$41,037	\$42,268	\$43,536	\$44,843	\$46,188	\$47,574	\$49,001	\$50,471
15	\$37,169	\$38,284	\$39,433	\$40,616	\$41,834	\$43,089	\$44,382	\$45,713	\$47,085	\$48,497	\$49,952	\$51,451	\$52,994
16	\$39,028	\$40,198	\$41,404	\$42,646	\$43,926	\$45,244	\$46,601	\$47,999	\$49,439	\$50,922	\$52,450	\$54,023	\$55,644
17	\$40,979	\$42,208	\$43,475	\$44,779	\$46,122	\$47,506	\$48,931	\$50,399	\$51,911	\$53,468	\$55,072	\$56,724	\$58,426
18	\$43,028	\$44,319	\$45,648	\$47,018	\$48,428	\$49,881	\$51,378	\$52,919	\$54,506	\$56,142	\$57,826	\$59,561	\$61,348
19	\$45,179	\$46,535	\$47,931	\$49,369	\$50,850	\$52,375	\$53,946	\$55,565	\$57,232	\$58,949	\$60,717	\$62,539	\$64,415
20		\$48,861	\$50,327	\$51,837	\$53,392	\$54,994	\$56,644	\$58,343	\$60,093	\$61,896	\$63,753	\$65,666	\$67,636
21	\$49,810	\$51,305	\$52,844	\$54,429	\$56,062	\$57,744	\$59,476	\$61,260	\$63,098	\$64,991	\$66,941	\$68,949	\$71,017
22	\$52,301	\$53,870	\$55,486	\$57,150	\$58,865	\$60,631	\$62,450	\$64,323	\$66,253	\$68,241	\$70,288	\$72,396	\$74,568
23	\$54,916	\$56,563	\$58,260	\$60,008	\$61,808	\$63,662	\$65,572	\$67,539	\$69,566	\$71,653	\$73,802	\$76,016	\$78,297
24	\$57,662	\$59,391	\$61,173	\$63,008	\$64,899	\$66,846	\$68,851	\$70,916	\$73,044	\$75,235	\$77,492	\$79,817	\$82,212
25	\$60,545	\$62,361	\$64,232	\$66,159	\$68,143	\$70,188	\$72,293	\$74,462	\$76,696	\$78,997	\$81,367	\$83,808	\$86,322
26	\$63,572	\$65,479	\$67,443	\$69,467	\$71,551	\$73,697	\$75,908	\$78,185	\$80,531	\$82,947	\$85,435	\$87,998	\$90,638
27	\$66,750	\$68,753	\$70,816	\$72,940	\$75,128	\$77,382	\$79,704	\$82,095	\$84,557	\$87,094	\$89,707	\$92,398	\$95,170
28	\$70,088	\$72,191	\$74,356	\$76,587	\$78,885	\$81,251	\$83,689	\$86,199	\$88,785	\$91,449	\$94,192	\$97,018	\$99,929
29	\$73,592	\$75,800	\$78,074	\$80,416	\$82,829	\$85,314	\$87,873	\$90,509	\$93,225	\$96,021	\$98,902	\$101,869	\$104,925
30	\$77,272	\$79,590	\$81,978	\$84,437	\$86,970	\$89,579	\$92,267	\$95,035	\$97,886	\$100,822	\$103,847	\$106,962	\$110,171
31	\$81,136	\$83,570	\$86,077	\$88,659	\$91,319	\$94,058	\$96,880	\$99,787	\$102,780	\$105,864	\$109,039	\$112,311	\$115,680
32	\$85,192	\$87,748	\$90,381	\$93,092	\$95,885	\$98,761	\$101,724	\$104,776	\$107,919	\$111,157	\$114,491	\$117,926	\$121,464
33	\$89,452	\$92,136	\$94,900	\$97,747	\$100,679	\$103,699	\$106,810	\$110,015	\$113,315	\$116,715	\$120,216	\$123,822	\$127,537
34	\$93,925	\$96,742	\$99,645	\$102,634	\$105,713	\$108,884	\$112,151	\$115,515	\$118,981	\$122,550	\$126,227	\$130,014	\$133,914
35	\$98,621	\$101,579	\$104,627	\$107,766	\$110,999	\$114,329	\$117,758	\$121,291	\$124,930	\$128,678	\$132,538	\$136,514	\$140,610

INSURANCE BENEFIT AMOUNT

Full-time	\$1,278 per month
Part-time	\$1,278 per month (prorated based on actual FTE)

INSURANCE OPT-OUT AMOUNT

Full-time	\$245 per month
Part-time	\$245 per month (prorated based on actual FTE)

SUMMARY OF EMPLOYEE BENEFITS

Article No.: Appendix B – 1
 Approved: June 6, 2016
 Reference:

SUMMARY OF EMPLOYEE BENEFITS

Type of Employee	Insurance (including all coverages in College approved plans)		Sick	Vacation	Paid Holiday	Bereavement Leave	Personal Leave (1)	TBCC Tuition Waiver	PERS
	EMP only DEP: Self Pay		days/year	days/year	days/year	Per occurrence days/year	days/year	Credit and Continuing Education Courses only within one academic year of employment. Excluding partner agency courses.	Qual. Pos.
FT Administrative Staff 249 days or 1992 hours/year	X		12	20	11	5	3	Unlimited for employee + dependents (as allowed by Policy 311)	X
FT Support Staff 249 days or 1992 hours/year	X		12	10 to 20 (4)	11	5	3	Unlimited for employee + dependents (as allowed by Policy 311)	X
PT Admin. & Support Staff 996 hours/year or more	X (2)		X (2)	X (2)	X (3)	5 (3)	X (2)	8 credits for employee + dependents (as allowed by Policy 311)	X
PT Admin. & Support Staff Less than 996 hours/year			X (5)					4 credits for employee + dependents (as allowed by Policy 311)	Qual. Pos.
Temporary & On-Call Employees			X (5)					N/A	Qual. Pos
173 day Regular Faculty 1. FTE	X		10		5	5	3	Unlimited for employee + dependents (as allowed by Policy 407)	X
173 day Regular Faculty .5-.99 FTE	X (2)		X (2)					8 credits for employee + dependents (as allowed by Policy 407)	X
Adjunct Faculty Term-by-term			X (5)					4 credits for employee + dependents	Qual. Pos

“X” Indicates benefit is provided (2) Prorated on FTE (full-time equivalent) (4) based on longevity (see Article 312)
 (1) From sick leave accrual (3) Paid based on scheduled hours
 (5) Shall earn paid sick leave at rate of 2 hours per term per 40 hours worked up to a maximum of 40 hours/yr.

FACULTY SALARY SCHEDULE

Article No.: Appendix C-1

Approved: June 6, 2016

Reference:

TILLAMOOK BAY COMMUNITY COLLEGE
 2016-2017 Regular Full-Time & Regular Part-Time Faculty Salary Schedule
 173 DAY CONTRACT

	BA	BA+15	BA+30	BA+45	MA	MA+5	MA+10	MA+15	MA+20	MA+25	MA+30	MA+35	MA+40	MA+45 or 2nd Masters	MA+50	MA+55	MA+60	PhD
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1	\$38,801	\$39,966	\$41,164	\$42,399	\$43,671	\$44,982	\$46,331	\$47,721	\$49,153	\$50,627	\$52,146	\$53,710	\$55,322	\$56,981	\$58,691	\$60,451	\$62,265	\$64,133
2	\$39,578	\$40,765	\$41,988	\$43,247	\$44,545	\$45,881	\$47,258	\$48,675	\$50,136	\$51,640	\$53,189	\$54,785	\$56,428	\$58,121	\$59,865	\$61,660	\$63,510	\$65,416
3	\$40,369	\$41,580	\$42,828	\$44,112	\$45,436	\$46,799	\$48,203	\$49,649	\$51,138	\$52,672	\$54,253	\$55,880	\$57,557	\$59,283	\$61,062	\$62,894	\$64,780	\$66,724
4	\$41,176	\$42,412	\$43,684	\$44,995	\$46,344	\$47,735	\$49,167	\$50,642	\$52,161	\$53,726	\$55,338	\$56,998	\$58,708	\$60,469	\$62,283	\$64,152	\$66,076	\$68,058
5	\$42,000	\$43,260	\$44,558	\$45,894	\$47,271	\$48,689	\$50,150	\$51,655	\$53,204	\$54,800	\$56,444	\$58,138	\$59,882	\$61,678	\$63,529	\$65,435	\$67,398	\$69,420
6	\$42,840	\$44,125	\$45,449	\$46,812	\$48,217	\$49,663	\$51,153	\$52,688	\$54,268	\$55,896	\$57,573	\$59,301	\$61,080	\$62,912	\$64,799	\$66,743	\$68,746	\$70,808
7					\$49,181	\$50,657	\$52,176	\$53,742	\$55,354	\$57,014	\$58,725	\$60,487	\$62,301	\$64,170	\$66,095	\$68,078	\$70,120	\$72,224
8								\$54,816	\$56,461	\$58,155	\$59,899	\$61,696	\$63,547	\$65,454	\$67,417	\$69,440	\$71,523	\$73,669
9											\$61,097	\$62,930	\$64,818	\$66,763	\$68,766	\$70,828	\$72,953	\$75,142
10														\$68,098	\$70,141	\$72,245	\$74,412	\$76,645
11																\$73,690	\$75,901	\$78,178
12																		\$79,741
13																		\$80,539
14																		\$81,344

INSURANCE BENEFIT AMOUNT

Full-time \$1,278 per month
 Part-time \$1,278 per month (prorated based on actual FTE)

INSURANCE OPT-OUT BASE AMOUNT

Full-time \$245 per month
 Part-time \$245 per month (prorated based on actual FTE)

NON-REGULAR FACULTY SALARY SCHEDULE

Article No.: Appendix C-3

Approved: June 6, 2016

Reference:

Non-Regular Faculty Salary Schedule 2016-2017 (Effective July 1, 2016)							
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6	Tier 7
Transfer College Credit Courses (1 contact hour = 1 lecture pay credit)	\$ 453.71 per lecture credit	\$ 476.40	\$ 500.22	\$ 525.23	\$ 551.49	\$ 579.06	\$ 608.01
Transfer College Credit Courses Substitute Rate	\$36.75 per lecture credit hour						
Transfer College Credit Courses Writing Bonus for three Credit WR Courses	\$327.93 per term						
Transfer College Credit Courses Lab - Students work independently with the instructor available and in the instructional area for assistance and supervision. (3 contact hours = 1 lab pay credit)	\$ 935.79 per lab credit	\$ 982.58	\$ 1,031.71	\$ 1,083.30	\$ 1,137.47	\$ 1,194.34	\$ 1,254.06
Transfer College Credit Courses Lecture/Lab - Instructor gives short lectures and supervises student application of lectures. Instruction methods are integrated; therefore, lecture & lab are dependent on each other. (2 contact hours = 1 lecture/lab pay credit) (examples: ART 284, CAS100, CAS216, MUS 131)	\$ 683.69 per lecture/lab credit	\$ 717.87	\$ 753.76	\$ 791.45	\$ 831.02	\$ 872.57	\$ 916.20
ABE/GED/ESL/ High School Credit Recovery Classes	\$ 31.06 per hour	\$ 32.61	\$ 34.24	\$ 35.95	\$ 37.75	\$ 39.64	\$ 41.62
Continuing Education	50% of Tuition Revenue at End of Course (Excluding Fees) – Chief Academic Officer may guarantee a minimum enrollment level of compensation in order to support a degree or certificate program or meet a community occupational training need.						

NON-REGULAR FACULTY SALARY SCHEDULE

Article No.: Appendix C-3

Approved: June 6, 2016

Reference:

Contract Training (Includes: class hours & hours interfacing with contracting business) (Subject to adjustment to meet market conditions.)	\$ 26.24 per hour	\$ 27.55	\$ 28.93	\$ 30.38	\$ 31.90	\$ 33.50
Community Education	50% of Tuition Revenue at End of Course (Excluding Fees)					
Guest Lecturers/Artists	Market Driven					
Instructional Assistants/Tutoring	\$ 12.78 per hour	\$ 13.42	\$ 14.09	\$ 14.79	\$ 15.53	\$ 16.31
Meetings: Curriculum Development, Departmental, etc.	\$19.21 per hour					
Student Employees (Class I) – Including Federal Workstudy	Minimum Wage	Tier I + .25	Tier II + .25			
Student Employees (Class II) – Including Federal Workstudy	Minimum Wage + .25	Tier I + .25	Tier II + .25			