



# BOARD POLICY

January 28, 2026

## **Erie County Community College Policy Manual**

The following policies have been established for governance of Erie County Community College. Consistent with best practices:

1. It is the intent to review all policies at least once in every five-year period.
2. Policies which only replicate and reiterate State and Federal Laws are not included in this manual; however, EC3 intends to comply with all such laws which apply.

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**POLICY DESCRIPTIONS:**

**SECTION I: Board of Trustees**

**Subsection A: Rules & Regulations of the Board**

**Policy I.A.1: Duties of the Board of Trustees**

The duties of the Erie County Community College Board of Trustees include the following:

- Advance the College's mission, values and reputation.
- Ensure education is the primary purpose of the College.
- Ensure appropriate autonomy of the College.
- Ensure that the College serves the public interest.
- Recruit, appoint, compensate, and evaluate the President.
- Exercise oversight of the College including policy development, budget planning, and strategic planning.
- Act upon the recommendations of the President on all matters pertaining to the welfare or operation of the College.
- Review and approve the College budget.
- Review and approve tuition and fees.
- Approve, holding, leasing, renting, selling, purchasing and development of property.
- Monitor College progress on goals.
- Review and adopt Board policies.
- Approve contracts except as such authority may be delegated to the President.
- Accept and receive gifts and grants.
- Conduct periodic evaluation of the Board's performance.
- Exercise such other powers and duties as may be required by law and are not delegated to the President.
- Avoid or disclose conflicts of interest and uphold ethical standards.
- Maintain the confidentiality of board matters.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**January 28, 2026**

*\*Review Deadline: January 28, 2031*

**Policy I.A.2: Policy Development and Review**

Board Policies of Erie County Community College will reflect the College's mission and values, identify the expectations of individuals and academic and administrative units, mitigate risk, enhance efficiency, and support compliance with laws and regulations.

Policies must be approved by the Board of Trustees, reviewed by the College's legal counsel to ensure compliance with laws and regulations, and reviewed within a five-year period and either reaffirmed, revised or eliminated. Policies must be made available. College-wide procedures must be approved by the President.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**November 20, 2024**

*\*Review Deadline: November 20, 2029*

**Policy I.A.3: Academic and Fiscal Years Defined**

An academic year is defined as the fall, spring and summer term(s) as identified on the academic calendar. The fiscal year is defined as July 1 of one year through June 30th of the following year.



*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**  
**November 20, 2024**

*\*Review Deadline: November 20, 2029*

**Policy I.A.4: Alcohol Use/Alcoholic Beverages Policy**

Alcoholic beverages are not to be sold, served, used or possessed in any of the facilities of the College, unless specifically and expressly approved by the President of the College.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**March 26, 2025**

*\*Review Deadline: March 26, 2030*

**Policy I.A.5: Standards of Conduct and Code of Ethics for Trustees, Officers and Senior Administrators**

The Board of Trustees of Erie County Community College (the "College") recognizes that members of the College's Board of Trustees, the College President, members of the President's Cabinet, and other Senior Administrators (hereinafter referred to individually and collectively as "Trustees," "Officers" or "Administrators"), must observe high standards of ethical conduct in order to fulfill the College's mission with integrity and to assure public confidence in the institution.

The Board of Trustees, in the exercise of its leadership role for the College, must also model recognized best practices associated with policy development and institutional governance. Accordingly, and in order to provide a framework for guiding ethical conduct, the Board of Trustees of Erie County Community College adopts the following standards of conduct for Trustees, Officers and Administrators to uphold. In the event of a conflict between the terms of this policy and the Pennsylvania Public Official and Employee Ethics Act (the "Ethics Act"), the more strict provision shall control. If a topic referenced herein has also been addressed in another Board policy or in a College regulation, then the procedures and statements contained in such policies or regulations shall be deemed to be affirmed and made a part hereof for all purposes.

**Definitions**

The term "Senior Administrators" shall refer to administrative employees of the College with the rank or title of President, Provost/Executive Vice President, Vice President, Assistant Vice President, Executive Director, Director, Dean, Associate Dean, Assistant Dean and Coordinator. "Interest" shall include a monetary, financial benefit or other personal material benefit. "Affiliate" will include a business, association, corporation or other legal entity in which a Trustee, Officer, Administrator or his/her immediate family member is a director, trustee, officer, partner, joint venturer, principal, employee, owner and/or holder of five percent (5%) or more of voting stock or a controlling interest. As used herein, "immediate family member" refers to a spouse or civil union partner, child, parent, sibling, or such relations by marriage or civil union partnership, a person claimed as a dependent for federal income tax purposes (wherever residing), and any relative residing in the same household. The term "Presidents Cabinet" shall refer to senior officers and others designated by the President.

**Standards of Conduct**

The Board of Trustees hereby adopts the following standards of conduct for all Trustees, Officers and Administrators. Trustees will:

1. Devote sufficient time, thought and study to their duties and responsibilities as a Trustee of the College so as to render effective and creditable service.
2. Recognize their fiduciary duty to serve the public trust, and ensure that all of their actions and decisions as Trustees are based solely on promoting the best interests of the College, its students and the public good.
3. Recognize that, as individuals, they have no legal authority to act outside of official meetings of the Board, and, in such a case, only when such act is authorized by a majority of the Board, nor to individually direct the activities or actions of College personnel.
4. Distinguish between issues relating to governance and policy, which are appropriately within the purview and authority of the Board, and issues relating to the College's day-to-day operations, which shall be left to the purview of the President and the President's staff.
5. Maintain consistent and vigilant oversight of the College's operations and educational programs, and monitor progress toward achievement of established goals and the College's compliance with Board policies and applicable laws.
6. Keep well-informed on Board-related issues and attend and participate actively in meetings of the Board and its committees.



7. Serve as stewards of and advocates for the College and its policies and programs.
8. Encourage open, honest and civil discussion in making Board decisions, and offer opportunities for differences of opinion to be heard. Work collaboratively and collegially with each other and the College's Officers, Administrators, employees, students and the community at large to support and implement the mission, vision and goals of the College.
9. Recognize the Board chair or his or her designee as the Board's official spokesperson to the media.
10. Read, understand and follow the policies, procedures and guidelines set forth in the Board of Trustees by-laws.
11. Honor and support actions that are made and duly approved by the Board in accordance with procedures established in the Board's by-laws and under applicable law.
12. Complete and submit in a timely fashion the Statement of Financial Interests form mandated by the provisions of the Ethics Act to the College's Human Resources Office.

**Trustees, Officers and Administrators will:**

1. Support the highest ethical and professional standards in the course of performing their respective duties and responsibilities.
2. Maintain knowledge and understanding of the requirements of all Board policies and by-laws.
3. Identify and disclose all actual or potential conflicts of interest and act at all times for the general good of the College and regardless of personal friendships, relationships or interests or the interests or influences of third parties.
4. Maintain the confidentiality of information which is privileged, proprietary or otherwise not generally available to the public and which is received or acquired in the course of his/her official duties.
5. Interact with each other and all members of the College community in a manner that creates and sustains mutual respect.
6. Maintain and implement processes to identify and resolve issues or complaints regarding noncompliance with this policy and impose appropriate consequences for substantiated instances of noncompliance.
7. If uncertain as to whether a particular relationship, transaction or situation may constitute or create a conflict of interest, consult with the College's general counsel.
8. Abstain or recuse themselves from participating in or otherwise attempting to influence any action, transaction or decision in which an actual or potential conflict of interest has been identified.

**Trustees, Officers and Administrators must not:**

1. Accept or solicit any gift, favor, service or benefit that might reasonably tend to influence the individual in the discharge of his other official duties or that the individual knows or should know is being offered with the intent to influence his or her official conduct.
2. Accept employment or engage in a business or professional activity that the individual might reasonably expect would require or induce him or her to disclose confidential information acquired by reason of his or her position with the College.
3. Accept other appointments or any employment or compensation that could reasonably be expected to impair the individual's independence of judgment in the performance of official duties.
4. Intentionally or knowingly solicit, accept or agree to accept any benefit for having exercised his or her official powers or performed official duties in favor of another.

**The following examples illustrate situations that may constitute a violation of the Standards of Conduct. This list is not comprehensive and does not limit the scope of this Policy.**

1. Knowingly voting upon, approving or authorizing a contract or transaction between the College and an immediate family member or Affiliate, or any other matter in which the Trustee, Officer or Administrator has an interest.
2. Exerting influence on the decision to purchase or lease property, equipment or materials for the College from an immediate family member or Affiliate of the Trustee, Officer or Administrator.
3. Using College students, staff, resources or facilities for personal gain or benefit or for the benefit of an immediate family member or Affiliate.
4. Using confidential information for personal gain or benefit or for the benefit of an immediate family member or Affiliate.
5. Establishing specifications for a product or service in a manner that would preclude persons or entities other than Affiliates or immediate family members of the Trustee, Officer or Administrator from submitting a competitive bid for an equivalent item.



6. For a Trustee, Officer or Administrator, or any immediate family member thereof, to accept from an organization, firm or individual doing or seeking to do business with the College any of the following: commissions; a share in profits; gifts in cash; gifts of merchandise of more than nominal value; loans or advances (other than from established banking or financial institutions); materials, services, repairs or improvements at no cost or at unreasonably low prices; excessive or extravagant entertainment; and travel.
7. For an Affiliate or immediate family member of any Trustee, Officer or Administrator to enter into any contract with the Board or the College, except with the prior knowledge and consent of the Board of Trustees and compliance with applicable provisions of the Ethics Act.
8. For an Officer or Administrator to receive additional compensation through a grant program or other third party funding source for performing work that is an integral part of said individual's normal job duties and responsibilities.
9. Direct or indirect involvement in the hiring, supervision, performance evaluation, compensation or retention of an immediate family member.

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 14, 2021**  
**March 22, 2023**

*\*Review Deadline: March 22, 2028*

#### **Policy I.A.6: Disclosure of Personal or Private Interest**

In accordance with the Pennsylvania Public Official and Employees Ethics Act (the "Ethics Act"), a conflict of interest is defined as the use of the authority of one's public office or employment or any confidential information received through the holding of public office or employment of any Trustee, Officer or Administrator, for the private pecuniary benefit of themselves, or a member of their immediate family (a parent, spouse, child, brother or sister) or a business with which the public official or employee or a member of their immediate family is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official or public employee, a member of his immediate family or a business with which he or a member of his immediate family is associated. See 65 Pa.C.S. § 1102.

A Trustee, Officer or Administrator who has an actual or potential conflict of interest with respect to a measure, proposal or decision pending before the Board of Trustees shall promptly disclose such interest to the Chairperson of the Board, along with any other relevant information. The Chairperson shall be responsible for informing the other members of the Board of the conflict. If the Chairperson has a conflict, then he or she shall notify the Vice Chairperson. The Board of Trustees may consider such a measure, proposal or decision, but any member having such an interest shall not vote or otherwise participate in such deliberation or action of the Board of Trustees. The member shall, prior to the vote being taken, publicly announce and disclose the nature of his or her interest as a public record in a written memorandum filed with the Board Secretary, which shall be made a part of the minutes of the meeting. While the College may do business with an affiliate of one of its Trustees, no preference may be given based on the Trustee relationship. Further, any Trustee who may have either a direct or indirect interest in a business entity is excluded from all participation in decisions, discussions and any matter related thereto. In the event the College enters into any contract, or in the event that an entity awarded a contract by the College enters into a subcontract, valued at \$500 or more with an entity with which an employee or Trustee, or the employees or Trustees spouse or child, is associated, it may only do so if the contract, or subcontract, has been awarded through an open and public process, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the employee or Trustee shall not have any supervisory or overall responsibility for the implementation or administration of the contract.

#### **Violations**

In addition to any applicable penalties for violation of the Ethics Act, reported, alleged or suspected violations of this policy will be directed to the Board Chairperson. If the Board Chairperson is the subject of the report or alleged violation, then the report will be directed to the Vice Chairperson. The Board Chairperson (or Vice Chairperson, if applicable) may appoint a Special Ad Hoc Committee of the Board to examine the matter and recommend further course of action to the Board. The committee may conduct a fact-finding process in an effort to determine if the report can be substantiated, and may consult with or engage the services of legal counsel or other third party to assist in completing an investigation. The committee shall complete its investigation and report its findings to the Board Chairperson (or Vice Chairperson, if applicable) within a reasonable period of time. If the report is substantiated, sanctions may be recommended by the committee, and may include a recommendation of censure and/or referral to outside agencies or investigative authorities, where applicable.

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 14, 2021**  
**July 23, 2023**

*\*Review Deadline: July 23, 2030*



### **Policy I.A.7: Trustee Requests Requiring Board Authorization**

Erie County Community College embraces the principle that Board authority resides in the collective body rather than in individual trustees. The purpose of this policy is to ensure that all requests from individual Board members to the college—whether related to governance, operational matters, or personal use of college resources—are made with approval from the Executive Committee.

All Board actions are guided by the strength of collective decision-making. To ensure transparency, consistency, and alignment with governance responsibilities, any requests beyond standard meeting materials or routine inquiries are considered through formal approval by the Executive Committee. This collaborative process supports effective oversight and reinforces the shared mission of the college.

The process for any Board member seeking information, services, or accommodations from the college must submit their request in writing to the Board Chairperson. The Board Chairperson will place the request on the agenda for discussion and decision at the next scheduled Executive Committee meeting.

*\*Policy approved by Erie County Community College Board of Trustees: July 23, 2025*

*\*Review Deadline: July 23, 2030*

### **Policy I.A.8: Trustee Voting**

In accordance with Sunshine Act (65 Pa.C.S. §§ 701-716), all official actions, including votes, must be taken at a public meeting that has been advertised and is open to the public.

Voting shall proceed in alphabetical order by last name, beginning with the member whose last name appears first alphabetically. The Board Chairperson shall always vote last, regardless of their position in the alphabetical order.

*\*Policy approved by Erie County Community College Board of Trustees: July 23, 2025*

*\*Review Deadline: July 23, 2030*

## **SECTION II: General Administration**

### **Subsection A: Rights**

#### **Policy II.A.1: Policy Against Discrimination and Harassment**

##### **I. Purpose**

The purpose of this Title IX Policy and Title IX Grievance Procedures (“Policy”) is to establish the Erie County Community College’s policy prohibiting Title IX sexual harassment, discrimination, and/or retaliation, in accordance with Title IX of the Education Amendments of 1972 (Title IX). This Policy references other College policies which may be implicated regarding conduct that falls outside the scope of this Policy, including other discriminatory conduct based on sex.

##### **II. Non-Discrimination Statement**

Erie County Community College does not discriminate and prohibits discrimination against any individual based upon race, color, religion, national origin, ancestry or place of birth, sex, gender identity or expression, perceived gender identity, sexual orientation, disability, marital status, veteran status, age or other classification protected by applicable law in matters of admissions, employment, services or in the educational programs, or activities that it operates. Harassment that is based on any of these characteristics, whether in verbal, physical or visual form, constitutes a form of prohibited discrimination. This includes harassing conduct which affects tangible job benefits, unreasonably interferes with an individual’s academic or work performance or which creates what a reasonable person would perceive to be an intimidating, hostile or offensive work or educational environment.

##### **III. Title IX Policy Statement**

It is the policy of the Erie County Community College (“College”) to maintain an environment for learning and working that is free from discrimination and harassment as defined in the College’s Policy II.A.1, Policy Against Discrimination and Harassment, and as defined herein with more specificity with respect to Title IX sex discrimination and sexual harassment.

Students and employees are specifically notified that the College does not discriminate on the basis of sex, and prohibits sex discrimination, including sexual harassment, in any education program or activity that it operates, as required by Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and its regulations, 34 C.F.R. Part 106, including in admission and employment. The College will take all necessary steps to end conduct prohibited by this Policy, to prevent its recurrence, and to address its effects.

Inquiries about Title IX may be referred to the College’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights (OCR), or both.

##### **IV. Title IX Compliance – Notice Requirements and Title IX Coordinator**

The foregoing Title IX Policy Statement shall be included in each student and staff handbook. In addition, Policy II.A.1, along with this Title IX Policy and Title IX Grievance Procedures, shall be posted to the College’s website.



Notice stating that the College does not discriminate in any manner, including Title IX sexual harassment, in any College education program or activity, shall be issued to all students, parents/guardians, employment applicants, employees, and unions and/or professional organizations holding collective bargaining or professional agreements with the College.

All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Title IX Coordinator.

The Title IX Coordinator is the individual designated by the College to coordinate its efforts to comply with Title IX responsibilities.

Any person may report Title IX sexual harassment, discrimination, and/or retaliation (irrespective of whether the individual reporting is the person alleged to be the victim of such conduct), in person, by mail, by telephone, or by email, using the contact information listed below. Such a report may be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

The College's Title IX Coordinator is:

Guy Goodman  
2403 W. 8<sup>th</sup> Street  
Erie, PA 16505  
Telephone: (814) 413-7003  
Email: [TitleIX@ec3pa.org](mailto:TitleIX@ec3pa.org)

The contact information for the United States Department of Education, Office for Civil Rights is:

U.S. Department of Education, Office for Civil Rights  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

Telephone: 800-421-3481; FAX: 202-453-6012; TDD 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

The Title IX Coordinator's responsibilities shall include ensuring adequate nondiscrimination procedures are in place, recommending new procedures or modifications to procedures and monitoring the implementation of the College's nondiscrimination procedures in the following areas, as appropriate

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate conduct which may constitute discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to law enforcement, and available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
5. College Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
6. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
7. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

#### **V. Definitions**

**Advisor** - An individual who has agreed to serve as an informal provider of support and advice for a Complainant or Respondent. Both parties may select an individual of their choice to serve as their Advisor. Both parties have the right to have their Advisor present during any grievance proceeding or any related meeting, who may be, but need not be, an attorney. The College will appoint an Advisor for parties who have not selected their own.

The role of the Advisor is to assist and guide the party during all related College Title IX proceedings. The Advisor, upon a party's request may (1) accompany the party in any related meeting/proceeding, (2) advise the party in the preparation and presentation of sharing of information, (3) conduct cross-examination in Title IX hearings on behalf of the party they represent, and (4) advise the



party in the preparation of any appeals. The Advisor shall not perform any function in the process other than advising the party and may not make a presentation or represent the party, other than at the Title IX hearing.

If, at any point, an Advisor becomes disruptive or fails to follow the rules for participation as set forth in this Policy, or other rules of decorum provided by the College, the College reserves the absolute and non-appealable right to remove the Advisor from the proceeding, and, if appropriate, any future meetings/proceedings. If a party's Advisor is removed, that party may choose another Advisor or otherwise will have one appointed for them by the College.

**Complainant** - An individual who is alleged to be the victim of reported conduct that could constitute Title IX sexual harassment.

**Consent** – A knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent must be informed, freely given and mutual. If intimidation, threats, or physical force are used there is no consent. If a person is mentally or physically incapacitated so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent. This includes incapacitation due to alcohol or drug consumption (voluntary or involuntary), or being asleep or unconscious, where the respondent knew or reasonably should have known that the person was incapacitated. Inducement of incapacitation of another with the intent to affect the ability of an individual to consent or refuse to consent to sexual contact almost always, if not always, negates consent. Silence, in and of itself, cannot be interpreted as consent. Further, intoxication, even to the point of incapacitation, is not an excuse for failure to obtain consent or understand whether consent was given.

Consent can be given by words or actions, as long as those words or actions consist of an affirmative, unambiguous, conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent can be limited, meaning consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Consent is revocable, meaning consent can be withdrawn at any time. Thus, consent must be ongoing throughout a sexual encounter. Consent at one time and to one sexual act does not imply consent at any other time to that or any other sexual act at a later date and regardless of previous relations. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Whether a person has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

**Days** – Unless otherwise indicated in the Policy, a reference to “days” means business days, as opposed to calendar days.

**Formal Complaint** – A document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the College investigate the allegation under the grievance process for formal complaints. At the time of filing a Formal Complaint, a complainant must be participating in or attempting to participate in the education program or activity of the College. The authority for the Title IX Coordinator to sign a Formal Complaint does not make the Title IX Coordinator a party in the grievance process for Formal Complaints. The phrase “document filed by a complainant” refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the Formal Complaint.

**Retaliation** – Actions including intimidation, threats, coercion, and discrimination against any individual for any of the following:

1. Reporting or making a formal complaint of any form of discrimination or retaliation, including Title IX sexual harassment.
2. Testifying, assisting, participating or refusing to participate in a related investigation, process or other proceeding or hearing.
3. Acting in opposition to practices the person reasonably believes to be discriminatory.

The following actions shall not constitute retaliation:

1. An individual exercising free speech under the rights protected by the First Amendment.
2. The assignment of consequences consistent with College policy when an individual knowingly makes a materially false statement in bad faith in an investigation. The fact that the charges of discrimination were unfounded or unsubstantiated shall not be the sole reason to conclude that any party made a materially false statement in bad faith.

**Respondent** -- An individual who has been reported to be the perpetrator of conduct that could constitute Title IX sexual harassment.

**Supportive Measures** – Non-disciplinary, nonpunitive, and individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:

1. Counseling.



2. Extensions of deadlines or other course-related adjustments.
3. Modifications of work or class schedules.
4. Campus escort services.
5. Mutual restrictions on contact between the parties.
6. Changes in work or housing locations.
7. Leaves of absence.
8. Increased security.
9. Monitoring of certain areas of the campus.
10. Assistance from domestic violence or rape crisis programs.
11. Assistance from community health resources including counseling resources.

**Title IX Sexual Harassment** – conduct on the basis of sex that satisfies one or more of the following:

1. A College employee conditioning the provision of an aid, benefit, or College service on an individual's participation in unwelcome sexual conduct, commonly referred to as ***quid pro quo*** sexual harassment.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a College education program or activity, commonly referred to as ***hostile environment*** sexual harassment.
3. Sexual assault, dating violence, domestic violence or stalking.
  1. **Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
    - i. Length of relationship.
    - ii. Type of relationship.
    - iii. Frequency of interaction between the persons involved in the relationship.
  2. **Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
  3. **Sexual assault** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, which includes but is not necessarily limited to certain sexual acts directed against another person without the consent of that person; fondling; incest; statutory rape.
  4. **Stalking**, under Title IX, means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:
    - i. Fear for their safety or the safety of others.
    - ii. Suffer substantial emotional distress.

Such conduct must have taken place during a College education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the College.

## **VI. Reports of Title IX Sexual Harassment**

### **A. Notice of Allegations**

The College has actual knowledge of Title IX sexual harassment or allegations of Title IX sexual harassment when such conduct is reported to the Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the



College. The President, Executive Vice President and Director of Human Resources of the College are the only individuals with authority to institute corrective measures on behalf of the College under this Policy. Upon receipt of this notice, the College is required to respond to the alleged Title IX sexual harassment promptly and in a manner that is not deliberately indifferent, meaning not clearly unreasonable in light of the known circumstances.

#### **B. Submission of Report of Alleged Title IX Sexual Harassment**

The College encourages students, employees, and other third parties who believe that they or others have been subject to Title IX sexual harassment, other discrimination, or retaliation to promptly report such incidents to the Title IX Coordinator. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

A College employee who suspects or is notified that a student, employee, or other third party may have been subject to conduct that constitutes Title IX sexual harassment shall immediately report the incident to the Title IX Coordinator. If the Title IX Coordinator is the subject of a complaint, the student, employee, or third party may report the incident directly to the President, Executive Vice President of the College or Director of Human Resources.

The complainant or the individual making the report (who need not be the complainant) may use the Report Form attached to this Policy for purposes of reporting an incident or incidents in writing; however, oral reports of an incident or incidents shall be accepted.

#### **C. Initial Response to a Report**

All reports of alleged Title IX sexual harassment shall be promptly directed to the Title IX Coordinator. Upon receipt of a report of alleged Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant and, if necessary, the reporter (if not the complainant), regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures for the complainant. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall use the designated Report Form to gather additional information from the reporter and/or other parties identified in the report, to determine if the allegations, if presumed to be true, meet the definition for Title IX sexual harassment.

The Title IX Coordinator will initially assess whether the reported conduct:

1. Meets the definition of Title IX sexual harassment.
2. Occurred in a College program or activity under the control of the College and against a person in the United States.
3. Involves other College policies or the Code of Student Conduct.
4. Indicates, based on an individualized safety and risk analysis, that there is an immediate threat to the physical health or safety of an individual.
5. Involves a student identified as a student with a disability under Section 504 of the Rehabilitation Act.

If, as a result of this initial assessment, the Title IX Coordinator determines that none of the allegations fall within the scope of Title IX sexual harassment, but the matter merits review and possible action under other College policies or the Code of Student Conduct, then the Title IX Coordinator will redirect the report to the appropriate administrator to address the allegations.

If, as a result of this initial assessment, the Title IX Coordinator determines that the allegations may constitute Title IX sexual harassment, the Title IX Coordinator will promptly explain to the complainant the process for filing a formal complaint and inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

#### ***Supportive Measures, Equitable Treatment of Parties and Confidentiality***

The College will treat parties equitably by offering supportive measures to the complainant and respondent where appropriate. Supportive measures shall be offered to the complainant upon the initial filing of the report. The Title IX Coordinator will also determine what supportive measures may be offered to the respondent.

The district shall treat complainants and respondents equitably by:

1. Offering supportive measures to the complainant and to the respondent.
2. Following the Title IX grievance process for formal complaints before imposing disciplinary sanctions or other actions that are not supportive measures on the respondent, subject to the "emergency removal" process described below.

The Title IX Coordinator and the College shall maintain as confidential any supportive measures provided to the complainant or respondent, except as may be permitted by law or regulations and to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The College must also keep confidential the identities of the complainant, respondent, individuals making a report of sexual harassment, or witnesses except for when disclosure is permitted by FERPA, is otherwise required by law, or to carry out a Title IX sexual harassment investigation, hearing, or other legal proceeding. The Title IX Coordinator should record and retain records regarding requests and provision of supportive measures in accordance with the recordkeeping requirements articulated in this Policy.



## ***Emergency Removal / Administrative Leave***

The College may remove a student respondent from the College's education program or activity on an emergency basis, but only after undertaking an individualized safety and risk analysis, and only if such analysis determines that there is an immediate threat to the physical health or safety of any student, employee or other individual arising from the allegations (including the Respondent themselves). This assessment may take place at any time following the receipt of a report. If the College reasonably believes that such a threat is posed, an interim suspension, or other interim action, may be assigned. In the case of such removal the College will provide the student respondent with notice and an opportunity to challenge the decision immediately following the removal.

For matters involving employee respondents, the Title IX Coordinator, in consultation with the employee's supervisor and other relevant College officials, will determine whether administrative leave (with or without pay) is appropriate, without needing to meet the emergency removal standards.

These provisions may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

## **VII. Title IX Grievance Process – Procedures for Formal Complaints**

### **Step 1 - Filing a Formal Complaint**

#### **A. General Obligations**

A formal complaint alleges Title IX sexual harassment, discrimination, and/or retaliation against a respondent and requests that the College investigate the allegation.

Upon receipt of a formal complaint, the Title IX Coordinator shall make an initial assessment as to whether the formal complaint, on its face, alleges an act of Title IX sexual harassment, discrimination, and/or retaliation. If not, the Title IX Coordinator may dismiss the matter as described below.

The Title IX Coordinator shall initiate the grievance procedures for formal complaints when a complainant files a formal complaint and the facts, if presumed to be true, could constitute Title IX sexual harassment, discrimination, and/or retaliation.

The Title IX Coordinator is also authorized to initiate a formal complaint process even if a complainant declines to proceed and requests that a formal complaint not to be initiated. In making this determination, the Title IX Coordinator should consider, among other issues, the reasons the complainant is requesting a formal complaint not be filed and also analyze whether supportive measures may be a sufficient response to the alleged behavior under the circumstances, whether the filing of a formal complaint is necessary to perform a further investigation into the alleged facts to determine if there is an ongoing health or safety threat to others or whether failure to proceed will preclude the school College from pursuing discipline against the respondent for inappropriate behavior the school College believes should be addressed if found to be true. The Title IX Coordinator must analyze all of these factors and conclude that it is not clearly unreasonable under the known circumstances for the Title IX Coordinator not to proceed with the formal complaint process. Only the Title IX Coordinator is authorized to initiate the formal complaint process despite a complainant's wishes, but the Title IX Coordinator may consult with legal counsel and other College officials in making this decision.

#### **B. Notice Requirements**

Upon receipt of a formal complaint, or when the Title IX Coordinator signs a formal complaint to initiate the grievance process for formal complaints, the Title IX Coordinator shall provide written notice to all known parties, providing the following information:

1. Notice of the College's grievance process for formal complaints and any informal resolution process that may be available. A copy of this Title IX Policy and Title IX Grievance Procedures should be referenced and provided via link or attachment.
2. Notice of the allegations potentially constituting Title IX sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
  - a. The identity of the parties involved, if known.
  - b. The conduct allegedly constituting sexual harassment.
  - c. The date and location of the alleged incident(s), if known.
3. A statement that a written determination regarding responsibility shall be made at the conclusion of the grievance process for formal complaints and, until that time, the respondent is presumed not responsible for the alleged conduct.
4. Notice that parties may have an advisor of their choice, who may be, but is not required to be, an attorney. The advisor may inspect and review evidence.
5. Notice that College policy prohibits knowingly making false statements or knowingly submitting false information to College officials in connection with reports of misconduct or discrimination complaints.
6. Notice to all known parties of any additional allegations that the College decides to investigate during the course of the investigation.



### **C. Dismissals of a Formal Complaint**

The College shall investigate the allegations in a formal complaint, except as follows:

Discretionary Dismissals. Formal complaints may be dismissed if, at any time during the investigation or hearing:

1. A complainant provides written notification of withdrawal of any allegations or of the formal complaint.
2. The respondent is no longer enrolled or employed by the College in a College program or activity.
3. Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Mandatory Dismissals. The College shall dismiss the formal complaint if the conduct alleged in the formal complaint:

1. would not constitute sexual harassment as defined by this Policy, even if provided;
2. did not occur in the College's program or activity; or
3. did not occur against a person in the United States.

If the matter merits review and possible action under other College policies, then the Title IX Coordinator will redirect the report to the appropriate administrator to address the allegations.

Upon a dismissal required or permitted under this section, the College will promptly send written notification of the dismissal and reason(s) therefore to the parties simultaneously. The written notification shall state whether the allegations will continue to be addressed pursuant to other College policies.

A dismissal may be appealed via the appeal procedures set forth in these Grievance Procedures.

### **D. Consolidation of Title IX Formal Complaints**

The College may consolidate formal complaints against more than one (1) respondent, or by more than one (1) complainant against one or more respondents, or by one (1) individual against another individual, where the allegations of sexual harassment arise out of the same facts or circumstances.

## **Step 2 - Voluntary Informal Resolution Process**

### **A. General Obligations**

Voluntary informal resolution may be appropriate when the College determines that it is consistent with the College's obligations under the law, institutional policies, and institutional values and is reasonably designed to end the misconduct, prevent the misconduct from happening again, and address or remedy its effects.

At any time after a Formal Complaint has been submitted, but before a final determination regarding responsibility has been made, the parties may enter a voluntary, informal resolution process, as permitted by the College. A formal complaint must be filed before an informal resolution can be considered. If the parties agree to participate in an informal resolution process, it is the College's responsibility to ensure that the matter is resolved within a reasonably prompt timeframe. While the College cannot compel or pressure a party to participate in an informal resolution process, the College may offer informal resolution as an alternative when discussing the Title IX grievance procedures. Informal resolution is not permitted in matters involving allegations of sexual harassment by an employee respondent against a student complainant.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, mediation, facilitated discussions between the parties, acknowledgement of responsibility by a respondent, apologies, a requirement to engage in specific services such as an Employee Assistance Program, or supportive measures.

### **B. Informal Resolution Procedures**

When offering an informal resolution process, the Title IX Coordinator shall:

1. Provide the parties a written notice disclosing the following:
  1. The allegations.
  2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process for formal complaints.
  3. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.



2. Obtain the parties' voluntary, written consent to the informal resolution process. As part of the consent process, all parties shall be informed of the rights being waived by agreeing to the informal resolution process, and shall acknowledge such agreement in writing.
3. The informal resolution process shall typically be conducted within ten (10) days of the parties' signed agreement for the informal resolution process, although the parties may mutually agree to a reasonable extension if necessary to continue the resolution process.

If the matter is resolved to the satisfaction of the parties, the College employee facilitating the informal resolution process shall document the nature of the complaint and the proposed resolution of the matter, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator.

Any informal resolution agreement will be in writing and represent the final resolution of the case. Failure to adhere to the terms of the resolution agreement may constitute a separate violation of College policy and/or result in the reopening of the existing Title IX matter.

If the Informal Resolution Process results in the final resolution of the formal complaint, the following steps are not applicable.

### **Step 3 - Investigation**

#### **A. General Obligations – Principles followed during the Grievance Process**

Under this grievance process, the College and the assigned Title IX investigator shall:

1. Bear the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility. During the process of gathering evidence, unless the College obtains the voluntary, written consent of the party, or the party's parent/guardian or other legal representative when legally required, the College cannot access, consider, disclose or otherwise use a party's records which are protected by legal privilege, such as those records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with providing treatment to the party.
2. Objectively evaluate all available evidence gathered through the investigation, including inculpatory and exculpatory evidence (information that demonstrates no wrongdoing).
3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory (incriminating) and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The College may establish restrictions, applicable to both parties, regarding the extent to which the advisor may participate in the proceedings. For the purposes of this Policy, the role of the advisor is limited to the following: the advisor may attend any interview or meeting connected with the grievance process, but may not actively participate in interviews nor provide testimony or argument on behalf of the party. The advisor may attend the live hearing and may conduct cross-examination of the other party and any witness at the hearing; otherwise the advisor may not actively participate in the hearing.
6. Provide, to any party whose participation is invited or expected, written notice of the date, time, location, participants and purpose of all investigative interviews, hearings or other meetings held during the investigation process, with sufficient time for the party to prepare to participate. The College cannot compel a party or witness to answer any questions during the interview or submit documents or otherwise make any statements; however, the parties are encouraged to provide relevant information to the investigator. A party or witness's decision not to participate in the investigation, in whole or in part, will be documented in the investigative report.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations, including evidence the College does not intend to rely on to reach a determination regarding responsibility and any inculpatory and exculpatory evidence, whether obtained from a party or other source.
8. Use the following standard of evidence to determine responsibility for allegations in a formal complaint of sexual harassment: the preponderance of evidence standard.



9. If at any point the investigation expands to include additional allegations that were not included in the initial notice of the allegations provided upon initiation of the grievance process for formal complaints, the investigator shall alert the Title IX Coordinator and the Title IX Coordinator shall provide written notice of the new allegations to the known parties.

Presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

### ***B. Investigation Procedures***

If not serving as the Investigator, the Title IX Coordinator will appoint an Investigator, who may be an employee or official of the College or may be an external investigator with appropriate experience or expertise and training.

When investigating a formal complaint, the Investigator will seek to complete the investigation within a prompt and reasonable amount of time, typically not to exceed 60 days. This timeline is not binding and creates no rights for the parties. The College can extend deadlines at its discretion. If temporary delays occur, the Complainant and Respondent will be notified in writing regarding the reason(s) for the delay.

When investigating a formal complaint, the investigator shall:

1. Engage in fact-gathering of all relevant facts.
2. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
3. Prior to completion of the investigative report, send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
4. Make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
5. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing or other time of determination regarding responsibility, the Investigator or Title IX Coordinator shall send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Upon finalization of the investigative report, the Title IX Coordinator shall provide it to the Decision-maker(s), subject to the dismissal procedures outlined below.

Within five (5) days of receipt of the final Investigative report, the Title IX Coordinator will make a determination that the College will:

1. Convene a hearing before an impartial fact-finding decision maker(s) who will hear testimony from the parties and relevant witnesses, review the relevant evidence, and make a determination as to responsibility; OR
2. The matter will be dismissed because the investigation revealed facts that either:
  - a. require a dismissal under Title IX (e.g., the conduct alleged would not constitute Title IX sexual harassment, even if true, did not occur in the College's education program or activity, or did not occur in the United States); or,
  - b. allow for a dismissal (e.g., if the complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint, the respondent is no longer enrolled or employed by the College, or specific circumstances prevent the investigator from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein).

If a determination is made to dismiss the formal complaint, the parties may exercise their right to appeal using one or more of the bases for appeal set forth below. In the absence of a dismissal, the matter will be forwarded to the appropriate College decision maker(s) for disposition.

### **Step 4 - Live Hearing Process**

#### ***A. General Obligations – Requirement of Live Hearing for Fact-Finding and Determining Responsibility.***

1. Within five (5) days of receipt of the final Investigative report, the Title IX Coordinator will select the Title IX Decision-Maker(s) (who may not be the Title IX Coordinator nor the Investigator) and will provide them with a copy of the final investigative report.
2. Promptly after selection of the Decision-Maker(s), the Title IX Coordinator will provide concurrent written notice to the parties of the date, time and location of the hearing and the identity of the Decision-Maker(s). The live hearing



shall be closed and shall be scheduled to take place within fifteen (15) days of completion of the investigative report, unless the Title IX Coordinator determines extenuating circumstances exist justifying an extension of that timeframe.

3. New evidence (evidence not gathered and considered during the investigative phase) may not be introduced during the live hearing. Likewise, new witnesses (who have not been interviewed by the investigator(s)) are not permitted at the hearing.
4. The only individuals permitted to participate in the hearing are as follows: the complainant, the respondent, the Decision-Maker(s), the advisor for each party, any witnesses (only while being questioned), the Title IX Coordinator and any individual providing authorized accommodations or assistive services.
5. The parties have the right to participate or decline to participate in the hearing.
6. If a party does not have an advisor present at the live hearing, the College shall provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney.
  - a. The advisor may conduct cross examination on behalf of that party.
  - b. College is obligated to ensure each party has an advisor, either of the party's or College's choice, regardless of whether or not the party is present at the hearing. To ensure timely proceedings, a party shall alert the Title IX Coordinator as soon as practicable if the party will need an advisor.
  - c. If a party's selected advisor is unavailable for a hearing date, the live hearing date may be postponed for good cause.
7. Live hearings may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses and other participants may appear at the live hearing virtually, provided there is technology enabling the participants to simultaneously see and hear each other.
  - a. At the request of either party, the College shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Decision-Maker(s) and parties to simultaneously see and hear the party or witness answering questions.
  - b. The College shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. Any other recording is prohibited.
  - c. Any necessary accommodations for any participant at the live hearing

#### ***B. Decorum / Etiquette Expectations***

1. All parties are expected to be civil and adhere to basic standards of decorum by answering questions posed by the Decision-Maker(s) and relevant questions posed by a party's advisor in a respectful, non-abusive manner.
2. Parties may not interrupt any testimony or cross-examinations being conducted.
3. The complainant, respondent, and their advisors shall be allowed to attend the entire portion of the live hearing.
4. Witnesses are only allowed to attend during the time the credibility of their evidence is being reviewed; however, all witnesses will need to be available during the entire hearing, unless dismissed by the Decision-Maker(s).

#### ***C. Questioning at the Live Hearing***

1. At the live hearing, the Decision-Maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. The Decision-Maker(s) have the right to question a party or witness.
2. Only relevant cross examination and other questions may be asked of a party or witness.
3. Cross examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
4. Before the complainant, respondent, or witness answers a cross-examination or other question, the Decision-Maker(s) must first determine whether the question is relevant. The Decision-Maker(s) may consult the College's legal counsel on questions of relevancy and admissibility.
  - a. If charges of policy violations other than sexual harassment are considered at the same hearing, the Decision-Maker may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their Advisors.



- b. The Decision-Maker(s) must explain to the party or individual proposing the questions any decision to exclude a question as not relevant.
- c. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

#### **D. Use of Witness Statements**

- 1. If a party or witness does not submit to cross examination at the live hearing or refuses to respond to any question deemed relevant and not impermissible, the Decision-Maker(s) may choose to place less or no weight upon statements by such a party or witness when making a determination regarding responsibility.
- 2. The Decision-Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.
- 3. The Decision-Maker(s) may consider statements by parties and witnesses even if those parties or witnesses do not participate in cross-examination at the live hearing and may consider documents containing statements even if the party or witness who made the statement is not cross-examined at the live hearing.

### **Step 5 - Written Determination of Decision-Maker(s) and College Action**

Following the conclusion of the hearing, the Decision-Maker(s) shall:

- 1. Issue a written determination regarding responsibility within ten (10) days of the live hearing. To reach this determination, the Decision-Maker(s) must apply the standard of evidence required by this Policy (i.e., the preponderance of the evidence standard) and conclude whether the evidence establishes it is more likely than not that the respondent committed a violation of this Policy.
- 2. The written determination must include:
  - a. Identification of the allegations potentially constituting Title IX sexual harassment as defined by this Policy.
  - b. A description of the procedural steps taken from the receipt of the formal complaint through the determination post live hearing, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
  - c. Findings of fact supporting the determination.
  - d. Conclusions regarding the application of the College's Policy to the facts.
  - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant.
  - f. The procedures and permissible bases for the complainant and respondent to appeal, as set forth in this policy.
- 3. The College shall provide the written determination to the parties simultaneously. The Title IX Coordinator shall be provided with a copy of the written determination. The written determination will be mailed to the local or permanent address of the parties as indicated in official College records, or emailed to the parties' College-issued email or otherwise approved account.
- 4. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### **Step 6 - Appeal of Dismissal or Written Determination**

Any party may file a Request for Appeal by submitting such a request in writing to the Title IX Coordinator within five (5) days of receiving the written determination regarding responsibility and/or issuance of notice of dismissal of the formal complaint. Once the five (5) days have passed, the matter will be deemed closed.

Appeals from the College's dismissal of a formal complaint or written determination after a live hearing are limited to the following grounds:

- 1. Procedural irregularity that affected the outcome of the matter;
- 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- 3. An allegation that the Title IX Coordinator, Investigators, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

The appeal must include the ground(s) for the appeal and describe the supporting evidence. The Title IX Coordinator will appoint an



Appeal Decision-Maker, who shall not be the same person as the Decision-Maker(s) that reached the determination regarding responsibility or dismissal, the investigator or the Title IX Coordinator. The Appeal Decision-Maker shall comply with the standards set forth in this Policy.

As to all appeals, the Title IX Coordinator shall:

1. Implement appeal procedures equally for both parties.
2. Immediately provide notice of the appeal to the non-appealing party, who has five (5) days to submit to the Title IX Coordinator a written response to the appeal which addresses solely the ground(s) alleged for the appeal.
3. Upon receipt of the non-appealing party's response to the appeal, the Title IX Coordinator will submit the appeal and the non-appealing party's response to the Appeal Decision-Maker.

The Appeal Decision-Maker's review will be based only on the written record, which shall consist of the final investigative report, notice of dismissal and/or written determination of responsibility, written appeal and written appeal response (if any), as well as the recording of the hearing, and will not include meetings or discussions with the parties or Title IX personnel directly involved in the investigation. Therefore, the appealing party should include any supporting documents with their written appeal, including any alleged new evidence that was not available at the time of the hearing that may have affected the outcome. The Appeal Decision-Maker may consult with the Title IX Coordinator regarding matters of procedure, as appropriate.

For an appeal related to the dismissal of a formal complaint based on the limited grounds above, the Appeal Decision-Maker will decide whether to approve or reject the decision of the Title IX Coordinator. If rejected, the Appeal Decision-Maker will return the formal complaint to the Title IX Coordinator, and the complaint process shall proceed consistent with the grievance procedures set forth above. If approved, the matter is closed.

For the appeal of a finding of the Title IX Decision-Maker based on the limited grounds above, the Appeal Decision-Maker will decide whether to approve, reject, or modify the decision and/or sanctions or to remand the case to the Decision-Maker for clarification or a completely new hearing. The Appeal Decision-Maker's decision will confirm and correct any identified procedural irregularities, conflicts of interest or bias, and/or ensure that any newly discovered evidence is included in their decision.

Within twenty (20) days of receipt of the appeal packet, the Appeal Decision-Maker will issue a final written decision simultaneously to both parties and the Title IX Coordinator describing the result of the appeal and the rationale for the result. The decision of the Appeal Decision-Maker is final.

### **VIII. Disciplinary Consequences**

Remedies must be designed to restore or preserve equal access to the College's education program or activity. A student found responsible for a violation of this policy will be subject to sanction(s) regardless of whether legal proceedings involving the same incident is underway or anticipated. Possible sanctions and remedies the College may implement following any determination of responsibility include: expulsion, withdrawal of an awarded degree, written warning, suspension, a fine, restitution, community service, probation, reference to counseling, and notation in the respondent's official student or personnel file of the fact of a violation and the sanction. An employee of the College found responsible for a violation of this policy will be subject to sanction(s) up to and including termination of employment.

The Title IX Coordinator is responsible for effective implementation of any remedies.

### **IX. Prohibition Against Retaliation**

Retaliation as defined in this Policy is, in itself, a violation of this Policy and the law. Complaints alleging retaliation for exercising rights pursuant to Title IX and/or engaging in or declining to engage in the Title IX grievance procedures shall be handled in accordance with this Policy and Title IX grievance procedures, as set forth herein. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred.

### **X. Title IX Sexual Harassment Training Requirements**

The Title IX Coordinator, investigator(s), Decision-Maker(s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive the following training, as required or appropriate to their specific role:

1. Definition of sexual harassment.
2. Scope of the College's education program or activity, as it pertains to what is subject to Title IX regulations.
3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.
5. Use of relevant technology, specifically including the technology used at a live hearing.
6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.



7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.
8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or policy.

All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on the College's website.

#### **XI. Title IX Recordkeeping Requirements**

The College will retain a full record of all complaints filed under these provisions for a period of no less than seven (7) years from the date of the initial report or Formal Complaint, whichever is earlier. This includes records of any actions, including any supportive measures, taken in response to a report or Formal Complaint. The parties may request to inspect and review the records for a closed matter at any time during the retention period. The College will provide the parties with access to the records within a reasonable timeframe, not to exceed forty-five (45) calendar days from the date of the request.

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 7, 2021**

**August 25, 2021**

**March 23, 2022**

**March 22, 2023**

**September 27, 2023**

**January 28, 2026**

*\*Review Deadline: January 28, 2031*

#### **Policy II.A.2: Equal Employment Opportunity Policy**

Erie County Community College is committed to and affirms a policy of equal employment opportunity to all applicants, employees, and students without regard to race, color, religion, sex, sexual orientation, age, national or ethnic origin, disability, genetic information, gender identification, status as a disabled or Vietnam era veteran, or any other legally protected characteristic and to provide each and every individual with the ability to work in a safe, productive and professional work environment that is free from discriminatory practices. Under the direction of the President, the Human Resources Department shall ensure compliance with this policy. The Human Resources Director, and all other staff in a supervisory capacity, shall implement this policy.

In achieving equal opportunity, we commit ourselves to:

- Recruit, hire, train, and promote the most qualified persons without regard to race, color, religion, sex, sexual orientation, age, national or ethnic origin, disability, status as a disabled or Vietnam era veteran, or any other legally protected characteristic.
- Ensure that promotion decisions are in accordance with equal employment opportunity requirements by imposing only valid, job-related requirements for promotional opportunities.
- Ensure that all personnel actions relating to compensation, benefits, transfers, retention, terminations, training, social and recreational programs and education are administered in a nondiscriminatory manner.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**November 20, 2024**

*\*Review Deadline: November 20, 2029*

#### **Policy II.A.3: Preference for Erie County Based Businesses in College Purchasing Activities**

The College recognizes the economic and community value of supporting Erie County-based businesses through its procurement of goods and services. Whenever feasible and in accordance with applicable laws and regulations, preference will be given to suppliers located within Erie County when sourcing goods, services, or construction-related activities.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**May 28, 2025**

*\*Review Deadline: May 28, 2030*

#### **Policy II.A.4: Religious Accommodations**

Erie County Community College prohibits discrimination based upon religion in accordance with Title VII of the Civil Rights Act of 1964, as amended, the Pennsylvania Human Relations Act. The College will provide reasonable religious accommodations when necessary for individuals to participate in employment and educational opportunities, as well as other college programs and activities, unless the accommodation poses an undue hardship on the College or requires the College to fundamentally alter the



nature of a College course, program, or activity.

Under the direction of the President, the Human Resources Department shall ensure compliance with this policy. The Human Resource Director and all other supervisory staff, shall implement this policy.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**November 20, 2024**

*\*Review Deadline: November 20, 2029*

#### **Policy II.A.5: Disability and Pregnancy Accommodations**

In compliance with the Americans with Disabilities Act of 1990, as amended, Sections 503 and 504 of the Rehabilitation Act of 1973, as amended, the Pennsylvania Human Relations Act and the Pregnant Workers Family Act, Erie County Community College seeks to prevent discrimination on the basis of disability, pregnancy, or a pregnancy-related condition and provide equal employment opportunity for all qualified individuals, including those with disabilities. The College will provide reasonable accommodations to enable such qualified individuals to perform the essential functions of their jobs provided that the accommodations do not impose an undue hardship to the College.

Under the direction of the President, the Human Resources Department shall ensure compliance with this policy. The Human Resource Director and all other supervisory staff, shall implement this policy.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**November 20, 2024**

*\*Review Deadline: November 20, 2029*

#### **POLICY II.A.6: Anti-Hazing Policy**

##### **I. Policy Statement**

The Erie County Community College (“College”) does not tolerate hazing. Organizations or individuals found responsible for hazing under this Policy, whether occurring on or off campus, may be subject to disciplinary action by the College, and may also face criminal charges under state or other applicable laws. This Policy is intended to comply with all applicable state and federal laws and regulations, including the Timothy J. Piazza Antihazing Law, 18. Pa. C.S. § 2801 *et seq.* and the federal Stop Campus Hazing Act, Pub. L. No. 118-173 (2024)(20 U.S.C. §1092(f)).

For the purposes of this Policy, it shall not be a defense that the consent of the minor or student was sought or obtained or that the conduct was sanctioned or approved by the organization.

##### **II. Prohibited Conduct**

Hazing, as defined in this Policy, is strictly prohibited at the College. Organizations or individuals found responsible for hazing under this Policy, whether occurring on or off campus, will be subject to disciplinary action by the College in accordance with this Policy and other applicable College policies. Separately, acts of hazing may also subject those individuals or organizations to criminal charges under applicable state law, including the Timothy J. Piazza Antihazing Law.

##### **III. Federal and State Law Definitions of Hazing**

###### **A. Federal law definition of hazing (Stop Campus Hazing Act)**

**Hazing:** Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that

1. is committed in the course of an initiation into, an affiliation with, or maintenance of membership in a “student organization”; and
2. causes or creates a risk, above the reasonable risk encountered in the course of participation in the College or the student organization (such as the physical preparation necessary for participation in an athletic team), or physical or psychological injury including –
  - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
  - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - c. causing coercing, or otherwise inducing a person to consume food, liquid, alcohol, drugs, or other substances;
  - d. causing, coercing, or otherwise inducing another person to perform sexual acts;



- e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law;
- g. and any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

The term **“Student Organization”** means an organization at the College (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the College, whether or not the student organization is established or recognized by the College.

#### **B. State law definition of hazing (Timothy J. Piazza Antihazing Law)**

**Hazing:** A person commits the offense of hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the following:

1. violate Federal, State, or Municipal law or College policy or procedure;
2. consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or student to a risk of emotional or physical harm;
3. endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements;
4. endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment;
5. endure brutality of a sexual nature; or
6. endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.
7. Hazing shall NOT include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

**Organization:** Any of the following:

1. A fraternity, sorority, association, corporation, order, society, corps, club or service, social or similar group, whose members are primarily minors, students or alumni of the organization, an institution or secondary school.
2. A national or international organization with which a fraternity or sorority or other organization as enumerated under paragraph (1) is affiliated.

**Student:** For purposes of this Policy only, is an individual who attends or has applied to attend or has been admitted to the College.

#### **IV. Reporting Violations of this Policy**

Individuals who are Campus Security Authorities (CSAs), as that term is defined by the Jeanne Clery Campus Safety Act, are required to report hazing incidents, including those allegedly committed by student organizations that are not formally recognized by the College.

The College strongly encourages all other members of the College community who believe they have witnessed, experienced, or are aware of conduct that constitutes hazing to report the conduct to the Dean of Student's Office, and/or the appropriate police agency.

Non-CSAs may submit anonymous reports. This Policy and reports made pursuant to this Policy do not supersede or replace other reporting obligations mandated by law or College policy (e.g., Reporting Suspected Child Abuse, Title IX, etc.).

#### **Reports to College:**

Any person may report hazing (whether or not the individual reporting is the person alleged to be the victim of conduct that could constitute hazing) online, in person, by mail, by telephone, or by email at any time, including during non-business hours, using the contact information listed below.

Dr. Keri Bowman, Dean of Students  
 2403 W. 8<sup>th</sup> Street  
 Erie, PA 16505  
 Telephone: 814-413-7016  
 Email: [kbowman@ec3pa.org](mailto:kbowman@ec3pa.org)  
 Reporting Form: [EC3 Hazing Incident Form](#)

#### **Reports to Law Enforcement:**

If the reporting individual, or someone else, is in immediate danger, or if the reporter believes there could be an ongoing threat to themselves, another individual, or the community, the reporter should immediately call 911.



College community members are encouraged to directly report violations of criminal laws, including The Timothy J. Piazza Antihazing Law, 18. Pa. C.S. § 2801, et seq., to law enforcement. Reports can be made by dialing 911 or contacting the local police agency in the jurisdiction in which the alleged incident occurred.

#### **V. Investigation and Enforcement**

Allegations of hazing reported to the College will be reviewed and thoroughly investigated by the College in accordance with 20 U.S.C. §1092(f)(1)(K).I Upon receipt of a complaint of hazing, the College shall determine what, if any interim measure should be put in place to protect students from further hazing or retaliatory conduct related to the alleged report of hazing.

If violations of this Policy are found, individuals and those organizations that are sanctioned or recognized by the College will be held accountable by the relevant College entity that has authority over the individual or organization.

Violations may result in disciplinary actions for individuals or those organizations that are sanctioned or recognized by the College, which can include, but are not limited to, written warnings, probation, fines, loss of privileges, loss of recognition, mandatory training or education, loss of salary increase, administrative leave, suspension, expulsion, revocation of tenure, discontinued participation in youth programming, and/or termination of employment. Such penalties shall be in addition to any other penalties imposed for violating state criminal law or any other College rule or policy. The College may take immediate interim action pending the outcome of an investigation.

#### **VI. College's Campus Hazing Transparency Report and External Reporting Requirements**

The College will maintain a Campus Hazing Transparency Report ("CHTR") of all findings of violations of this Policy for five (5) previous consecutive years related to incidents of hazing that are reported to the College. The College will update the report biannually on January 1st and August 1st and will publish the report on the College's website. Each entry on the CHTR shall contain the following information:

- Name of the subject student organization;
- General description of the alleged violation, including whether the violation involved the abuse or illegal use of alcohol or drugs;
- Date the incident was alleged to have occurred;
- Date the investigation into the incident was initiated;
- Date the investigation concluded;
- Date the organization was notified of the outcome of the investigation;
- Date on which the subject was charged with the alleged violation;
- Findings of the investigation;
- Any sanctions placed on the student organization or subject of the report, if applicable.

A single report, the CHTR, will be utilized to comply with the public reporting requirements of the federal Stop Campus Hazing Act, 20 U.S.C. §1092(f)(9)(A), and the state law, 18 Pa. C.S.A. §2809.

#### **VII. Hazing Prevention and Awareness Programs**

The College is committed to preventing hazing and maintaining and implementing hazing prevention efforts in accordance with 20 U.S.C. §1092(f)(1)(L). The College administers research-informed hazing awareness and prevention programs ("Programs") designed to reach students, staff and faculty which address (1) the definition/meaning of "hazing"; (2) prevention strategies intended to stop hazing before hazing occurs, which may include skill building for bystander intervention, information about ethical leadership and the promotion of strategies for building group cohesion without hazing.

#### **VIII. Distribution of the Policy**

This Policy shall be posted on the College's publicly accessible website.

Each organization sanctioned or recognized by the College shall be provided a copy of the Policy. College students shall be informed of the contents of this Policy.

*\*Policy approved by Erie County Community College Board of Trustees: January 28, 2026*

*\*Review Deadline: January 28, 2031*

### **SECTION II: General Administration**

#### **Subsection B: Compliance Policies**

##### **Policy II.B.1: Whistleblower Policy**

Erie County Community College is committed to maintaining an environment of respect and trust. In addition, the College is committed to complying with all laws and regulations applicable to it, and the College relies upon its employees to perform their duties in accordance with the College's policies and procedures. The College's internal controls and policies and procedures are intended to prevent and detect improper activities. The College encourages good faith reports by College



employees and others of observed or suspected misconduct, waste, or noncompliance with law, regulations or College policies.

This Whistleblower Policy is designed to encourage and enable College employees and others who have good faith serious concerns about misconduct, including violations of law, regulations or College policies and procedures, to report their concerns. This Policy is not intended to supplant existing College policies. Thus, complaints or grievances such as those regarding discrimination or harassment, personnel, employment, academic matters, and other matters for which the College has specific policies, should continue to be made and addressed in accordance with the policies and procedures applicable to such matters and applicable law.

Under the direction of the President, the Human Resources Department shall ensure compliance with this policy. The Human Resources Director and all other supervisory staff shall implement this policy.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**November 20, 2024**

*\*Review Deadline: November 20, 2029*

### **Policy II.B.2: Right to Know Policy**

#### **I. Purpose**

Erie County Community College recognizes the importance of public records as the record of the College's actions and the repository of information about the College. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board and administrative policies.

#### **II. Delegation of Responsibility**

The College designates the CFO's designee as its Right-to-Know Officer, who shall serve as the College's open records officer as defined in Pennsylvania's Right-to-Know Act. The Right-to-Know officer shall be responsible to:

1. Receive written requests for access to records submitted to the College.
2. Develop and revise the form used to request records as well as forms used in responding to requests for public records.
3. Review and respond to written requests in accordance with law, Board and administrative policies.
4. Direct requests to other appropriate individuals in the College or to the appropriate persons in another agency.
5. Track the College's progress in responding to requests, including but not limited to noting the date of receipt on the written request, computing the day on which the five-day response expires and making a notation of that date on the written or electronic copy of a request.
6. Issue interim and final responses to submitted requests, including computing the day on which extension of a thirty days to respond expires and making a notation of that date on the written request. If a written request for access to a record is denied, the mailing date of the Right-to-Know Officer's response shall be noted on the written denial.
7. Maintain a log of all record requests and their dispositions.
8. Maintain a file for each request and all documents submitted with the request, including but not limited to the original request, a copy of the response(s), a record of written communications with the requester, and a copy of any other communications. If the written request is denied, maintain the written request for at least thirty (30) days or, if an appeal is filed, until a final determination is issued and the appeal period there from has expired.
9. Ensure College staff are trained to perform assigned job functions relative to requests for access to records.

The contact information for the Right-to-Know Officer is:

Email: [RTKRequests@ec3pa.org](mailto:RTKRequests@ec3pa.org)

Phone: 814-413-7000

Officer: Jennifer Vargo

#### **III. Guidelines**

Requesters may access and procure copies of the public records of the College during the regular business hours maintained by the Right-to-Know Officer.

A requester's right of access does not include the right to remove a record from the control or supervision of the Right-to-Know Officer.

The Right-to-Know Officer shall not limit the number of records requested.

When responding to a request for access, the College is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the College does not currently use.

Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient



advance notice.

The College shall post at the Right-to-Know Officer's office and on the College's web site, the following information:

1. Contact information for the Right-to-Know Officer;
2. Contact information for the Pennsylvania Office of Open Records;
3. The form which may be used to file a request; and
4. Policy, guidelines and procedures governing requests for access to the College's public records.

### **Request For Access**

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Right-to-Know Officer.

Written requests may be submitted to the Right-to-Know Officer in person, by mail, or to a designated email address.

The Right-to-Know Officer may not accept verbal or telephone requests.

The Right-to-Know Officer may not accept written, anonymous requests. Each request must include the following information:

1. Identification or description of the requested record in sufficient detail;
2. Medium in which the record is requested; and
3. Name and address of the individual to receive the College's response.

The College shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.

### **Fees**

The Right-to-Know Officer shall establish and keep current a list of reasonable fees which shall be no more than the fee structure for permissible charges as established by the Office of Open Records associated with responding to requests for public records.

The fee for each photocopy shall be 25¢ per page. A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page.

No fee may be imposed for review of a record to determine whether the record is subject to access under law. Prior to granting access, the Right-to-Know Officer shall require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100.

The Right-to-Know Officer may waive duplication fees when the requester duplicates the record or the College deems it is in the public interest to do so.

### **Response to Request**

College employees are directed to immediately forward requests for access to public records to the Right-to-Know Officer.

Upon receipt of a written request for access to a record, the Right-to-Know Officer shall determine if the requested record is a public record and if the College has possession, custody or control of that record.

The Right-to-Know Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Right-to-Know Officer.

The initial response shall grant access to the requested record, deny access to the requested record, partially grant and partially deny access to the requested record, or notify the requester of the need for an extension of time to fully respond.

### **Extension of Time**

If the Right-to-Know Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt-of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected, and, if applicable, an estimate of applicable fees owed when the record becomes available. Where this policy requires that "written notice" be provided, this shall include but is not limited to notice sent by the use of electronic mail or facsimile transmission.

Up to a thirty (30) day extension for at least one of the listed reasons does not require the consent of the requester.

A requester may consent in writing to an extension that exceeds thirty (30) days.

### **Granting of Request**

If the Right-to-Know Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include information on the regular business hours of the Right-to-Know Officer, provide electronic access, or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall either include a copy of the fee schedule in effect or notice of a web link to the fee schedule, a statement that prepayment of



fees is required in a specified amount if access to the records will cost in excess of one hundred dollars (\$100.00), and the medium in which the records will be provided.

A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the College is not required to permit use of its computers.

The Right-to-Know Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means or that the College shall provide access to inspect the record electronically. If the requester, within thirty (30) days following receipt of the College's notice, submits a written request to have the record converted to paper, the College shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.

If the Right-to-Know Officer determines that a public record contains information both subject to and not subject to access, the Right-to-Know Officer shall grant access to the information subject to access and deny access to the information not subject to access. The Right-to-Know Officer shall redact from the record the information that is not subject to access.

If the Right-to-Know Officer responds to a requester that a copy of the requested record is available for delivery at the office maintained by the Right-to-Know Officer and the requester does not retrieve the record within sixty (60) days of the College's response, the College shall dispose of the copy and retain any fees paid to date.

The Right-to-Know Officer, after consultation with the College President may make an otherwise exempt record accessible for inspection and copying if all of the following apply: (1) Disclosure of the record is not prohibited under any (i) Federal or State law or regulation or (ii) Judicial order or decree; (2) the record is not protected by a privilege; and (3) the College President determines that the public interest favoring access outweighs any individual, agency or public interest that may favor restriction of access.

### **Notification to Third Parties**

When the College produces a record that is not a public record in response to a request, the Right-to-Know Officer shall notify any third party that provided the record to the College, any person that is the subject of the record, and the requester.

The Right-to-Know Officer shall notify a third party in writing of a record request if the requested record contains a trade secret or confidential proprietary information within five business days from receipt of the record request. If a record has been previously designated as containing a trade secret or confidential proprietary information, written notice of the need for a thirty day extension of time should be provided to the requestor. The written notice to the third party shall advise that the third party has five business days from the date the third party receives notification from the College to provide input on the release of the record.

If a record has been previously designated as containing a trade secret or confidential proprietary information, access to that portion of the record shall ordinarily be denied unless the third party consents in writing to the release of the previously designated trade secret or confidential proprietary information. Release of information previously designated as containing a trade secret or confidential proprietary information should only be made after review by the College's solicitor.

### **Denial Of Request**

If the Right-to-Know Officer denies a request for access to a record, whether in whole or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Right-to-Know Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

The Right-to-Know Officer may deny a request for access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the agency.

The Right-to-Know Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record's contents shall be made accessible even when the record is physically unavailable.

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state's Office of Open Records within fifteen (15) business days of the mailing or transmittal date of the Open Records Officer's response or deemed denial.

The address of the Office of Open Records is as follows:

Office of Open Records  
333 Market Street, 16th Floor



Harrisburg, PA 17101

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**September 22, 2021**

**May 22, 2024**

*\*Review Deadline: May 22, 2029*

#### **Policy II.B.3: Copyright Compliance**

Erie County Community College requires all students and employees to comply with applicable federal, state, and local laws governing copyrighted materials, which grant authors, publishers, and creators control over the copying, distribution, transmission and performance of their original works. The College acknowledges the Fair Use doctrine (section 107 of the U.S. Code Title 17 on Copyright) and the responsibility of the College to provide information and guidance to students and employees. Copying of materials or other uses not specifically allowed by the law, fair use, license agreement, or the permission of the copyright holder is strictly prohibited. Students or employees who willfully disregard the copyright policy are in violation and do so at their own risk and assume all liability. If the reproduction of the copyrighted material does not meet the fair-use guidelines, written authorization must be obtained.

#### **TEACH Act**

The Technology, Education and Copyright Harmonization (TEACH) Act amends Sections 110(2) and 112 of the Copyright Act of 1976 to give instructors at accredited nonprofit educational institutions greater flexibility to use third party copyrighted works in online course delivery.

The Act permits the display and performance of virtually all types of works during online instruction without the consent of the copyright owner, provided that:

- The online instruction at an eligible institution is mediated by an instructor
- The transmission of material is intended only for receipt by the students enrolled in the course, regardless of where the students are physically located
- The institution employs measures to prevent “retention of the work in accessible form by recipients of the transmission for longer than the class session”
- The institution employs measures that limit the transmission of the material to students enrolled in the particular course and precludes unauthorized student retention and/or downstream redistribution “to the extent technologically feasible”
- Use of the material is clearly for educational, not entertainment purposes

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**March 26, 2025**

*\*Review Deadline: March 26, 2030*

#### **Policy II.B.4: Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires colleges to report criminal activity and statistics on or adjacent to their campuses to the federal and state governments. This information will be reported annually by Erie County Community College along with statistics documented by local law enforcement agencies.

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 7, 2021**

**March 26, 2025**

*\*Review Deadline: March 26, 2030*

#### **Policy II.B.5: Use and Duplication of Software**

Erie County Community College forbids, under any circumstances, the unauthorized reproduction of software or the use of illegally obtained software. Using College equipment to make illegal copies of software is prohibited. Employees and students of the College who violate this policy are subject to disciplinary action. Individuals who violate federal copyright law and software licensing agreements may also be subject to criminal action and/or civil action by the owner of the copyright. The College purchases or licenses the use of copies of software from a variety of outside companies. The College does not own the Copyright to this software or its related documentation and, unless authorized by the software developer or copyright Owner, does not have the right to reproduce it for use on more than one computer. The College will make a reasonable effort to correct any discovered instances of illegal software by deleting it. The College will not defend or indemnify any employee or student of the College who makes unauthorized copies of software programs or otherwise violates the terms on which any software programs are licensed. Individuals are responsible for familiarizing themselves with the copyright provisions of the software they use.



Erie County Community College, along with many other colleges and universities, supports the following statement from the 1987 brochure entitled "Using Software," distributed by EDUCOM (a non-profit consortium of over 450 colleges and universities):

1. Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, the right to privacy, and right to determine the form, manner, and terms of publication and distribution.
2. Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community.

Employees and students of the College are required to adhere to any specific conditions or restrictions required by the licensing agreements for software programs purchased or licensed with College funds. In addition, the following general conditions apply:

1. It is illegal to copy a software program, such as but not limited to Office Applications Tools or Suites, Database Processing Tools, Anti-Virus Utilities, or Operating Systems, and install that single program for simultaneous use on more than one machine except where specifically licensed otherwise.
2. Unauthorized copies of software programs may not be used knowingly on College equipment. This applies even though the individual may not have made the illegal copy.
3. Employees and students of the college are prohibited from making, assisting in making, or knowingly using illegal copies of software on college equipment.
4. Employees and students of the college are permitted to make an archival (i.e., back-up) copy of a software program unless prohibited by the software licensing agreement, but any copy so created must be used solely for archival purposes and all archival copies of a particular computer program must be destroyed if the continued possession of that computer program ceases to be rightful.

Under U.S. copyright law, unauthorized software duplication constitutes "copyright infringement" and is punishable by a fine of up to \$250,000 and imprisonment for up to five years. Federal law also permits the recovery of "actual damages" sustained by the copyright owner, based on the number of copies produced. However, even if the copyright owner is unable to prove "actual damages", it may be entitled to "statutory damages" ranging up to \$100,000 for willful copyright infringement.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**January 28, 2026**

*\*Review Deadline: January 28, 2031*

#### **Policy II.B.6: Acceptable Use Policy for Interactive Systems**

In support of its mission, Erie County Community College provides access to computing, network, and information resources ("interactive systems") to students, faculty, staff, members of the Board of Trustees, and other authorized users. Interactive systems include all devices and technologies that connect to the College's network infrastructure, whether directly or remotely.

Use of the College's interactive systems is a privilege and must align with the College's mission, institutional priorities, and applicable laws. All users are expected to act responsibly, ethically, and lawfully in their use of College resources.

#### **General Principles of Use**

All users of the College's interactive systems shall:

- Safeguard the integrity, availability, and security of College information resources
- Respect the rights, privacy, and access of other users
- Comply with all applicable federal, state, and local laws and regulations
- Adhere to contractual, licensing, and policy obligations
- Uphold the highest standards of ethics and professional conduct

#### **Appropriate and Prohibited Use**

The College's interactive systems are intended to support educational, instructional, research, administrative, and community engagement purposes. Use of these systems must not:

- Involve unauthorized access or exceed authorized privileges



- Disrupt system operations or compromise system security
- Facilitate illegal, fraudulent, or unethical activity
- Violate laws related to privacy, confidentiality, copyright, or intellectual property
- Harass, threaten, defame, or unlawfully discriminate against others

### **Confidentiality and Privacy**

Users of the College's interactive systems must protect confidential and sensitive information, including student, employee, and institutional data. Access to such information must be limited to legitimate educational or business purposes and handled in accordance with applicable laws and College policies.

The College recognizes and complies with all applicable federal and state confidentiality and data protection requirements, including but not limited to:

- Family Educational Rights and Privacy Act (FERPA)
- Health Insurance Portability and Accountability Act (HIPAA), where applicable
- Gramm-Leach-Bliley Act (GLBA), where applicable

### **Social Media and External Platforms**

Users identifying an affiliation with Erie County Community College while using social media or external electronic platforms must ensure their conduct complies with applicable laws and College policies and does not misrepresent, harm, or imply unauthorized endorsement by the College.

The College's name, logo, seal, or trademarks may not be used in a manner that implies institutional endorsement without proper authorization.

### **System Integrity and Security**

Users are responsible for protecting the security of their access credentials and for using College systems in a manner that preserves the confidentiality, integrity, and availability of institutional resources.

### **Oversight and Authority**

The College retains authority over its interactive systems and reserves the right to manage, protect, and regulate their use in accordance with this policy and applicable law. Oversight of College interactive systems is delegated by the President to appropriate administrative leadership.

### **Violations**

Violations of this policy may result in loss of access privileges and/or disciplinary action in accordance with applicable College policies, procedures, and contractual obligations, and may include referral to appropriate legal authorities when required.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**January 28, 2026**

*\*Review Deadline: January 28, 2031*

### **Policy II.B.7: Policy for Responsible Computing**

In support of its mission Erie County Community College provides computing and information resources in support of its educational mission. Use of these resources is a privilege and must be consistent with the College's mission, institutional priorities, and available resources.

All users of College computing and information resources are expected to act in accordance with applicable laws, contractual obligations, College policy, and the highest standards of ethics and integrity. Users must respect the rights of others and the integrity and security of College systems and facilities.

The College reserves the right to manage, limit, or revoke access to its computing and information resources. Access to College information resources is permitted only when consistent with institutional purpose, legal and contractual requirements, and risk to the College.

College computing and information resources are intended for College-related purposes. Unauthorized access, misuse, or disruption of these resources is prohibited and may result in disciplinary action.

*\*Policy approved by Erie County Community College Board of Trustees:*



**March 10, 2021**  
**January 28, 2026**

\*Review Deadline: **January 28, 2031**

#### **Policy II.B.8: General Appeals**

When a member of the college community feels that they have received an unfair judgment from college personnel, they will have the opportunity to appeal the decision. The College will maintain and make available a General Appeals procedure that will apply to all procedures that do not contain a procedure-specific appeal. No individual who in good faith makes a complaint or appeal shall suffer retaliation for making such a report.

\*Policy approved by Erie County Community College Board of Trustees: **November 20, 2024**

\*Review Deadline: **November 20, 2029**

### **SECTION III: Human Resources**

#### **Subsection A: Classification**

##### **Policy III.A.1: Classification of Employees**

Erie County Community College has the following categories of employees:

Regular Full-time (Exempt and Non-Exempt) - A full-time employee of the College who is regularly scheduled to work 40 hours per week for a non-specified period. These include employees in Executive, Administration, Professional and Staff/Specialist positions. Regular, full-time employees are eligible to participate in all benefit plans the company offers once eligibility requirements have been met.

Regular Part-time (Non-Exempt) – A part-time employee of the College who is regularly scheduled for less than 30 hours per week. These include employees in Executive, Administration, Professional and Staff/Specialist positions.

Faculty (Full-time and Part-time) – Faculty hired to teach at the College. Includes full-time and part-time faculty.

Full-time faculty are hired to teach a full-time load (30 credit/contact hours) during the academic year. Faculty may be reassigned to do administrative work at the discretion of the President.

Part-time Faculty – Faculty hired to teach less than a full load (maximum of 12 credit/contact hours per semester). Part-time faculty may be reassigned to do administrative work at the discretion of the President.

Contract and Temporary (Fee-for-Service and Non-Exempt) – A contractor or temporary employee is one who is hired for a defined period of time. The position may be renewed for a defined period of time as needed.

\*Policy approved by Erie County Community College Board of Trustees:

**April 21, 2021**  
**February 23, 2022**  
**January 25, 2023**

\*Review Deadline: **January 25, 2028**

### **SECTION III: Human Resources**

#### **Subsection B: Employment**

##### **Policy III.B.1: Recruitment, Search and Selection of Personnel**

Erie County Community College (EC3) endeavors to attract, identify and hire well-qualified. The College is an equal opportunity employer and complies with all applicable federal, state and local laws regarding hiring practices. Prospective new hires may be required to successfully complete a background check, including a criminal records check and verification of education and work experience, as a condition of employment. Additionally, individuals seeking employment in positions that involve a significant likelihood of regular contact with minors may be required to provide the College with criminal record and child abuse clearances and comply with such other requirements as may be established under applicable law. Under the direction of the President, the Human Resources Department shall ensure compliance with this policy. The Human Resources Director and all other supervisory staff shall implement this policy.

#### **Confidentiality**

To protect the privacy of candidates and to preserve the integrity of employment recruitment, search and selection process, all search committee members and staff involved in the process are required to maintain confidentiality throughout and after the conclusion of the recruitment process. Confidential information includes the names of applicants and matters discovered or



discussed during the recruiting process. All information relating to the search may only be discussed with other search committee members, the Human Resources Department or administrators in the chain of command of the hiring department. Employees who violate this requirement for confidentiality will be subject to disciplinary action in accordance with the College administrative disciplinary action policy.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**November 20, 2024**  
**May 28, 2025**

*\*Review Deadline: May 28, 2030*

#### **Policy III.B.2 Compensation Ranges**

The College recognizes the necessity of maintaining competitive compensation for its employees and of preserving equitable relationships among employees and among organizational levels. Compensation for administrative and other employees is determined by reference to equivalent educational and industry standards and maintained through compensation programs and compensation ranges established by the administration.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**September 24, 2025**

*\*Review Deadline: September 24, 2030*

### **SECTION III: Human Resources**

#### **Subsection C: Performance Expectations**

##### **Policy III.C.1: Evaluation of Employees**

Erie County Community College requires annual performance appraisals of all employees to create and maintain an environment of excellence. In addition, all new employees will be reviewed within the first 90 days of employment. Dates when the College is closed or the employee did not report for work are not included in the calculation of the first 90 days.

The College will develop and implement procedures and instruments for the appraisal system for all employees. The primary intent of the system is formative, to ensure that employees understand performance expectations and to have an opportunity for professional growth and improvement.

Under the direction of the President, the Human Resources Department shall ensure compliance with this policy. Human Resources Director, and all other staff in a supervisory capacity, shall implement this policy.

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 21, 2021**  
**November 20, 2024**

*\*Review Deadline: November 20, 2029*

### **SECTION III: Human Resources**

#### **Subsection D: Benefits**

##### **Policy III.D.1: Military Leave**

Military leave shall be granted in accordance with applicable federal and state law.

##### **Delegation of Authority**

The Administration shall develop and maintain regulations and procedures to implement the requirements of this Policy and to ensure that the military leave, benefit continuation and return to work requirements.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**September 24, 2025**

*\*Review Deadline: September 24, 2030*



### **Policy III.D.2: Reimbursement For Authorized Travel And Business Expenses**

Erie County Community College recognizes the necessity for and the intrinsic value in having its employees and trustees participate in meetings, conferences and other activities, which serve the interests of the College. To support these activities, the Board annually approves funding for travel by employees.

Erie County Community College supports employee and trustee participation in professional activities that align with the College's mission and goals. Reimbursement for related travel and business expenses may be provided when such activities are pre-approved and budgeted.

#### **Eligibility**

Authorized travel may include conferences, meetings, workshops, seminars, or other business-related activities. All travel must serve a clear benefit to the College.

#### **Conditions**

- Travel must be reasonable and cost-effective.
- The College may restrict travel based on health, safety, or financial considerations.
- Only actual, necessary, and approved expenses will be reimbursed.
- Alcohol and other non-essential or personal expenses are not reimbursable.
- The College reimburses for business-related expenses only; personal travel portions will not be covered.
- Travel reimbursements are generally limited to the duration of the approved event.

#### **Documentation Requirements**

Reimbursement requires submission of itemized receipts and appropriate approvals. Incomplete or unsupported claims may not be reimbursed.

#### **Limitations**

- Reimbursement rates for lodging, meals, and mileage follow federal guidelines.
- The College does not reimburse for personal vehicle repairs, insurance costs, or fines.
- All reimbursements are subject to final review and approval.

#### **Exceptions**

Any exceptions to this policy must be approved by the President.

#### **Eligibility**

Authorized travel may include conferences, meetings, workshops, seminars, or other business-related activities. All travel must serve a clear benefit to the College.

#### **Conditions**

- Travel must be reasonable and cost-effective.
- The College may restrict travel based on health, safety, or financial considerations.
- Only actual, necessary, and approved expenses will be reimbursed.
- Alcohol and other non-essential or personal expenses are not reimbursable.
- The College reimburses for business-related expenses only; personal travel portions will not be covered.
- Travel reimbursements are generally limited to the duration of the approved event.

#### **Documentation Requirements**

Reimbursement requires submission of itemized receipts and appropriate approvals. Incomplete or unsupported claims may not be reimbursed.

#### **Limitations**

- Reimbursement rates for lodging, meals, and mileage follow federal guidelines.
- The College does not reimburse for personal vehicle repairs, insurance costs, or fines.
- All reimbursements are subject to final review and approval.

#### **Exceptions**

Any exceptions to this policy must be approved by the President.

*\*Policy approved by Erie County Community College Board of Trustees:*

**June 30, 2021**

**January 28, 2026**

*\*Review Deadline: January 28, 2031*

## **SECTION III: Human Resources**

### **Subsection E: General**

#### **Policy III.E.1: Conflicts of interest**



The purpose of this policy is to ensure that the College serves the public interest, ensures impartiality, ensures the integrity of the institution, and supports the College's commitment to ethical practices, including the avoidance of the appearance of a conflict of interest.

1. No trustee or employee shall use the authority of his/ her office or employment, or any confidential information received through his/her public office or employment, or vote upon, negotiate, ratify, or execute any contract for or on behalf of the College in which his/her judgment or loyalty to the College might reasonably be subject to question by reason of his/her personal financial interest or that of his/her immediate family or of any business in which the trustee or employee or his/her immediate family is a director, officer, partner, owner, or other principal. For purposes of this provision, "immediate family" shall include a parent, spouse, child, brother or sister;
2. No trustee or employee, nor his/her spouse or child, nor any business in which the trustee or employee or his/her spouse or child is a director, officer, partner, owner or other principal shall enter into any contract (other than one pertaining to the terms of his/her employment) with the College unless the contract has been awarded through an open, public and competitive (where appropriate) process--and then only after full disclosure of such interest, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the trustee or employee shall not have any supervisory or overall responsibility for the implementation or administration of the contract;
3. No trustee or employee shall accept a gift or thing of greater than minimal value in any form, unless consideration of equal or greater value is provided, from any person (including students or persons acting for or on behalf of students) or entity having any business, association, or relationship with the College.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**January 28, 2026**

*\*Review Deadline: January 28, 2031*

#### **Policy III.E.2: Nepotism**

Erie County Community College's nepotism policy is designed to prevent occurrences whereby there may be a conflict of interest regarding relatives who are employees or potential employees of the College.

Nepotism is defined as favoritism or potential favoritism based on kinship and the conflicts of interest and loyalties that may result therein.

The definition of "**kinship**", **for the purposes of this policy**, includes a spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, cousin, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister. The relationship includes those by blood, marriage or adoption. For purposes of this policy, kinship also includes previous relationships that may have been dissolved.

Kinship is synonymous for purposes of this policy with the term "relative."

- A. The College prohibits relatives of prospective employees from sitting on any College search committee in which they may have influence on the outcome of future hires among the faculty or staff.
- B. Relatives may be employed at the College; however, under no circumstances may an employee directly supervise another employee who is a relative.
- C. Under no circumstances may any member of the College's trustees, officers, administrators, faculty or staff exert pressure on any hiring committee or promotion committee with regard to an applicant or candidate who is a relative.
- D. Disciplinary matters involving employees may not be conducted by, or similarly involve, an employee who is related to the employee who is under consideration for disciplinary action.
- E. The adjudication of all decisions regarding students, including decisions related to academic or student matters may not involve an employee who is related to the student(s).
- F. All employees must disclose the following **whenever it occurs**:
  1. The planned direct participation in a College decision that would involve a direct benefit or detriment to a relative or former relative.
  2. A change in the status of a relative relationship.

G. Anyone found to be in violation of this policy will be subject to disciplinary action, up to and including a recommendation for termination from employment.

*\*Policy approved by Erie County Community College Board of Trustees:*

**May 26, 2021**  
**January 28, 2026**



\*Review Deadline: **January 28, 2031**

### **Policy III.E.3: Outside Employment**

Erie County Community College (EC3) is a public institution with a critical educational mission. Therefore, full time employees of EC3 are expected to place their primary focus on their jobs with the College and should avoid any conflict of interest or the appearance of conflict of interest with those primary responsibilities. Outside or additional employment should be limited to the extent that it could jeopardize that primary focus or could present a real or apparent conflict of interest. Part time employees' outside employment similarly must not interfere with the expectations of a College part time assignment.

Outside employment is defined as working for another employer, being self-employed, or providing consulting arrangements or paid board services.

An outside employment conflict of interest may be defined as any situation in which outside employment would or could reasonably be perceived to conflict with the best interests of EC3 or with the employee's performance of College duties.

Regular full-time employees should not take paid employment outside the College which might affect their performance on the job at EC3, constitute a conflict of interest, cause work schedule conflicts, result in the misuse of College resources, and/or otherwise have an adverse effect on the College.

College resources (e.g. supplies, facilities, equipment, staff) may not be charged to or supplied by the College for outside employment.

Employees who wish to participate in outside and/or additional employment are required to disclose their intent to their immediate supervisor and to Human Resources, prior to the inception of such employment, to ensure the activity does not conflict with their primary job and to avoid conflict of interest or the appearance of conflict of interest with their responsibilities at EC3. The College reserves the right to disapprove of any such employment that would reflect negatively upon the institution, adversely affect the employee's performance of college duties, or present any conflict of interest issues.

*\*Policy approved by Erie County Community College Board of Trustees:*

**May 26, 2021**  
**January 22, 2025**

\*Review Deadline: **January 22, 2030**

## **SECTION IV. Academic Affairs**

### **Subsection A. Student Learning**

#### **Policy IV.A.1. Assessment of Student Learning Outcomes**

The College is committed to maintaining standards of excellence by providing students with the opportunity to learn what the College and disciplinary fields expect. Student Learning Outcomes will be developed at the course, program and institutional level, to include General Education. These learning goals, objectives and outcomes shall include what students are expected to know, understand and/or be able to do after completion of courses and programs. These outcomes must be observable, measurable and able to be demonstrated. The documentation of Student Learning Outcomes provides focus and direction for curriculum design and student learning outcomes assessment.

Development of plans for assessment of Student Learning Outcomes in courses, degree and certificate programs and at the institutional level shall involve faculty and academic leadership as appropriate. Assessment plans shall include a periodic review process. Assessment shall be an ongoing effort for continuous improvement of student learning. In addition, results shall be used to review the assessment process itself.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**  
**July 23, 2025**

\*Review Deadline: **July 23, 2030**

#### **Policy IV.A.2: Assignment and Use of Grades**

Students officially enrolled in a class by the end of the semester must be assigned a final grade for the class by the course instructor. The primary purpose of a grading system is to document evaluation of student learning and inform the student of his or her academic progress.

The following represents grading standards at the College:

A = Academic achievement of superior quality 4.0

B = Academic achievement of high quality 3.0

C = Academic achievement of satisfactory quality 2.0

D = Academic achievement of minimal quality required for course credit 1.0



F = Academic achievement below the minimum required for course credit. 0.0

W = Official Withdrawal. No course credit.

I = Incomplete. No course credit. See below for Incomplete Grade policy.

P = Pass. For non-credit courses.

Z = No pass. For non-credit courses.

AU = Audit. No course credit.

TR = Transfer credit units. Not used in calculating term or cumulative grade point averages.

### **Repeating Grades**

A student has the choice to repeat any course to improve their cumulative grade point average (GPA). Repeating courses is one of the most efficient ways to quickly increase a student's GPA and to improve academic standing with the College. The approval of an Academic Dean is required for the student to repeat a course more than once. In the case of repeating grades, only the highest grade will be used when calculating the student's term and cumulative GPA. However, all attempts and earned grades will remain on the student's official transcript.

When calculating the transfer GPA, some institutions will use all grades including repeated attempts to determine admission or program eligibility. Also, federal financial aid may put limits on the number of attempts of the same course that can be paid for using federal funds. It is important to work with an academic advisor and financial aid staff to obtain the most updated information.

Students may access semester grades and transcripts and shall be notified of the grading system and requirements for academic credit courses by publication in the course outline, course catalog and student handbook and/or other means of communication approved by the College. Students will be responsible for being cognizant of grading policies and requirements, and changes or revisions made to such requirements, in the instructional program or programs in which they are enrolled.

### **Incomplete Grade**

After 75% of the course time has been completed and prior to the last class meeting, students with satisfactory academic standing who are unable to complete their coursework due to valid, unforeseen circumstances can seek an incomplete grade of I with the permission of the instructor. If the request is approved, the instructor shall provide an agreement for the work to be completed and the student must complete the appropriate institutional form. The deadline for completing the course requirements shall be no more than 90 days after the final day of the semester in which the Incomplete grade was issued. An I grade shall be changed to an F grade when the agreement of work is not satisfied or when more than 90 days from the final day of the semester have elapsed.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**January 25, 2023**

**April 26, 2023**

*\*Review Deadline: April 26, 2028*

### **Policy IV.A.3: Online Learning Testing & Identity Verification**

In compliance with federal regulations (34 CFR 602.17(g)) and the Higher Education Opportunity Act (HEOA) of 2008, concerning the verification of student identity in distance education, Erie County Community College will establish and periodically evaluate the process to confirm that a student who apply to attend EC3 and those enrolled in an online course is the same student who participated in and receives the academic credit for the course. This policy will reside with the Executive Vice President's Office and apply to all programs beginning with the application for admission and continuing through a student's graduation, transfer, or withdrawal from the College.

All methods of verifying student identity in online courses must protect the privacy of student information in accordance with the Family Educational Rights and Privacy Act (FERPA) and any other applicable laws or regulations regarding the confidentiality of personally identifiable information. Personally identifiable information collected by the College may be used as the basis for identity verification.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**

**March 26, 2025**

*\*Review Deadline: March 26, 2030*

## **SECTION IV. Academic Affairs**

### **Subsection B. Courses, Curricula and Programs**

#### **Policy IV.B.1: Advisory Committees**

To ensure quality and relevant programs and curricula, with strong connections to the broader community, Erie County Community



College establishes a local advisory committee for each of its applied science and certificate programs. The main purpose of these committees shall be to help ensure that knowledge and skills students receive in the program are beneficial for graduates to be best prepared to enter the workforce community within Erie County. Advisory Committee members shall be experts in the respective discipline(s) and represent organizations or employers with a vested interest in receiving EC3 graduates.

Committee recommendations may include but are not limited to curriculum development and review, assessment of community needs, projected industry standards and employment competencies, emerging trends in the field of study, student placement opportunities, student internships, experiential learning opportunities, assistance in identifying facilities and obtaining equipment, student recruitment and legislative or financial support.

The Academic Affairs Division will be responsible for establishing and maintaining advisory committee memberships within each program area.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**  
**March 26, 2025**

*\*Review Deadline: March 26, 2030*

#### **Policy IV.B.2: Course/Curriculum Development and Approval**

Erie County Community College is dedicated to developing rigorous academic courses and programs that address the diverse needs of its student population and changing workforce needs within Erie County and northwest Pennsylvania.

All new courses and programs are recommended for approval by the College's Curriculum and Assessment Committee and presented to the College President or their designee for final approval. Final authorization for all new degrees and academic certificates resides with the Board of Trustees for the College to be authorized to award academic credentials.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**  
**May 24, 2023**  
**May 22, 2024**  
**May 28, 2025**

*\*Review Deadline: May 28, 2030*

#### **Policy IV.B.3: Course Syllabus Adoption and Use**

Instructors shall provide a course syllabus to each student at the first meeting of the course. Syllabi shall also be made available electronically. The syllabus becomes the contract between the instructor and student for student learning outcomes, assignments, methods of assessment, attendance policies, and other information related to the course.

Syllabi should be reviewed annually by those faculty members teaching that course and appropriate changes made to ensure the syllabus is current. All standard syllabi shall be approved during the semester prior to the course being taught for the first time.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**  
**July 23, 2025**

*\*Review Deadline: July 23, 2030*

#### **Policy IV.B.4: Textbook and Course Materials Adoption**

Appropriate course learning materials to include textbooks in digital or print formats are essential to ensuring students have full access to the instructional process. Depending on the nature of the course, such appropriate materials may vary. Further, the College recognizes that the cost of textbooks and course materials may create a significant barrier to student learning, retention and success. This Policy creates a college-wide framework for ensuring timely, cost-effective and high-quality textbook and course material adoption. Academic units are encouraged to consider OER, Open Educational Resources whenever appropriate. The Higher Education Opportunity Act (HEOA) of 2008 and amended in 2010, includes provisions whose primary objectives are to increase transparency in textbook pricing, to provide more time to comparison shop for classroom resources, and to contribute to lower-priced textbooks for students. In the spirit of HEOA, academic units are encouraged to adopt their textbooks and materials for at least two academic years based on the ideal textbook life cycle.

To standardize the textbook adoption procedure each academic unit shall establish common textbook requirements for each course. It is preferred that all delivery methods use the same text, but in some cases such as online learning, alternative digital material may be preferable.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**



**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy IV.B.5: Course and Program Review and Evaluation**

This policy sets the minimum requirements to modify or delete an existing credit course or program in order to ensure that the College meets the requirements of Pennsylvania Department of Education regulations as defined by Chapter 35 and 335 (effective July 1, 1997) as well as the Middle States Commission on Higher Education accreditation standards and quality measures.

Periodic assessment of the effectiveness of programs providing student learning opportunities is essential to ensuring and maintaining a quality learning experience for students.

Faculty shall bear responsibility for revising courses and programs and all proposed additions, modifications and deletions shall be reviewed and approved by appropriate administrative channels. Final approval shall reside with the College President. Provisions must be made to ensure enrolled students in a program of study are not prevented from completing the program of study as a direct result of the requirements implemented with a program addition, modification or deletion.

All courses and programs shall be reviewed and assessed on an approved periodic basis. Such review shall be clearly defined, organized and systematic, conducted by faculty and/or appropriate professionals, evaluating the extent of student achievement of course and curricular goals. Assessment results shall be used for the improvement of educational effectiveness.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy IV.B.6: Course Section and Class Cancellation**

Formation and continuation of course sections and classes are subject to factors to include adequate enrollment. The administration reserves the right to cancel a course or section, to change the time of meeting, to subdivide a section, or to combine two or more sections as circumstances may require.

When a course section is withdrawn from the schedule, a student actively enrolled in that course at the time of withdrawal will be given full refund of tuition and the fees associated with the course. Students will be notified when such cancellations occur and are encouraged to speak to an advisor to discuss alternative course selections.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy IV.B.7: Academic Program Discontinuation**

The College recognizes that its academic programs must be responsive to the needs of the students and the community it serves in support of its mission. To that end, the College periodically reviews its academic programs to ensure quality and/or viability.

Such reviews may result in the recommendation to discontinue a particular academic program. The final authority to discontinue an academic program rests with the College President and/or his or her designee.

Provisions shall be made to ensure that students enrolled in an academic program being discontinued are not prevented from completing that program in a reasonable amount of time, and a smooth transition for students is identified. Students shall be encouraged to consult with College faculty and/or advisors to design an educational plan in order to complete coursework prior to the program's discontinuation.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**SECTION IV: Academic Affairs**

**Subsection C: Student Academic Matters**

**Policy IV.C.1: Student Academic Leaves and Administrative Withdrawals**

This policy is intended to provide options for students who may have experienced extraordinary circumstances which have (such as significant illness, injury or other extreme situations) interfered with his/her ability to successfully complete required



coursework. An academic leave of absence allows the student experiencing extraordinary circumstances to temporarily suspend their academic and any extra-curricular participation at the College without losing any standing they may have at the College. A student may request an academic leave of absence at any time after the add/drop date has passed for that session. However, a leave cannot be applied retroactively to previous terms.

An academic leave allows the student experiencing extraordinary circumstances to temporarily suspend their academic and any extra-curricular participation at the College without losing any standing they may have at the College. These circumstances shall include but not be limited to serious illness, injury, or another significant personal situation which prevents a student from continuing their classes.

Students on an approved leave shall be treated as enrolled students for the purposes of financial aid repayment. Students on leaves of absence will not receive financial aid, will not be eligible for student employment, or able to participate in extracurricular activities. A student should work with an advisor or other appropriate College personnel to fully understand the consequences of a leave of absence and procedures for obtaining one.

Students who are registered for courses and who have been deployed or reassigned for military service may provide copies of deployment orders and withdraw from a course(s). No charges shall be assessed for the term.

A student who is being administratively withdrawn from a course or program by a faculty member shall be notified of the decision, the reasons, and its consequences. A student appealing this decision shall follow the College's approved appeal procedure. Faculty shall not initiate an administrative withdrawal without evidence of attempt to reasonably accommodate the student to remain in the course. Faculty-initiated withdrawals may be submitted, but only after the 20% attendance reporting period, and before the end of the eleventh (11th) week of a 16-week term, or the equivalent of the eleventh (11th) week of a shorter term. During this time, and only after a student has been absent from class for a number of days equal to two (2) weeks or more of a 16-week term, or the equivalent of two (2) weeks or more of a shorter term, may the instructor initiate a withdrawal.

A student initiated withdrawal from a course or courses without academic penalty can occur up to and including the eleventh (11th) week of a regular term, and up to and including the equivalent of the eleventh (11th) week in a nonstandard term.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**  
**July 23, 2025**

*\*Review Deadline: July 23, 2030*

#### **Policy IV.C.2: Student Academic Appeals**

The College will maintain a student academic appeals process in which students may appeal academically related issues. The academic leadership is responsible for administering the appeals process as outlined in the student handbook. All appellate decisions made by the College administration shall be final.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**  
**July 23, 2025**

*\*Review Deadline: July 23, 2030*

#### **Policy IV.C.3: Requirements and Eligibility for Graduation and Commencement**

The College will grant degrees and academic certificates only to students who have earned at least 50% of the required credit hours for a degree or academic certificate in residence. Credits awarded for experiential learning can be counted towards the residency requirement. In order to qualify for a degree or certificate a student must attain a minimum grade point average of 2.0 and satisfy all requirements of their degree or certificate.

Students may pursue as many certificates and/or degrees as their circumstances permit. Students must fulfill all prerequisites, program, and related course requirements to earn the associated credential(s).

To earn more than one associate degree at Erie County Community College, a student must take a minimum of 12 credit hours within one associate degree program that are different from another associate degree program.

A student may be awarded the associate degree and a certificate or awarded multiple certificates at the same time using the same credits so long as the prescribed program requirements for each program have been satisfied.

One formal commencement ceremony shall take place annually, at the conclusion of the Spring term. Students who completed their



requirements at the end of the preceding Fall term, the current Spring term, or are scheduled to complete their requirements in the upcoming Summer term will be invited to participate in the ceremony.

The College President shall certify the list of candidates who have met requirements for graduation.

Students who intend to meet the requirements for graduation at the end of any term or summer term must apply to graduate according to appropriate College procedures.

#### **Graduation Honors**

Students shall be awarded Honors who complete their work with outstanding academic records according to the following cumulative grade point averages:

3.500 to 3.749 - With Honor

3.750 to 3.949 - With High Honor

3.950 to 4.000 - With Highest Honor

\*Policy approved by Erie County Community College Board of Trustees:

**March 24, 2021**

**July 27, 2022**

**April 26, 2023**

**January 24, 2024**

\*Review Deadline: **January 24, 2029**

### **SECTION IV: Academic Affairs**

#### **Subsection D: Faculty Matters**

##### **Policy IV.D.1: Professional Ethics Code**

This Code of Ethics is based in part on the standards set forth in a guiding document, Statement of Professional Ethics, as revised in 2009, prepared by the American Association of University Professors.

It clarifies standards of professional conduct derived from general professional consensus about the existence of principles considered basic to acceptable faculty behavior.

Faculty members shall develop and improve their scholarly competence and practice intellectual honesty. Although faculty members may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As such, faculty must:

- Distinguish clearly between personal views, professional opinions, and those of the College
- Observe the stated regulations, general philosophy and objectives of the College
- Refrain from knowingly distorting or misrepresenting facts concerning educational or institutional mattersDevelop and maintain course quality in the discipline
- Present subject matter in such a manner that it is free of deliberate misrepresentation
- Adhere to approved course and program level student learning outcomes and makes these outcomes explicit to studentsState course outcomes clearly at the beginning of the course and state the criteria and procedures for evaluating student attainment of these objectives
- Assess approved student and program learning outcomes as required
- Remain up to date in the discipline and issues regarding pedagogy and teaching excellence
- Meet all classes as scheduled, maintain office hours and provide reasonable means for student access to course informationParticipate in departmental and college-wide activities
- Complete approved, periodic self-assessment to be shared with appropriate College personnel
- Perform all required and expected obligations with collegiality and respect
- Commit to working with and supporting students outside of required classroom hours
- Maintain and be available to students during regular office hours
- Participate in and attend extracurricular activities
- Refrain from using professional relationships with students for private advantage
- Contribute to the advancement of the College and the discipline through research, publications, presentations and other



venues as appropriate

- Conduct all related administrative and non-teaching activities in a timely and effective manner
- Consider carefully accepting offered gratuities, gifts or favors that might impair one's professional judgment or discredit the College.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

#### **Policy IV.D.2: Academic Freedom**

Erie County Community College fosters an environment for excellence in teaching, learning, and inquiry by sustaining freedom of expression, scholarly pursuit of knowledge, spirited and open debate, and intellectual exchange in a culture of mutual respect.

Academic freedom is essential to the shared goal of the pursuit of knowledge and is fundamental to the exploration of new ideas. It is defined as the individual's right to engage in intellectual debate, research, speech, or written or electronic correspondence, on and off campus, without fear of censorship, retaliation, or sanction. Academic freedom encompasses both the individual's and College's right to maintain academic standards and ensure intellectual integrity, while ensuring faculty members' rights to freedom of discussion in the classroom, encourage intellectual integrity, sustain pedagogical approaches consistent with the discipline taught, and evaluate student work.

Academic freedom does not involve expression that substantially impairs the rights of others or the imposition of political, religious, or philosophical beliefs on individuals of the college community. Academic Freedom does not provide protection of faculty who demonstrate professional incompetence, or dishonesty with regard to their assigned discipline or fields of expertise, or who engage in arbitrary or capricious evaluation of students.

The College shall adhere to the 1940 AAUP Statement on Principles of Academic Freedom, and subsequently approved Interpretive Comments (1970) which shall serve as a fundamental guide for deliberations and actions pertaining to academic freedom.

Responsibility must accompany the rights and privileges of academic freedom; throughout the educational process, faculty are encouraged to create an environment of academic excellence and to explore various points of view. Faculty are expected to be accurate, objective, and purposeful. Material presented or discussed should be related to the course's subject matter. Faculty are expected to present and discuss assignments and material relevant to the student learning outcomes presented in the course outline. Faculty are responsible to set reasonable rules for appropriate classroom discourse, including limits to speech that is unrelated to class material or substantially impairs the rights of others.

Individual members of the College may express viewpoints that other individuals may find disagreeable, unwelcome, or objectionable. All individual members of the college community also bear the responsibility to distinguish those behaviors that may violate the College's Student Code of Conduct. Violation of college regulations or policies, and breach of any federal, state, or local criminal law either on campus or at any college-sponsored activity are not protected under the Academic Freedom Policy.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

#### **Policy IV.D.3: Intellectual Property**

The College is a learning community which encourages intellectual inquiry among faculty, students and staff which results in the development of creative work, scholarly research, inventions and discoveries, known broadly as intellectual property.

This policy applies to works created by all classifications of faculty, staff and students at the College, and to non-employees such as consultants and independent contractors who create works on behalf of the College, unless a written agreement exists to the contrary.

College employees who create such works on their own time, and without the use of substantial College resources or financial support, own those works as described in detail below. The College shall not claim ownership of intellectual property created by its employees, unless the work involved was created in the course of employment; commissioned by the College; or created, developed, or produced with substantial College resources or financial support. In such instances, the rights of the College employee creators and of the College shall be defined by Agreement prior to the commencement of the project.



**Intellectual Property shall consist of the following:**

- A. Copyrightable material produced from creative and scholarly activity, such as text (manuscripts, manuals, books, and articles); videos and motion pictures; music (sound recordings, lyrics, and scores); images (print, photographs, electronic, and art); and computer software (programs, databases, web pages, and courseware)
- B. Patentable works such as patents (processes, machines, manufactures, or compositions of matter); devices; and software excluded from copyrighted materials
- C. Trademarked materials, such as words, names, symbols or logos, domain names, trade dress, and slogans or any combination of words which has been adopted by the College to identify itself and to distinguish itself and its sponsorship from others

College personnel who alone or in association with other individuals or entities create or intend to create patentable subject matter with any use of College resources must disclose the matter and obtain prior authorization from appropriate College personnel. Such disclosure shall be made when it can be reasonably concluded that a patentable subject matter has or will be created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for possible action that protects rights to the intellectual property for the creator and the College. Except as set forth below, the creator of patentable intellectual property shall retain his/her rights, and the College shall not assert ownership rights.

**The College will assert ownership rights to patentable intellectual property developed under any of the following circumstances:**

- A. Development was funded as part of an externally sponsored research program or pursuant to an agreement which allocates rights to the College.
- B. Development required significant use of College resources or more than minimal use of College personnel. Participation of students that influences development of the patentable subject matter constitutes significant use of College resources.
- C. The creator was assigned, directed, or specifically funded by the College to develop the material.
- D. Material was developed by administrators or other non-faculty employees in the course of employment duties and constitutes "work for hire" under U.S. law.

Faculty are not obligated to disclose the creation of original works (other than patentable intellectual property), even when the work might have commercial value, unless it is created under conditions by which the College may assert ownership rights to Intellectual Property as described below, in which case the creator is responsible for timely disclosure.

Except as set forth below, the creator of Intellectual Property (other than patentable intellectual property) shall retain his/her rights, and the College shall not assert ownership rights. However, creators will grant the College use of the Intellectual Property for use in satisfying requests of accreditation agencies for faculty-authorized syllabi and course descriptions and materials.

**The College may assert ownership rights to Intellectual Property developed under the following circumstances:**

- A. Development was funded as part of an externally sponsored research program or pursuant to an agreement which allocates rights to the College.
- B. Development required significant use of College resources or more than minimal use of College personnel. Participation of students that influences development of the work constitutes significant use of College resources. Prominent use of the Erie County Community College name or any image, trademark or logo of Erie County Community College also constitutes significant use of College resources.
- C. A faculty member was assigned, directed, or specifically funded by the College to develop the material.
- D. Material was developed by administrators or other non-faculty employees in the course of employment duties and constitutes "work for hire" under U.S. law.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**  
**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**SECTION V: Student and Academic Services**

**Subsection A: Admissions and Student Records**

**Policy V.A.1: Admissions**

Admission to Erie County Community College is open to the following individuals:

- High school graduates, General Equivalency/Commonwealth Diploma recipients, and transfer applicants from another



college or university.

- Any non-high school graduate and non-General Equivalency recipient over the age of 18 who can demonstrate the ability to benefit from post-secondary education.
- Persons not meeting the above criteria may be considered for admission on an individual basis.

Admission to Erie County Community College does not imply or guarantee admission to any specific program of study for which more restrictive admission requirements are established in compliance with institutional expectations, accrediting-body standards, Commonwealth rules and regulations, or federal guidelines and statutes. Applicants for such programs must follow the prescribed steps for admission in each program.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**March 26, 2025**

*\*Review Deadline: March 26, 2030*

#### **Policy V.A.2: Academic Standing**

The College is committed to the academic success of its students. This Academic Standing Policy is designed to ensure that students make satisfactory progress toward a degree. The grading system at the College is a letter system with associated quality points, which are used to compute cumulative grade point averages as follows: A=4, B=3, C=2, D=1, F=0.

Developmental, transfer credit and non-credit courses will not be calculated in the student's cumulative grade point average (GPA). To remain in Good Academic Standing, a cumulative GPA of 2.0 or better must be maintained.

#### **Academic Caution:**

If, before a total of nine (9) attempted hours, a student's term GPA is below 2.0, the student will be placed on Academic Caution status. This status serves as a caution, to alert the student that their GPA does not meet EC3's minimum requirements. Students on Academic Caution status are strongly encouraged to meet with academic advising staff to discuss strategies for improving their GPA.

#### **Academic Warning:**

If a student has attended more than one term and their cumulative GPA is below a 2.0, they will be placed on Academic Warning Status. Students on Academic Warning Status are strongly encouraged to meet with an academic advisor to devise a plan to improve their GPA. To be removed from Academic Warning status, the student must earn a term and a cumulative GPA of 2.0 or higher. If the student earns a term GPA of 2.0 or higher but still has a cumulative GPA of less than 2.0, they will remain on Academic Warning status.

#### **Academic Probation:**

If a student has been on Academic Warning status for at least one term (cumulative GPA is less than 2.0) and earns a term GPA of 2.0 or less, they will be placed on Academic Probation status. A student on Academic Probation status has two (2) consecutive enrolled semesters, including summer sessions, to raise their GPA to a level above a 2.0. Students on Probation are required to meet with an academic advisor to discuss strategies for improving their GPA and to develop an academic plan that may include limits on the number of credit hours attempted to offer the best opportunity for success before they can register for the next term.

#### **Academic Suspension:**

A student that fails to meet the cumulative 2.0 GPA minimum after two (2) consecutive enrolled terms will be placed on Academic Suspension from the College for one (1) term. A student on Academic Suspension may re-enroll after one (1) term unenrolled but is required to meet with an academic advisor prior to registration to discuss strategies for improving their GPA, and to develop an academic plan that may include limits on the number of credit hours attempted to offer the best opportunity for success. A student on Academic Suspension who has been re-admitted to the College must maintain a term GPA at or above 2.0 to be allowed to enroll in each subsequent semester until such time that their cumulative GPA reaches 2.0 or higher.

Students will have the opportunity to appeal for reconsideration of the Academic Suspension requirement to stop out for a semester. If the appeal is granted, the student is still required to meet with an academic advisor prior to registration to discuss strategies for improving their GPA, and to develop an academic plan that will include limits on the number of credit hours attempted to offer the best opportunity for success.

#### **NOTE:**

- The federal government has established regulations regarding satisfactory academic progress and eligibility for financial aid. These standards are separate from the College's policy on academic standing.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**November 16, 2022**

**February 22, 2023**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*



### **Policy V.A.3: Assessment and Testing**

The College shall create accessible pathways to enrollment in college level courses to include using multiple measures beyond standardized testing practices for placement.

Placement testing is the process by which the College evaluates incoming students to determine their reading, writing, mathematical and other basic skills. Appropriate placement in courses serves to maximize students' opportunities to succeed academically.

Placement testing is mandatory for full-time and part-time credit students. A process shall be developed by which students may be deemed exempt from the placement testing requirement using multiple measures.

As there is no one approach to using multiple measures that is appropriate for all students, the College shall develop a comprehensive approach which includes non-cognitive assessments as part of the placement process.

These practices and measures shall include but not be limited to:

- Placement test results
- High School Transcripts
- AP exam scores
- GED scores
- SAT scores
- ACT scores
- College transcripts
- CLEP examination scores
- TOEFL examination scores

Students will be offered the option to take the knowledge assessment in a non-proctored, self-paced environment. Students will be permitted multiple attempts at these low-stakes, adaptive assessments to modify their placement.

Students who have prior academic experience such as an earned degree (associate's or higher) from an accredited institution, students who are degree candidates at another institution (visiting students), students who have transferred 12 or more credits to Erie County Community College from another institution where they received a GPA of 2.0 or above, and students who are readmitted to the College and have received a GPA of 2.0 or above upon the completion of 12 or more credits shall be exempt from placement testing.

*\*Policy approved by Erie County Community College Board of Trustees: March 10, 2021*

*\*Review Deadline: March 10, 2026*

### **Policy V.A.4: Student Records**

#### **Family Educational Rights and Privacy Act (FERPA)**

Erie County Community College accords all the rights under the Family Educational Rights and Privacy Act of 1974 to its students. In accordance with FERPA, personally identifiable information contained in student education records shall not be disclosed without a student's prior written consent, except in cases in which FERPA authorizes disclosure without such prior consent.

The College may disclose information that has been designated as directory information, unless the student has previously notified the College in the student information system that the student does not want his or her directory information to be disclosed. EC3 defines directory information as:

- student's name,
- program of study,
- dates of attendance,
- credentials earned,
- enrollment status, and
- previous institutions attended

In accordance with FERPA, students have the right to access their records. The College shall provide annual notification to students of their rights concerning student records, as required by FERPA. Any questions about student records or FERPA regulations should be directed to [registrar@ec3pa.org](mailto:registrar@ec3pa.org).

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**January 25, 2023**



**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy V.A.5: Registration and Enrollment**

Students in good academic standing may self-register through the student information system. Students may request an appointment to get virtual or in person assistance.

It is the students' responsibility, in consultation with appropriate College staff or program faculty, to make certain that any registration changes will fulfill the degree requirements and do not affect their financial aid.

Veteran and active military students are granted course scheduling preference (in accordance with Pennsylvania legislation) during a priority registration period. Active military members also receive course scheduling preference during the priority registration period.

**Withdrawal from courses**

A student may withdraw from a course or courses without academic penalty up to around 70% of the scheduled time of the course. These dates are identified on the academic calendar.

**Student Course Load**

A full-time student is one taking 12 or more credit hours in a full 16-week term.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**May 26, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy V.A.6: Transfer of Credits**

Erie County Community College shall evaluate and accept credits earned at another college or university upon consideration of course equivalencies, including expected learning outcomes of the institution's curricula and standards. Credit may be awarded for courses whether or not similar courses are offered at Erie County Community College.

No more than one-half of the credit requirements for a degree, certificate or diploma shall be completed at another institution. Courses with a grade value of 2.0 (C) or higher will be considered for transfer. Courses with a grade value of "pass" or "satisfactory" will be accepted as transfer credits when the transcript states that a "pass" or "satisfactory" is equivalent to a C or above. Transfer courses will be awarded credit with no grade value (quality points) assigned. Developmental coursework is not accepted for transfer credit but will be transcribed for prerequisite purposes.

Specific degree programs may establish additional guidelines for assignment of transfer credits based. Transfer credit will not be granted if granting such credit is contrary to the requirements of any recognized local, state, or federal accrediting or certifying agencies.

Foreign educational credentials must be translated/evaluated initially by a recognized evaluation and/or translation service such as National Association of Credential Evaluation Services (NACES).

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy V.A.7: Catalog Standing and Student Handbook Standing**

Students must follow the curricular and program requirements outlined in the Catalog in effect for the academic year they enter a program. This will include but not be limited to general education and specific program requirements, academic progress policies, and graduation requirements. If a student changes his or her curriculum, they must then follow the Catalog in effect for the academic year that they enter the new program.

**Student Handbook**

The College shall publish and make available a Student Handbook. The Handbook will clearly communicate the College's policies,



procedures, mission and statement of Student's Rights and Responsibilities as well as the Student Code of Conduct. It is the student's responsibility to become familiar with and abide by the information contained therein.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**March 26, 2025**

*\*Review Deadline: March 26, 2030*

#### **Policy V.A.8: Residency**

##### **Definition of Domicile**

Tuition rates at Erie County Community College are determined by a student's domicile. Domicile is defined as "the place where one intends to and does, in fact, permanently reside."

An applicant or student under the age of 18 shall be presumed to have the domicile of parents or guardian. A minor may prove emancipation and independent domicile through convincing evidence.

##### **Commonwealth of Pennsylvania Residency**

To establish Commonwealth residency, one must demonstrate continuous residence in the Commonwealth for a period of twelve (12) months prior to registration as a student.

##### **Erie County Residency**

To establish Erie County residency, an applicant must meet all of the following requirements:

1. Must be a citizen or a permanent resident alien of the United States or be admitted on an immigrant visa to the United States.
2. Must have resided in Pennsylvania for at least 12 months prior to registration.
3. Must have resided in Erie County for at least 12 months prior to registration.

The following documentation may be used to provide evidence toward meeting the residency policy requirements:

Important Note: Name and address must be present on all documents.

1. Current apartment lease or mortgage from the permanent independent residence.
2. Copy of a city/state tax bill.
3. Copies of bank statements, automobile registration, or other registered property.
4. Current Pennsylvania driver's license or state ID.
5. High school transcript showing an Erie County home address.
6. Pay stubs with Erie County home address showing payment of Erie County taxes.

Cases shall be decided on the basis of documentation submitted, with qualitative rather than quantitative emphasis. The determination of residency in each case is one of the subjective intentions of the student to reside indefinitely in this Commonwealth and in the County.

##### **International Students**

International students holding an F-1 or J-1 visa cannot be classified as legal residents of Erie County or Pennsylvania.

##### **United States Veterans, United States Military and Civilian Personnel, and Their Dependents**

All eligible veterans of the United States Armed Forces and their spouses and dependents will receive the in-county residency rate for tuition. For veterans to be eligible, they must have served in the United States Armed Forces, including reserve component or National Guard, and must have been discharged or released from service under conditions other than dishonorable.

All active United States military personnel, including their spouses and dependents, who are assigned to an active-duty station in Pennsylvania and reside in Pennsylvania will receive the in-county residency rate for tuition. This provision remains in effect for each member, spouse or dependent while continuously enrolled at the College, even if there is a subsequent change in the permanent duty station of the member to a location outside of Pennsylvania.

All active United States civilian personnel, including their spouses and dependents, who reside in Pennsylvania or who are employed or transferred to a United States Department of Defense facility in Pennsylvania and reside in Pennsylvania will receive the in-county residency rate for tuition. This provision remains in effect for each member, spouse or dependent while continuously enrolled at the College, even if there is a subsequent change in the assigned employment of the member to a location outside of Pennsylvania.

All active military personnel, including the spouses and dependents will receive the in-county residency rate for tuition for



online courses.

Veterans and active military and civilian personnel must verify their affiliation with the United States Armed Services. Spouses and dependents must verify the veteran, military or civilian member's status with the United States Armed Services and provide proof of dependent status.

### **Change of Residency**

Change of residency for tuition and mailing purposes is the sole responsibility of the student. Any changes to residency affecting tuition charges made after the last day of the term's refund period will be reflected in the following semester.

*\*Policy approved by Erie County Community College Board of Trustees:*

**June 30, 2021**

**July 27, 2022**

*\*Review Deadline: July 27, 2027*

## **SECTION V: Student and Academic Services**

### **Subsection B: Payment of Fees**

#### **Policy V.B.1: Payment and Refunds of Tuition and Fees**

The Board of Trustees sets tuition and fees and reserves the right to change them without notice. Tuition may vary based on residency.

To fund the cost of student publications, student clubs and organizations, and other special services and activities for students, there shall be a general College fee for credit courses. Some credit courses offered by the College are subject to additional course fees. These may include courses with laboratories, clinical instruction or additional instructional hours. Other fees may be assessed to include but are not limited to fees for late registration, credit by examination, prior learning assessment, student identification cards, technology use, transcript processing and on-line learning.

#### **Payment of Fees**

A schedule of due dates and methods of payment for tuition and fees shall be published annually.

#### **Refunds**

It is the student's responsibility to submit an official drop form or drop classes via the web, even in cases of non-attendance. Students who drop credit courses prior to the start of the second week of classes for 16-week classes or within the first three (3) calendar days of a shortened session will not incur any charges other than fees that are considered non-refundable. The first day of the term marks the beginning of the refund policy regardless of the first scheduled class day for any particular student. Students who drop during the equivalent first three weeks (first 20 percent) of the term will be charged

50 percent for tuition and applicable fees and will be financially responsible for the charges incurred. Students who drop classes during the equivalent fourth week and thereafter will be charged 100 percent of tuition and applicable fees and will be financially responsible for the charges incurred.

- A schedule for refunds for non-credit courses will be established as appropriate.
- Students who receive aid are subject to federal refund policies and/or regulations of such aid.
- A full refund of tuition and fees shall be made if the College cancels a class.
- Students may request an exception to the above refund policies in the case of extenuating circumstances.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**March 23, 2022**

*\*Review Deadline: March 23, 2027*

#### **Policy V.B.2: Waiver of Tuition and Mandatory Fees for Students Who Have Been in Foster Care**

The Erie County Community College shall comply with Act 16 of 2019 (Act 16) which added Article XXVI-K to the Pennsylvania Public School Code of 1949 once it is eligible for awarding Title IV student assistance. This law, known as the Fostering Independence through Education Act, requires postsecondary institutions to award a waiver of tuition and mandatory fees to some Pennsylvania resident students who have been in foster care and meet the below eligibility requirements.

#### **Student Eligibility Requirements:**

- Be a current Pennsylvania resident.
- Have graduated from high school or have received a Commonwealth Secondary School Diploma.
- Be accepted as a student by the College.



- Be identified as a youth in foster care or a youth adopted from foster care after attaining age 16.
- Be eligible for services under Pennsylvania's John H. Chafee Foster Care Independence Program.
- Have not reached the age of 26 by July 1 of the upcoming academic year for which Chafee Education and Training Grant is received.
- Be enrolled as an undergraduate, at least half time.
- Applied all grants and scholarships for which they are eligible first to cover tuition and fees.
- Demonstrate financial need for the grant (as determined by Erie County Community College).
- Maintain satisfactory academic progress (as determined by Erie County Community College).
- Not be in default on a federal student loan or owe a refund on other Title IV aid.
- Have not received Chafee Education and Training Grant for 5 years (consecutive or not), defined as 10 semesters or the equivalent, for undergraduate study.

*\*Policy approved by Erie County Community College Board of Trustees: September 22, 2021*

*\*Review Deadline: September 22, 2026*

## **SECTION V: Student and Academic Services**

### **Subsection C: Student Services**

#### **Policy V.C.1: Advisement and Career Support Services**

The College shall make information regarding Student Support Services readily available and accessible to students.

The College shall provide Advising Services for students. Advisors work closely with students to develop educational plans, review program requirements, and select appropriate courses. Advisors will also assist students with understanding their program of study in terms of academic, transfer, and career goals and expectations. Students are strongly encouraged to be an active part of the advising relationship by engaging with their Advisor throughout their time at the College. Students identified as needing supports other than academic and career advising will be referred to appropriate services.

Career Support Services offered shall include but not be limited to individual appointments and workshops on résumé and letter writing, interview preparation, job search strategies and career decision making and planning. Student Career Services shall also assist students and graduates in identifying opportunities for part-time, full-time and summer employment.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**March 26, 2025**

*\*Review Deadline: March 26, 2030*

#### **Policy V.C.2: Transfer to Other Colleges or Universities**

The College shall provide students with advising and other resources with regard to transfer from the College to another college or university.

The College will seek to develop articulation agreements with other academic institutions to formalize the transfer of credits. It is the responsibility of the student to make decisions and take actions necessary in order to complete the transfer process.

Official transcripts of student records will only be forwarded to a person or organization for whom the College has received an official request in writing or electronically from the current or former student and for which any required fees have been paid. Unofficial student transcript information can be accessed directly by students.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**

**July 23, 2025**

*\*Review Deadline: July 23, 2030*

#### **Policy V.C.3: Credit for Prior Learning**

Credit for Prior Learning, also known as Prior Learning Assessment, enables students to gain academic credit for knowledge and skills gained through employment and/or other training.-Erie County Community College will have a process by which credit for prior learning can be assessed and approved for acceptance.



*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**January 24, 2024**

*\*Review Deadline: January 24, 2029*

**Policy V.C.4: Access to Health Services**

In the case of an emergency medical incident all faculty, staff, and students are authorized to call 911 immediately. College Safety Team should also be notified in these circumstances.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy V.C.5: Library, Learning Resources and Technology Support**

The College shall create a designated space called the Learning Center, combining library, technology, tutorial, and learning resources. The Learning Center will be staffed with support services

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 10, 2021**  
**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**SECTION V: Student and Academic Services**

**Subsection D: General**

**Policy V.D.1: Sexual Offender Notifications**

Erie County Community College will meet the requirements of The Campus Sex Crimes Prevention Act which provides for the tracking of convicted sex offenders enrolled at, employed by, or carrying on a vocation at institutions of higher education. This Act requires colleges to issue a statement advising the College community where information concerning registered sex offenders may be obtained. Sex offenders are required to take certain steps upon enrollment in an institution of higher education, regardless of whether their enrollment is full or part time. Pursuant to the Campus Sex Crimes Prevention Act, individuals are required register as a sex offender in the jurisdiction where their residence is located and, in the jurisdiction, where the college they attend is located. EC3 will notify the campus community of the presence of a registered sex offender, by posting notice within two business days of status notification.

In addition, the Commonwealth of Pennsylvania maintains a system for making certain registry information on violent sex offenders publicly available. Pennsylvania's Megan's Law, 42 Pa.C.S 9799.1, requires the state police to create and maintain a registry of persons who have either been convicted of or entered a plea of guilty to, or adjudicated delinquent of certain sex offenses listed in Megan's Law. The Pennsylvania State Police is required to make certain information on registered sex offenders available to the public.

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 14, 2021**  
**July 27, 2022**  
**July 23, 2025**

*\*Review Deadline: July 23, 2030*

**Policy V.D.2: Student Rights and Responsibilities/Code of Conduct**

**Student Rights and Responsibilities:**

All students shall abide by the College's policies as well as all county, state and federal laws. Further, students shall not interfere with or disrupt the orderly educational processes at the College.

All students are expected to understand and adhere to regulations in the College Catalog and student handbook including but not limited to academic and co-curricular expectations.

Administration and oversight of the Student Code of Conduct will be the responsibility of the Dean of Students office.

*\*Policy approved by Erie County Community College Board of Trustees:*



**March 10, 2021**  
**July 23, 2030**

\*Review Deadline: **July 23, 2030**

## **SECTION VI: Business Services**

### **Subsection A: Managing Public Property/Resources**

#### **Policy VI.A.1: Purchasing Goods and Services**

Community College of Erie County Regulation for Purchase of Goods and Services:

##### **I. Purpose**

As a public-funded entity, the college models their purchasing practices on those of the County of Erie and the Commonwealth of Pennsylvania. The college aims to obtain supplies, material, equipment, and services, which meet the stated requirements, from the lowest priced, responsible vendor. All purchases of goods and services exceeding \$5,000 are required to be uploaded to the PA Treasury Department reporting site. This policy will be revised annually to correspond to County and State purchasing guidelines.

##### **II. Scope**

Except to the extent otherwise expressly exempted or excluded below, this regulation applies to the procurement of all goods and/or services by any employee on behalf of the Community College, whether for operating supplies and services, capital equipment or acquisition or construction of real property.

##### **Established Procurement Thresholds**

In order to provide for appropriate competition, the Community College shall utilize the following system:

1. For Construction, Reconstruction and Repairs (in accordance with 22 PA Code §35.51)
  - a. Contracts \$1-\$5,000 require two quotes by phone, fax, letter, email, or internet.
  - b. Contracts \$5,000-\$20,000 require three quotes by phone, fax, letter, email, or internet.
  - c. Contracts in excess of \$20,000 require public notice of bids and approval by the Board of Trustees.
  
2. Professional Services-Purchases of legal, financial, architectural, engineering, certain technical consulting and similar professional services are exempt from the bidding requirements set forth herein:
  - a. Professional service contracts up to \$50,000 in total regardless of the term or \$50,000/year not to exceed two years – may be approved without public advertisement by the CFO and/or President based on quotes received.
  - b. Professional service contracts exceeding the above limits – must go through public advertisement and approval by the Board of Trustees.
  - c. When services are rendered over a longer period of time without regard to a project, a new RFP shall be solicited by the administration at least every five years.

Legal services to be provided to the college shall be solicited at the sole discretion of the Board of Trustees.

The college shall not be responsible for payment of goods and/or services, in any amount, ordered without prior approval and authorization by the Finance Department (normally).

Annual end of calendar year updates to this policy and necessary campus notifications will be the responsibility of the Finance Department.

##### **Exceptions to Invitation to Bid (ITB) Requirements**

Requirements for bidding as set forth above may be waived if any of the following are applicable. The Finance Department is delegated signature authority for waiving the requirement for competition in the following cases:

- A. Emergency or Unusual Circumstances

Upon approval by the Pennsylvania Department of Education, competitive bidding may be waived in the event that an unforeseen emergency or condition may cause, or has caused, a portion of the community college plant or facilities to be unusable.

- B. Sole Source Purchases

Sole source purchases apply to the acquisition of an item or service available only from a single supplier, generally identified as a



proprietary item. A proprietary item can be purchased only from a single vendor. The request department must provide written justification for the item or service available from a single supplier. The Finance Department may identify alternative suppliers of comparable and/or equivalent items and reference comparable pricing for review by department personnel.

**C. Use of External Contracts – Piggybacking**

The Community College may “piggyback” off of group purchasing contracts awarded by any other governmental agency or consortium when deemed to be beneficial to the College, including but not limited to contracts awarded by or through the following agencies and entities: United States General Services Administration (GSA), Commonwealth of Pennsylvania Department of General Services Administration (DGS & COSTARS), County of Erie, Education and Institutional Cooperative Services (E&I), U.S. Communities, and Keystone Purchasing Network (KPN).

**Special Requirements for Acquisition, Construction or Renovation of Real Property**

All purchases of capital equipment shall be considered a capital expenditure if an individual item of equipment component cost in excess of \$4,000 and has an expected useful life in excess of one year.

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 14, 2021**

**July 24, 2024**

*\*Review Deadline: July 24, 2029*

**Policy VI.A.2: Contracting Practices and Management**

A contract is defined as any document that contains an agreement between the College and an external party which imposes any obligation on the College, provides a benefit to the College, or affects the College's rights, whether or not there is an exchange of funds between the College and the external party. A contract also may be called: an agreement, memorandum of understanding (MOU), memorandum of agreement (MOA), letter of intent, letter of agreement, license, lease, etc. This policy also includes any amendment, addendum, modification, correction, renewal, or extension of a contract.

All contracts must comply with the College's Conflicts of Interest Policy (III.E.4: Conflicts of Interest). All contracts must be reviewed by the Vice President of the Unit in which they originate or his or her designee. Contracts should also be reviewed with the Vice President of any other affected Unit. All contracts should be reviewed by the College's legal counsel. Contracts which involve the purchase of goods or services of \$50,000 or more must be authorized and executed by the President or his or her designee. Contracts Requiring Specific Board Authorization (VI.A.4: Purchases and Contracts Requiring Specific Board Authorization) must be authorized by the Board of Trustees.

**Contract Approval and Authorized Signatures:**

Contracts which are reviewed by the appropriate individuals in accordance with this policy and which otherwise comply with applicable College policies may be approved and executed only as follows:

- Contracts equal to or more than \$50,000 (in cost or revenue) must be approved and executed by the President of the College or his or her designee,
- Contracts less than \$50,000 (in cost or revenue) must be approved and executed by the Vice President of the Department responsible for implementation of the contract (the originating unit) or his or her designee;
- All articulation agreements and Federal or Commonwealth of Pennsylvania grant contracts must be signed by the President or the Vice President designated in his or her absence

**Approval and Signature Procedure:**

Contracts must be submitted to the designated authorized individual for signature.

**Final Contracts:**

All fully executed contracts must be retained consistent with the College's Records Management and Retention Policy (VI.B.1).

*\*Policy approved by Erie County Community College Board of Trustees:*

**April 14, 2021**

**January 28, 2026**

*\*Review Deadline: January 28, 2031*

**Policy VI.A.3: Disposal of Surplus Property**

When College property is no longer required for operational use, the Finance Department must be promptly notified.

Before designating any item as Surplus Property, the College will make reasonable efforts to redistribute it for internal



use. If the item is not reused internally, the Finance Department may officially declare it as Surplus Property.

The College will develop and follow clear guidelines for disposing of Surplus Property. The chosen disposal method should aim to provide the greatest overall benefit to the College. Disposal methods will vary based on factors such as:

- The item's monetary and non-monetary value
- Demand for the item
- Usefulness and recyclability
- Storage costs

Certain materials—such as hazardous or specialized equipment—may have restrictions on how and where they can be disposed of.

Surplus Property should be disposed of within one year of being designated as such. Any exceptions must be approved by the Chief Financial Officer or the President.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**

**September 24, 2025**

*\*Review Deadline: September 24, 2030*

#### **Policy VI.A.4: Purchases and Contracts Requiring Board Authorization**

The Erie County Community College Board of Trustees approves the annual budget prior to the start of each fiscal year. In addition to approving the aggregate budget plan, the Board will specifically approve certain types of expenditures and contractual relationships. These specific approvals may occur either as a part of the annual budget adoption process or as individual items brought to the Board during the course of the fiscal year.

**The following financial transactions require specific Board approval:**

- Contracts or procurements of fifty thousand dollars (\$50,000) or greater requires approval by the Board before it is authorized by the College administration.
- *Renewals, Extensions and Change Orders for Professional and Other Services*
  - Contract renewal options, if presented to the Board at the time of initial award with a stated dollar value, do not require a subsequent Board approval.
  - Contract extensions of a twelve-month duration or less do not require Board approval unless the annualized value of the extension exceeds 110% of the annual value of the expiring contract. No more than two (2) twelve-month extensions are permitted without approval by the Board of Trustees.
  - Change orders to contracts for professional or other services that cause the value of a contract to exceed \$50,000 require that the modified contract be approved by the Board of Trustees. If a postponement in approving a change order would seriously delay an essential project, then the President may authorize proceeding with the change order, after consulting with and receiving approval from the Chair of the Board, with the understanding that the modified contract will be presented to the Board at its next scheduled meeting.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**January 28, 2026**

*\*Review Deadline: January 28, 2031*

#### **Policy VI.A.5: Expenditure Approval Requirements**

The purpose of this policy is to define institutional approval levels which are required for institutional expenditures.

##### **Budget Expenditures**

Cost Center Managers are authorized to approve all expenditures to a level of \$1,000.

Deans and Directors are authorized to approve all expenditures to a level of \$5,000.

Senior Officers are authorized to approve all expenditures to a level of \$10,000.

Any expenditures with a value of \$10,000 or greater must be approved by the President. This includes requests for change orders which, when added to the original purchase order value, will cause the cumulative value of the purchase order to exceed \$10,000.



## **Capital Expenditures**

A Capital Expenditure is defined as an expenditure for the purchase of land, building, equipment, software, machinery, furniture and fixtures, etc. where the unit cost of an individual item is \$4,000 or greater and the expected life of the item exceeds one year.

Individual items below the \$4,000 may be treated as capital expenditures when, in the judgement of management, the items are material in nature, are components of a larger capital project, or their inclusion as assets is necessary for accurate financial reporting.

## **Grant Expenditures**

In addition to the above requirements, approvals for grant expenditures are determined by the Chief Financial Officer in order to comply with the requirements of the grantor. Each grant will be assigned a financial administrator who will adhere to the approval processes determined by the Chief Financial Officer.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**

**January 28, 2026**

*\*Review Deadline: January 28, 2031*

## **SECTION VI: Business Services**

### **Subsection B: Protecting Institutional Information**

#### **Policy VI.B.1: Records Management & Retention Policy**

It is the policy of Erie County Community College to comply with applicable laws and best practices with regard to the records it maintains, and to apply those laws and practices consistently across College units.

Records maintained in either paper or electronic form that are governed by this policy include, but are not limited to:

1. "Education records" as defined by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended;
2. Individual employment records, including records which concern hiring, appointment, promotion, tenure, compensation, performance, termination or other circumstances of employment;
3. Records that include "protected health information" as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA);
4. All administrative records of the College, with exceptions as specifically defined by the College's legal counsel including those records which must be open in conformance with Pennsylvania's Right-to-Know Law, as amended; and records which might expose the College to legal liability if treated as non-confidential.

#### **Records Retention Schedule**

Records will be maintained in accordance with the Records Retention Schedule including the responsible College Unit to maintain the record, the length of time required for documents to be maintained by the institution, and the appropriate disposal process to be followed when destruction is approved.

The College Registrar is responsible for coordinating, administering, and maintaining records management processes on behalf of the College.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**

**September 24, 2025**

*\*Review Deadline: September 24, 2030*

## **SECTION VII: Facilities, Safety and Security**

### **Subsection A: Safety Measures**

#### **Policy VII.A.1: Security and Workplace Safety**

Erie County Community College strives to have a workplace that is healthy, secure and safe for students, employees and



visitors. The Vice President for Business, Finance and Administration has primary responsibility for implementing, administering, monitoring, and evaluating College safety, but all members of the College community are encouraged to be engaged in efforts to support a healthy, secure and safe College environment.

The College will provide timely information to students and employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, postings, memos, or other written or electronic communications.

Each student, employee and visitor are expected to obey health and safety rules and to exercise caution in all activities.

Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 31, 2021**  
**November 20, 2024**

*\*Review Deadline: November 20, 2029*

#### **Policy VII.A.2: Acceptable Behavior**

Erie County Community College seeks to create a caring and inclusive environment which is academically and culturally dynamic and encourages all students to achieve. The College has the authority to maintain good order and discipline in the furtherance of its mission. As such, the College expects all individuals to conduct themselves in an appropriate manner while on College property. Behavior becomes unacceptable when it impinges on the rights of others, or when it could result in damage to College facilities, equipment, or materials. Those behaving in an unacceptable manner will be asked to modify their behavior or to leave the premises. College security staff will be contacted if necessary.

Unacceptable behavior includes, but is not limited to, the following:

- Harassing language or language of a discriminatory nature
- Messages that harass or threaten others
- Excessive or disruptive noise
- Consumption of tobacco, alcohol, or illegal substances inside college buildings or directly outside building entrances
- Disorderly, disruptive, or threatening behavior, such as engaging in unwanted or inappropriate interactions
- Making threats to the personal safety of employees, or committing violent acts
- Engaging in sexual offenses, including indecent exposure, inappropriate sexual advances (physical or verbal), or contributing to a sexually harassing environment
- Violations of local, state, or federal law
- Destroying or damaging College property

Note:

- Children under 18 must be supervised by a responsible adult at all times.
- Inappropriate behavior by enrolled students or employees is subject to disciplinary sanctions.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**  
**November 20, 2024**

*\*Review Deadline: November 20, 2029*

### **SECTION VII: Facilities, Safety and**

#### **SecuritySubsection B: Environment**

##### **Policy VII.B.1: Tobacco-Free Environment**

To promote a healthier environment, the use of tobacco products, including smoking, vaping, and other forms of tobacco consumption, is prohibited in all indoor areas, company-owned vehicles, and outdoor spaces on our premises.

*\*Policy approved by Erie County Community College Board of Trustees:*

**March 24, 2021**  
**March 26, 2025**

\*Review Deadline: **March 26, 2030**

#### **Policy VII.B.2: Drug and Alcohol-Free Workplace**

The College prohibits the unlawful manufacture, distribution, sale, possession and/or use of illegal drugs, unauthorized controlled substances, alcohol, or similar activity at any College facility or College event. Violations of this Policy will result in appropriate corrective and/or disciplinary action up to and including termination. In compliance with the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act of 1989, and other legislative requirements, all employees of the College must abide by this Policy and the regulations and procedures which implement this Policy as a condition of employment.

The College will implement all the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 including a drug and alcohol awareness program. Conviction under Criminal Drug Statute An employee must provide written notice to the College's chief human resources officer of a conviction of a crime involving the use, sale, or distribution of drugs within five (5) days of such conviction.

If the conviction involves a federal grant employee, the College's human resources officer will notify the appropriate federal contracting agency within ten (10) days of receiving notification of such conviction.

Standards of Conduct In accordance with the foregoing, the following conduct is expressly prohibited:

1. Use, possession, control, storage, manufacture, distribution, dispensation or sale of or solicitation to buy or sell illegal drugs, drug paraphernalia, synthetic drugs, emerging drugs, emerging drug delivery methods, or unauthorized controlled substances on College premises, at College events, on College business, in College vehicles, or anytime an employee is working for the College or being paid by the College.
5. Use of an unauthorized controlled substance, illegal drug or alcohol so as to adversely affect the employee's work performance, the employee's safety or the safety of others.
6. Refusing to participate in or successfully complete a required drug or alcohol counseling or rehabilitation program and/or job performance remediation plan.
7. Employees must report any drug or alcohol-related criminal conviction that occurs in the workplace or affects their role within five (5) calendar days.
8. The College will develop programs and materials which provide information describing the danger of drugs and alcohol in the workplace, and identifying resources to assist employees who are dealing with drug and alcohol related problems.

\*Policy approved by Erie County Community College Board of Trustees:

**March 10, 2021**  
**March 26, 2025**

\*Review Deadline: **March 26, 2030**

### **SECTION VII: Facilities, Safety and Security**

#### **Subsection C: Use of Public Property**

##### **Policy VII.C.1: Use of College Equipment and Facilities**

Equipment and facilities owned or leased by Erie County Community College are primarily intended to support the educational mission of the College. Equipment and use of facilities are for current and prospective students, employees and others having an official contract or connection to the College.

The College may make equipment and facilities available for reasonable public use when the purposes of the event are consistent with those of Erie County Community College, the use has the approval of the President and does not disrupt the normal business operations of the College. The nature and extent of such use are governed by applicable College policies and procedures and any applicable laws and regulations.

Organizations may be required to have insurance and meet other requirements for use of College facilities.

\*Policy approved by Erie County Community College Board of Trustees:

**March 31, 2021**  
**January 28, 2026**

**\*Review Deadline: January 28, 2031**

**Policy VII.C.2: Freedom of Expression and Demonstration**

Erie County Community College is committed to freedom of expression and the exchange of views and ideas in a manner that promotes collective engagement, mutual respect and understanding, and promotes learning in a diverse and complex world. The College recognizes the right of students, faculty, staff, and guests to assemble and express dissenting viewpoints under the following general principles:

- Freedom of Expression: The college supports the right of individuals to engage in peaceful and lawful demonstrations.
- Respect for Rights: Demonstrations must respect the rights and freedoms of others, including their right to learn, teach, and work without undue disruption.
- Safety and Order: Demonstrations must be conducted in a manner that does not threaten the safety of participants or others and does not result in damage to property.

This policy shall apply to college property and does not apply to public sidewalks or streets not owned or controlled by the Erie County Community College. This policy creates a limited public forum for students, faculty, staff and invited guests while participating in a demonstration on college property.

The process for requesting and receiving approval to participate in demonstrations on college property rests with the Office of the Executive Vice President. All demonstration requests will be granted or denied based on reasonable time, place, and manner considerations without regard to the content or viewpoint of the demonstration.

**\*Policy approved by Erie County Community College Board of Trustees:**

**July 24, 2024**  
**July 23, 2025**

**\*Review Deadline: July 23, 2030**

**Policy VII.C.3: Use of College Facilities for Elected Officials and Political Activity**

Erie County Community College (EC3) is committed to the principle of free expression, including the exchange of political viewpoints and ideas, for all members of the community. EC3 encourages students and employees to fully participate in their rights of citizenship, including exercising the right to vote, campaign, and otherwise engage in the political life of our community, state and nation. Nothing in this Policy is intended to limit the rights of students or employees to express personal opinions or engage in political activity in their individual capacities and as private citizens.

However, certain types of politically related activities by EC3 or by EC3 employees, in their official capacities, may be inappropriate due to EC3's nonpartisan mission. This Policy outlines procedures and describes limitations on EC3's involvement and the use of EC3 facilities and resources for political activities.

This policy applies to elected officials of all levels of government, candidates for elected office and their representatives, non-partisan individuals and organizations engaged in political activities, political parties and partisan individuals and organizations, and College employees, students, and organizations.

Policy Guidelines for use are listed below:

**A. Inviting Elected Officials and Individuals in their Non-Candidate Capacity**

Elected officials are public servants and important members of our community who are often invited by EC3 employees or students as experts to serve as speakers or panelists. Such invitations are not to be extended to elected officials in their roles as candidates for office, to currently unelected individuals campaigning for office, or to representatives or spokespeople on behalf of candidates for office, unless the event is a debate, issue forum question and answer session or similar communication in an academic setting where all candidates for the office have been invited. For such visits, a non-partisan atmosphere should be maintained and the individual must only speak in their non-candidate capacity and make no reference to an election. Communications regarding the event deriving from the official or individual should indicate the capacity in which the individual is appearing and should not mention the individual's candidacy or the election.

Approval to invite elected officials is granted by the President or designee. The request must include a complete description of the event or visit, including its purpose, audience, and location. Approval for such visits should be sought at least 7 days prior to the visit.

#### *B. Use of College Facilities for Non-Partisan Political Activities and Events*

EC3 facilities may be rented or made available for certain non-partisan political activities and events subject to the following terms:

1. Policies. EC3 facilities made available for non-partisan political events will be in accordance with this and all other applicable EC3 policies.
2. Format. A non-partisan political event must be in the format of an issues forum or debate, question-and-answer session, or similar communications in an academic setting; such events cannot be conducted as a campaign rally or similar event. All legally qualified candidates for a political office must be invited to participate on an equal basis with such limitations as may be appropriate after consultation with the President. Receptions and other social activities associated with such an event must include all candidates who were invited to participate in the event.
3. Restrictions.
  - EC3's name, logo, or identification will not be used in conjunction with any political campaign literature, collateral materials, or paraphernalia.
  - No partisan posters, handbills, campaign signs or paraphernalia may be posted on any campus surfaces or real property relating to such visits.
  - No admission fee may be charged for such events.
  - No political fundraising activities may be conducted at such events.
4. Expenses. Such events will be held at no cost to EC3. The non-partisan political event sponsor shall pay all costs and expenses, including facility charges and ancillary service costs associated with the event, including but not limited to insurance, custodial, parking, equipment setup and operation, security, appropriate licensing fees and royalties (e.g. for music), and so forth.
5. Publicity. All promotional material for non-partisan political events must include clear and prominent statements indicating that EC3 and EC3 officials do not endorse any political candidate or any position of a political candidate. Subject to this restriction, EC3 may—at the discretion of the President—publicize the event in any appropriate manner and encourage or arrange for coverage by media organizations, including EC3 media.

Approval to use College facilities for non-partisan political activities and events is granted by the President. Approval for these events must be sought at least 30 days prior to the event. The request must include a complete description of the event or visit, including its purpose, intended audience, and the expected number of people who may be visiting the campus.

#### *C. Use of College Facilities for Partisan Political Activities and Events*

EC3 facilities, both indoor and outdoor, may be rented for certain partisan political activities and events subject to the following terms:

1. Policies. EC3 facilities made available for partisan political events will be in accordance with this and all other applicable EC3 policies.
2. Restrictions.
  - EC3's name, logo, or identification will not be used in conjunction with any political campaign literature, collateral materials, or paraphernalia.
  - No partisan posters, handbills, campaign signs or paraphernalia may be posted on any campus surfaces relating to such visits.
  - No college resources, including personnel, materials or equipment will be used to support political events unless the customary expenses for such are reimbursed to the College.
3. Expenses. Such events will be held at no cost to EC3. The partisan political event sponsor shall pay all costs and expenses, including facility charges and ancillary service costs associated with the event, including but not limited to insurance, custodial, parking, equipment setup and operation, security, appropriate licensing fees and royalties (e.g. for music), and so forth.



4. Publicity. All promotional material for partisan political events must include clear and prominent statements indicating that EC3 and EC3 officials do not endorse any political candidate or any position of a political candidate. EC3 will not publicize partisan political events and will not encourage or arrange for coverage by media organizations, including EC3 media.

Approval to use College facilities for partisan political activities and events is granted by the Board of Trustees. Approval for these events must be sought at least 30 days prior to the event. The request must include a complete description of the event or visit, including its purpose, intended audience, expected number of attendees, and the security plan to ensure the safety of all attendees, members of the College community, members of the surrounding community, and the security of College facilities.

*\*Policy approved by Erie County Community College Board of Trustees: July 23, 2025*

*\*Review Deadline: July 23, 2030*

