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**CFCC Faculty and Staff Handbook**
*Revised by the CFCC Board of Trustees, September 26, 2013*

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SECTION I – General Information and Governance

1.1 Foreword
Cape Fear Community College issues this FACULTY AND STAFF HANDBOOK for the purpose of furnishing relevant information to all employees. Announcements, rules, regulations, policies, and procedures contained herein are subject to change without notice and may not be regarded in the nature of binding obligations on the College or the State. Efforts will be made to keep changes to a minimum, but changes in policy by the State Board of Community Colleges, the North Carolina Community College System, the State Legislature, the Board of Trustees, and/or local conditions may make some alterations necessary.

The administration is receptive to and encourages suggestions for the improvement of this HANDBOOK; suggestions should be submitted in writing to the Chief Human Resources Officer.

In the belief that a well-informed faculty and staff is essential to the success of Cape Fear Community College, this HANDBOOK is revised, when necessary, and such revisions are presented to each faculty and staff member as early as possible. It is approved by the Board of Trustees at a regular meeting and becomes official and remains in force until additional revisions are necessary and approved by the Board. No publication can cover every aspect of the College’s operation, but an attempt has been made to cover those most essential.

Each employee should become familiar with the HANDBOOK as well as the CATALOG and the STUDENT HANDBOOK in order to contribute to the continued success of the College. A copy of the North Carolina Community College System Policy Manual and a copy of relevant administrative memorandums are available to all College personnel in the Library.

1.2 Mission Statement
Cape Fear Community College is an open door, multi-campus, comprehensive community college that strengthens the academic, economic, social and cultural life of the citizens of New Hanover and Pender counties.

As a member of the North Carolina Community College System, Cape Fear Community College fully supports the system mission and fulfills its purposes by:

- Focusing on vocational, technical, pre-baccalaureate, literacy education, and continuing education programs and services;
- Recruiting, enrolling, advising and retaining a diverse student body;
- Recruiting, retaining and developing a highly qualified and diverse faculty and staff who are dedicated to quality education and service to the College and the community;
- Evaluating existing programs and implementing new curricula and instructional strategies to serve the changing needs of the service area;
• Providing support services that help students succeed;

• Enhancing student life through clubs, cultural activities, leadership opportunities, and athletics; and

• Interacting and cooperating with others to encourage, promote and facilitate economic and community development.

Approved by the CFCC Board of Trustees, March 23, 1995; revised January 18, 1996; revised November 19, 2003.

1.3 Cape Fear Community College Vision Statement
“Cape Fear Community College: Building a future-oriented world-class workforce and a community of lifelong learners in partnership with regional businesses and agencies. Imagine the possibilities!”

1.4 The Community College System
Prior to 1963, state-supported industrial education in North Carolina was administered through the public school system with boards of education having local policy responsibility. In 1963, the Community College System was established by the North Carolina Legislature. This was the beginning of a completely new educational era in North Carolina. Provision for the establishment, organization, and administration of a system of educational institutions throughout the state is spelled out in Chapter 115-D of the General Statutes of North Carolina.

1.5 Mission Statement for the North Carolina Community College System
The mission of the North Carolina Community College System is to open the door to opportunity for individuals seeking to improve their lives and well-being by providing:

• education, training and retraining for the workforce, including basic skills and literacy education, occupational and pre-baccalaureate programs;
• support for economic development through services to business and industry; and
• services to communities and individuals, which improve the quality of life.

Adopted by the State Board of Community Colleges, 10/93. Revised 3/10/94, 4/15/94.

Cape Fear Community College operates under policies as prescribed by the state of North Carolina, the State Board of Community Colleges, the NC Community College System, and the local Board of Trustees.

1.6 Non-Discrimination Policy
Cape Fear Community College, its faculty and staff, and the Board of Trustees are committed to equality of educational opportunity. The College does not discriminate against applicants, students, or employees. Moreover, the College is committed to cultural diversity and actively seeks larger numbers of minorities within the College community. This policy applies to both students and employees at all levels of the College’s operations.
The Chief Human Resources Officer will serve as the Title IX Coordinator. If either an employee or prospective employee, student or prospective student feels that he/she has been discriminated against or denied service on the basis of race, color, national origin, age, sex, or handicap, he/she
should report such to the Chief Human Resources Officer. The Chief Human Resources Officer will review appeal procedures with the aggrieved person.

1.7 Diversity Statement
Cape Fear Community College represents rich diversity among its faculty, staff, and students. The College and the Board of Trustees promote and support a student body, faculty, staff, and an administration that is multicultural and diverse. To meet these goals, the College supports policies, curricula and co-curricular activities that encourage understanding, respect, and appreciation of all the various groups who are members of our community.

1.8 Cape Fear Community College History
Cape Fear Community College is a comprehensive community college that offers education and training services through numerous TECHNICAL/VOCATIONAL CURRICULA in such broad areas as health care, business, engineering technologies, computer sciences, architecture/construction/interior design, law enforcement and numerous other fields; COLLEGE TRANSFER/UNIVERSITY PARALLEL studies in the freshman and sophomore years of baccalaureate programs; and a host of CONTINUING EDUCATION programs that can be broadly clustered into such categories as Basic Skills (including Adult High School and GED, among other programs), Occupational Extension (custom-designed training related directly to the in-service training needs of various professions), and Community Services/Self-Supporting classes that may include a wide range of vocational interests.

The core of the College’s mission is world-class workforce development.

CFCC is one of fifty-nine institutions comprising the North Carolina Community College System. The North Carolina Community College System and its constituent institutions operate in accordance with legislation enacted by the North Carolina General Assembly and as contained in Chapter 115D of the North Carolina General Statutes. Governance of Cape Fear Community College is further defined by policies, rules, and procedures as promulgated in accord with state and federal laws by the North Carolina State Board of Community Colleges, the Cape Fear Community College Board of Trustees, and College officials.

The service area of Cape Fear Community College includes New Hanover and Pender counties with campuses located in Wilmington, Castle Hayne, and Burgaw. An additional campus is in the process of being developed in Surf City. Several CFCC technical and vocational programs are unique to southeastern North Carolina and to the state as a whole, and the College therefore serves as a regional provider of workforce training. The number of different students annually enrolling at the College typically exceeds 21,000.

1.9 Current School Calendar
The School Calendar governs students and teaching faculty. All other personnel are governed by College leave and holiday policies.

1.10 Holiday Schedule
Upon request to the President, at least four weeks in advance, religious holidays for non-Christians may be granted. Total holiday days may not exceed the twelve-day holiday schedule. Non-Christians may be asked to fill College roles and responsibilities during Christian holidays.
1.11 North Carolina Community College Administration

Dr. R. Scott Ralls, President        North Carolina Community College System

Dr. Ted D. Spring, President        Cape Fear Community College

1.12 State Board of Community Colleges

Dr. Linwood Powell, Chair           Fayetteville

Mr. K. Ray Bailey, Vice Chair       Asheville

Mr. Will Collins                    Raleigh

The Honorable Janet Cowell          Raleigh

The Honorable Dan Forest            Charlotte

Mr. Jimmy E. Ford                   Goldsboro

Dr. Stuart B. Fountain              Asheboro

Mr. Clyde Higgs                     Kannapolis

Mr. Wade Bryan Irwin, Jr            Sparta

Mr. Matthew Jones                   Ex-Officio

Ms. Janet Lowder                    Albemarle

Ms. Hilda Pinnix-Ragland            Cary

Dr. Samuel Powell                   Burlington

Mr. Edward “Lynn” Raye              Marshville

Dr. Darrell Saunders               Archdale

Mr. Scott Shook                     Greenville
Ms. B. Joanne Steiner  Raleigh
Mr. Jerry Vaughan  Charlotte
Ms. Ann H. Whitford  Morehead City
Dr. Candler Willis  Zirconia
Mr. James J. Woody, Jr  Roxboro

1.13 Local Board of Trustees

Mr. Louis A. Burney, Jr.  Wilmington
Dr. Lawrence S. Clark  Wilmington
Honorable. W. Allen Cobb Jr.  Wrightsville Beach
Mr. A.D. “Zander” Guy  Surf City
Mr. Jason C. Harris  Wilmington
Mr. Jimmy R. Hopkins  Wilmington
Mr. Samuel R. Ibrahim  Wilmington
Mr. Patrick N. McCarty  Leland
Mr. Barren E. Nobles  Wilmington
Mr. David L. Ray  Wilmington
Mr. William R. Turner, Jr.  Wilmington
Mr. Woody White  Wilmington
Dr. C. Bruce Williams III  Wilmington
1.13.1 Major Powers and Duties

The Board of Trustees shall:

A) Elect a president or chief administrative officer of the College for such term and under such conditions as the Trustees may fix, subject to the approval of the State Board of Community Colleges.

B) Apply the standards and requirements for admission and gradation of students and other standards established by the State Board of Community Colleges.

C) Receive and accept donations, gifts, bequests, and the like from private donors and to apply them or invest any of them, and apply the proceeds for purposes under the terms which the donor may prescribe and which are consistent with the provisions of Chapter 115D and the regulations of the State Board of Community Colleges.

D) Provide all of the instructional services for the College including contracting with other public or private organizations or institutions in accordance with regulations and standards adopted by the State Board of Community Colleges.

E) Perform such other acts and do such other things as may be necessary and proper for the exercise of the foregoing specific duties, including the adoption and enforcement of all reasonable rules, regulations, and bylaws for the government and operation of the College under Chapter 115D and for the discipline of students.

F) Establish and discontinue programs of instruction within the College when necessary.

G) If the Board of Trustees provides access to the buildings, campus, or student information directory to persons or groups which make students aware of occupational or educational options, the Board of Trustees shall also provide access, on the same basis, to official recruiting representatives of the military forces of the United States for the purpose of informing students of educational and career opportunities available in the military.

H) Adopt and recommend current expense and capital outlay budgets.

I) Review the performance of the President annually and report to the State Board of Community Colleges.

J) The Board reserves for itself all other duties, responsibilities, and powers, not inconsistent with Chapter 115D or the regulations of the State Board of Community Colleges, in addition to those enumerated in this Section.

SECTION II – Administration
2.1 Administration and Organization Chart
Cape Fear Community College is organized into four functional units: Instruction, Student Development, Fiscal, and Institutional Services. These areas cover a wide range of services, which provide College-wide assistance and/or direction.

Organization Chart

2.2 Standing Committees
Faculty and staff involvement in academic matters and in the governance of Cape Fear Community College occurs as a result of their participation in standing committees. Accordingly, participation by faculty and staff named as members of standing committees is required.

Committee on Committees
Purpose of the Committee – To review the purpose(s), structure, composition and annual report of all standing committees, and make recommendations to the President.

Curriculum Committee
Purpose of the Committee – To make recommendations for administrative consideration of 1) changes in curriculum course titles and course descriptions; 2) addition or deletion of courses; and 3) addition or deletion of a curriculum. Moreover, the Curriculum Committee shall ensure that all curricula and any proposed changes to curricula are consistent with the Criteria of the Commission on Colleges of the Southern Association of Colleges and Schools and the North Carolina Community College System.

Distance Learning Committee
Purpose of the Committee – The Distance Learning Committee works collaboratively with the Department of Distance Learning to evaluate current practices, tools and technologies, and to make recommendations for improvement in order to support the College’s mission by providing high quality distance learning courses enabling students to achieve their career and educational goals through technology-enhanced delivery.

Diversity Committee
Purpose of the Committee – The purpose of the Diversity Committee is to promote awareness and understanding of the importance and benefits of diversity by supporting programs which encourage inclusiveness and respectful, open discussion on multicultural issues.

General Education Committee
Purpose of the Committee – To monitor and review the following: the mission of the committee, the general education core competencies, the methods of assessment, the list of course being assessed, and the data resulting from the assessment instruments, thus creating a more unified process of evaluating student learning outcomes in the core general education curriculum.

Global Education Committee
Purpose of the Committee – The purpose of the Global Education Committee is to increase awareness of global issues by supporting programs which build knowledge and skills for understanding world events, cultures and social institutions.
Information Technology Committee
Purpose of the Committee – To provide a means for CFCC faculty and staff to review, discuss and make recommendations regarding campus-wide IT policies, procedures and initiatives. In addition, the Committee may assist in reviewing the campus IT Plan and making recommendations on technology goals of the college.

Institutional Effectiveness and Planning Committee
Purpose of the Committee – The Institutional Effectiveness and Planning Committee is a standing committee within the structure of the college. The team develops, implements and monitors planning and evaluation processes which are designed to ensure the effectiveness of the educational programs, services, and operations of the institution. The team ensures that the CFCC planning and evaluation processes are in accordance with the requirements of the North Carolina Community College System (NCCCS) and the Commission on Colleges of the Southern Association of Colleges and Schools (SACS).

Judicial Board
Purpose of the Judicial Board – To ensure the right of appeal to all students. The Judicial Board will hear appeals concerning academic suspension, conduct suspension, and charges of discrimination and/or denial of service on the basis of race, color, national origin, age, religion, handicap, or sex. The Judicial Board’s subcommittees (Academic, Financial Aid, Residency Status) will act on other categories of student appeals.

Learning Resources Committee
Purpose of the Committee – To serve as a medium, through which CFCC instructors, staff, and students may collaboratively discuss matters concerning the Library and the Media Center. This Committee may advise and make recommendations for the LRC related to the College’s goal of enhancing the teaching and learning process through the provision of up-to-date learning resources and equipment suitable to the college’s needs and goals.

Professional Development Committee
Purpose of the Committee – To assist the administration, faculty, and staff in identifying, developing, and budgeting for professional development opportunities. The Committee will provide regular reports on general professional development activities and those specifically related to critical thinking and student success to the QEP Committee. The Committee will also plan and organize the Fall In-Service seminars. These seminars will provide professional development relating to critical thinking and other topics that are deemed important based on annual survey results from both faculty and staff.

QEP Committee
Purpose of the Committee – To guide the implementation of CFCC’s Quality Enhancement Plan (QEP). The QEP Committee coordinates the activities of individuals, departments, and other committees, particularly Student Success, Professional Development, and General Education, toward meeting the goals and objectives of the QEP. The committee meets regularly to review the status of the QEP and provides progress reports to CFCC’s College Council.
Safety Committee
*Purpose of the Committee* – The purpose of the CFCC Safety Committee is to promote a safe and secure learning and working environment for students, faculty, and staff through awareness and training opportunities. The Safety Committee is also responsible for making recommendations regarding safety rules, regulations, and campus security to the CFCC authority having jurisdiction over campus safety.

Social Committee
*Purpose of the Committee* – To 1) coordinate and plan approved social and recreational events for CFCC personnel and boards; 2) recognize significant events in the lives of CFCC personnel and board members; and 3) recommend a faculty and staff member to receive the President’s Award for Outstanding Service to the College.

Student Services Committee
*Purpose of the Committee* – To review and recommend policies and procedures as they concern services to students to include, but not limited to:

- financial aid;
- career and testing services;
- student government, student activities, and publications;
- residency;
- student grade appeals;
- conduct and discipline;
- bookstore;
- food services;
- intramural and intercollegiate athletics; and
- College calendar

Student Success Committee
*Purpose of the Committee* – To facilitate student success activities, particularly those outline in the Student Success Initiative of CFCC’s QEP. This committee develops and promotes activities that foster students’ achievements of college success and development as critical thinkers. This committee coordinates its efforts with counselors, developmental and basic skills instructors, LRC staff, Learning Lab staff, and testing and career services. This committee provides regular reports on the progress of the Student Success Initiative to the QEP Committee.

Sustainability Committee
*Purpose of the Committee* – To promote and facilitate the development of sustainable practices and policies through the collaborative efforts of faculty, students and staff.

Veterans Coordinating Committee
*Purpose of the Committee* – To advise the Veterans Coordinator; and to review and recommend policies and procedures as they concern student veteran academic and support services.

**SECTION III – Institutional Effectiveness and Planning**

3.1 Introduction
CFCC Institutional Effectiveness and Planning functions include institutional effectiveness, planning, research, educational program auditing and grant development.

### 3.2 Institutional Effectiveness

The term “institutional effectiveness” is derived from the Southern Association of Colleges and Schools (SACS) Commission on Colleges Criteria for Accreditation (see Section III of the Criteria) and is at the heart of the Commission’s philosophy of accreditation. Institutional Effectiveness is a term synonymous with CFCC’s planning, assessment, and budgeting process. The College systematically engages in planning and the assessment of its programs and services to demonstrate how well it is fulfilling its stated Mission. Employees of Cape Fear Community College participate in this process through annual college and department level planning, program and services assessment, and budgeting. A complete description of the process is outlined in the published document “The Cape Fear Community College Institutional Effectiveness Program” and a copy is available upon request. Faculty and staff should contact their immediate supervisor or the Institutional Effectiveness and Planning Office for more information.

### 3.3 Research Function

Cape Fear Community College is not a research institution; however, there is an institutional research function to support planning and assessment. The Vice President for Institutional Effectiveness and Planning has been assigned administrative responsibility for institutional research and performs a coordinating function. The primary objectives of the Institutional Effectiveness and Planning Office are to (a) coordinate campus-wide assessment by assisting individuals with developing annual assessment plans, survey design and methodology, and in the selection of other means of assessment; (b) to conduct and/or coordinate research activities to support planning such as environmental scanning, program and services reviews, focus groups, and economic impact studies, for example; to respond to requests from faculty and staff for assistance with research projects that support the Mission of CFCC, and (d) to respond to external agencies, such as SACS and NCCCS, when requesting information for accountability purposes.

A few examples of the publications supporting institutional research are the CFCC Fact Book, Annual Program Review Reports, Critical Success Factors Report, reports of survey results, environmental scanning and focus group reports, and the Economic Impact Study.

### 3.4 Public Information and Media Inquiries

To assure accuracy and consistency of news and information concerning CFCC, all public information should be coordinated and/or released by the Marketing and Public Relations Office. Any media interviews should be cleared through the Marketing and Public Relations Office. When questioned by the media, employees should respond to questions only when they have sufficient information to give factual, accurate responses. If an employee prefers not to answer media inquiries, or does not feel that he/she is informed, the requests should be referred to the Director of Marketing and Public Relations.

### 3.5 College Publications

To keep a consistent and professional public image of the College, any publications or documents, which promote college services or the Director of Marketing and Public Relations
should approve programs, before they are reproduced or distributed. All printed materials should adhere to the publications standards set by the Marketing and Public Relations Office.

Official publications include, but are not limited to, materials such as: business cards, official reports, letterheads, envelopes, newsletters, catalogs, view books, advertisements, brochures, pamphlets, and flyers. Publications also include electronic publications such as Internet web pages and audio/video presentations, with the exception of instructional materials for classroom use.

Publication standards include correct grammar and spelling, and should include the College logo or seal (when appropriate) and should also be duplicated clearly. Please contact the Marketing and Public Relations Office with any questions regarding publication standards.

3.6 Printing/Duplication Services
Cape Fear Community College offers a variety of printing, design, and duplication services through the Publications Department to produce official college materials and publications. Because of the large demand for duplication services, all printing/copying requests must be accompanied by a completed print/copy request form. Jobs will be completed on a first come, first serve basis. Although the time needed to complete each project will vary according to size and preparation time, departments are encouraged to give as much advance notice as possible to the Publications Department in order to complete the job in the time desired. Failure to give adequate notice may require the requester to use a commercial printing/copying service.

All printing and/or design work is to be dropped off in the Marketing and Public Relations Office, not taken directly to the Publications Department. The material must be submitted on a disk along with a hard copy. No handwritten material will be accepted. Jobs for the Copy Center are to be dropped off in the Copy Center or the Marketing and Public Relations Office.

3.7 Promotional Advertising
All promotional advertising (not employment ads) must be approved by the Director of Marketing and Public Relations. All ad copy and design also must be approved by the Director of Marketing and Public Relations before it is submitted to the media.

3.8 Patent and Copyright Policy
Every invention, discovery, material, work, product, or any part thereof, that results from the efforts of a full or part-time employee, student, or outside consultant carried out while in the employment of, or under contract or agreement of any kind with, the College and that is produced or brought about in any fashion with the aid of the College's facilities, staff, or through funds administered by the College shall, as between the College and the full or part-time employee, student, or consultant, be the property of the College. Any patents, trademarks, trade names, and/or trade secrets shall belong to the College and any legal protection applied for shall be applied for by the College or through an authorized agent, assignee, or licensee in the name of the College.

As a general rule, all rights to copyrightable material are the property of the creator. The creator shall be deemed to be the College where a specific contract so provides, where a full or part-time employee, student, or outside consultant is employed for the purpose of producing a specific
copyrightable work, or where necessary to reflect the contribution of the College to the work, as in the case of software or audiovisual material of any kind.

As between the College and The State Board of Community Colleges, ownership of any of the above-described items shall be determined in accordance with applicable regulations of the state Board of Community Colleges.

The College may charge a reasonable rental fee for use of any of the above-described items and, further, if such items is a learned journal, work of art, book, publication, textbook, library book, form, bulletin, or instructional supply, then it may, as allowed by the Umstead Act, be offered for sale by the College.

This policy shall be deemed to be a part of any existing and/or future employment or consulting agreements of the College.

(approved by the CFCC Board of Trustees, March 17, 1994, amended July 20, 2006)

SECTION IV – Institutional Advancement

4.1 CFCC Foundation, Inc.
The Cape Fear Community College Foundation, Inc. is a non-profit, tax-exempt corporation under North Carolina law and section 501(c)(3) of the Internal Revenue Code. The Foundation receives gifts of money and property to support educational programs and the Mission of the College. The Foundation is governed by a Board of Directors consisting of community leaders who volunteer their time in support of CFCC. Funds raised by the Foundation are used for scholarships and other needs of the College.

All gifts to the College (cash and in-kind) must be made through the CFCC Foundation. Faculty and staff are encouraged to identify potential donors. The Vice President for Institutional Advancement should be notified before any gifts are accepted to ensure appropriate procedures are followed and all necessary paperwork is completed.

4.2 Fund Raising Policy
The Cape Fear Community College Foundation, Inc. is the designated fund raising unit of the College. To protect the donors and solicitors, all fund raising activities outside the Foundation must be coordinated in consultation with the Vice President or his/her designee.

Only by permission of the Vice President or his/her designee may a college employee or student be authorized to solicit funds, goods, or services on behalf of the College.

Exception to this policy may be made for fund raising activities by student clubs and organizations, where no outside donations are sought and where such activities are held within the campus and are approved by the Director of Student Activities or appropriate administrator.

(approved by the CFCC Board of Trustees, July 18, 1996)
4.3 Gifts to the College Policy
The Cape Fear Community College Foundation, Inc. is a non-profit 501(c)(3) corporation established to solicit, receive, hold, and administer gifts for the College.

All gifts (cash, real property, stocks, bonds, bequests, equipment, supplies, and in-kind donations) to the College must be recorded through the Cape Fear Community College Foundation, Inc., including those gifts designated by the donor(s) for a specific project, program, department, or division. All private cash gifts will be given to the Foundation, which will serve as the central registry for such gifts to the College, ensuring acknowledgment and accountability to the donor.

Whenever gifts or bequests involving maintenance are made, provisions for such maintenance shall be included in the gift unless the Board of Directors of the Cape Fear Community College Foundation, Inc. waives this requirement.

The Board of Directors of the Cape Fear Community College Foundation, Inc. reserves the right to refuse any proffered gifts.

(approved by the CFCC Board of Trustees, May 16, 1996)

4.4 Externally Funded Grants and Contracts Policy
Externally funded grants and contracts must be related to the stated purpose of Cape Fear Community College. Prior to any commitment of college resources in seeking grants and contracts, the President must approve all externally funded grants and contracts being sought. College personnel other than the President may accept no externally funded grants and contracts.

In no case shall externally funded grants and contracts be allowed to interfere with the College’s instructional commitments without prior approval of the President. Externally funded projects shall be conducted and reported in a manner consistent with the operational guidelines required of Cape Fear Community College by the State of North Carolina.

Summer salaries, salary supplements, and fees for consultative services rendered by college faculty and staff in externally funded grants and contracts shall be consistent with the College’s compensation plan (for full-time employees) or with established part-time pay rates, unless particular requirements of funding levels of the project require different rates of compensation.

(approved by the CFCC Board of Trustees, July 20, 1995, amended September 28, 2006)

SECTION V – Human Resources

5.1 Equal Employment Opportunity and Nondiscrimination

5.1.1 General Policy Statement
General Policy Statement: Cape Fear Community College (the “College”) is committed to equality in employment opportunity and does not discriminate against employees or applicants for employment on the basis of any legally protected status.
The College supports the protections against discrimination available to applicants and employees under all applicable federal, state, and local laws, including but not limited to Title VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Rehabilitation Act of 1973, the North Carolina Equal Employment Practices Act, and Chapter 115D of the North Carolina General Statutes, as these and other applicable laws from time to time may be amended.

A full copy of this policy is in the Human Resources office and the Library. A copy may be requested from Human Resources.

5.1.2 Veterans preference for hiring decisions as defined in N.C. General Statute §128-15 in hiring decisions.

Employment preference for veterans and their spouses or surviving spouses.

(a) It shall be the policy of the Cape Fear Community College that, in appreciation for their service to this State and this country during a period of war, and in recognition of the time and advantage lost toward the pursuit of a civilian career, eligible veterans shall be granted preference in employment with CFCC when the qualifications and experience of the final candidates for a position are generally equal.

(b) As used in this section:
(1) “A period of war” includes World War I (April 16, 1917, through November 11, 1918), World War II (December 7, 1941, through December 31, 1946), the Korean Conflict (June 27, 1950, through January 31, 1955), the period of time between January 31, 1955, and the end of the hostilities in Vietnam (May 7, 1975), or any other campaign, expedition, or engagement for which a campaign badge or medal is authorized by the United States Department of Defense.

(2) “Veteran” means a person who served in the Armed Forces of the United States on active duty, for reasons other than training, and has been discharged under other than dishonorable conditions.

(3) “Eligible veteran” means:
   a. A veteran who served during a period of war; or
   b. The spouse of a disabled veteran; or
   c. The surviving spouse or dependent of a veteran who dies on active duty during a period of war either directly or indirectly as the result of such service; or
   d. A veteran who suffered a disabling injury for service-related reasons during peacetime; or
   e. The spouse of a veteran described in subdivision d. of this subsection; or
   f. The surviving spouse or dependent of a person who served in the Armed Forces of the United States on active duty, for reasons other than training, who dies for service-related reasons during peacetime.

The President or the Board will take into consideration veteran status in accordance with NC state law if two or more candidates are generally equally qualified for the position based upon qualifications and experience.

5.2 Definitions of Employment Categories
Regular Full-Time – A position established in the budget as a regularly recurring position. Employment must be for nine or more months per calendar year and considered full-time weekly employment. Positions in this category earn all benefits offered by CFCC, including membership in the Retirement System.

Regular Part-Time – A position established in the budget as a regularly recurring position. Employment must be for nine or more months per calendar year and less than full-time weekly employment. Positions in this category earn holidays, longevity, and pro-rated annual and sick leave.

Temporary Full-Time – A position not established in the budget as a regularly recurring position. Employment must be for a period of three or more months per calendar year and considered full-time weekly employment, but only for a special assignment or project not expected to recur on a continuous basis. Positions funded by grants that may be renewed upon reapplication by the College fall in this category. Positions in this category earn holidays, longevity, and retirement.

Temporary Part-Time with Partial Benefits – (30 Hours per week, Continuous Nine-Months) – A position not established in the budget as a regularly recurring position. Employment must be for a continuous nine-month period and must be for thirty (30) hours per week. Contracts for staff are issued on a quarter-by-quarter basis and faculty contracts are issued semester-by-semester. Most employees are paid at an hourly rate. Positions in this category must participate in the retirement system and are eligible for longevity. Hospitalization insurance, and other benefit plans are optional. Vacation, sick leave, and holidays are not earned.

Temporary Part-Time without Benefits – A position not established in the budget as a regular or recurring position. All employees classified as temporary part-time without benefits are limited to no more than 25 hours per week. Student employees are limited to 20 hours per week. Contracts for staff are issued on a quarter-by-quarter basis and faculty contracts are issued semester-by-semester. Most employees are paid at an hourly rate. No benefits are earned.

Exempt positions – Positions at the executive, administrative, and professional levels that are not subject to the Fair Labor Standards Act (FLSA) overtime requirements.

Non-Exempt Positions – Positions that are subject to the FLSA overtime requirements.

5.3 General Information

5.3.1 Employee Conduct and Dress
All employees are expected to conduct themselves in a manner that will reflect credit to the College.

Employees are encouraged to dress in a manner which observes health and safety requirements and which reflects as an example for students. A college attempts to help students lift their levels of life academically, socially, politically, and economically. All faculty and staff are urged to work with students, both by precept and example, to improve their lives. How one looks sends a
powerful message. Look collegiate. Appear professional. Be a worthy example of all who see and hear you. Dress and speak as an example to others.

5.3.2 Pay
All employees receive their regular paycheck on the last workday of the month, including employees whose employment is terminated during the month.

5.3.3 Employment of Relatives
The following restrictions apply to all employees in the North Carolina Community College System as specified in the N.C. Administrative code:

1. The College shall not employ two or more persons concurrently who are closely related by blood or marriage in positions which would result in one person of such family relationship supervising another closely related person or having substantial influence over employment, salary or wages, or other management or personnel actions pertaining to the close relative.
3. With respect to the concurrent service of closely related persons within the same academic department or other comparable College subdivision of employment, neither relative shall be permitted either individually or as a member of a committee, to participate in the evaluation of the other relative.

In addition, the College shall not employ immediate family members of the Board of Trustees.

5.3.4 Secondary or Outside Employment
All secondary employment for the President must be approved in advance by the Board of Trustees.
Full time employees of Cape Fear Community College are expected to devote the time, energy, and efforts to their employment with the College that are necessary to fulfill the terms of their contract. If one should also accept work other than College work, it should not conflict with nor interfere with his/her College duties and responsibilities. Any full time employee who engages in work for pay outside the College shall submit a request through his/her supervisors who will make a recommendation to the President. The request must state the hours per week or month and be approved by the President or his designee prior to the employee engaging in such employment.

5.3.5 Job Description
Full-time job descriptions are maintained by Human Resources in electronic format and are available upon request. Additional information concerning the office of President may be found in the Board of Trustees Operations Manual.

5.3.6 Employment Recommendation and Approval
The President appoints all employees of Cape Fear Community College, except the President and senior administrators who report directly to the President. The President is elected directly by the Board of Trustees. The senior level administrators are elected by the Board of Trustees upon
nomination by the President. Senior level administrators include the Senior Vice President for Business and Institutional Services, the Vice President for Instructional Services, the Vice President for Student Services, the Vice President for Institutional Effectiveness and Planning, the Vice President for Institutional Advancement and the Chief Human Resources Officer.

5.3.7 Voluntary Termination
An employee who desires to terminate employment must notify his/her supervisor and submit a written statement to the President with a copy to the Chief Human Resources Officer no less than 30 days prior to the last day of work. Curriculum instructional personnel may terminate only at the end of an academic term. Under extenuating circumstances, the President may waive either of these requirements. Employees terminating employment must contact the Human Resources office to schedule an exit interview or complete an exit interview form. The employee is responsible for clearing any outstanding items before the effective date of termination.

5.3.8 Employee Evaluations
All employees are to be evaluated. Part-time, temporary, or less than 9-month employees shall be evaluated at the end of their initial term of employment, and, if employment is continued, annually thereafter. Full-time personnel shall also be evaluated at least annually. Self-evaluation, peer review, supervisor review, and dean or director review are methods that may be used for evaluation.”

5.3.9 Employee Personnel Files
Employee records are maintained in hard copy form as well as electronically in a secure location within the Human Resources office. The following information is kept on each employee and is available to any person during regular business hours from the Chief Human Resources Officer: name; age; date of original employment; current position title; duties performed; salary; date and amount of most recent increase or decrease in salary; office to which currently assigned; date of most recent promotion, demotion, transfer, suspension, separation or other change in position classification.

All other information is not made available for inspection except to persons or agencies authorized to have access to such records as allowed by North Carolina General Statute. Any person requesting access to confidential information will be required to submit satisfactory proof of identity to the President or the Chief Human Resources Officer. Employees for which restricted information is requested will be informed of the request and the authorized person making the request.

Additional information on guidelines for releasing information from personnel files may be obtained from the Human Resources office.

5.3.10 Participation in Community Activities
Requests for College employees to represent the College in community activities should be routed through the President’s office for distribution to the proper department or individual for processing.

5.3.11 Freedom of Speech
College employees are not restricted in exercising the freedom to speak as individuals. However, it is incumbent upon each employee to clearly state that he/she is speaking for him/herself and not the College in situations where there is any possibility that statements, which are made, might be interpreted as College positions.

5.4 Contracts
At the time of hire and/or as soon as full budget information is known after the beginning of the fiscal year (July 1 - June 30), each employee will be given a contract which specifies the salary and terms of employment for any period during the fiscal year in which the employee is hired. Each employee will sign the contract and return it to the President’s Office before starting work (and prior to receiving the first paycheck) in the current year.

5.4.1 Continued Employment
Continuation of employment is contingent upon job performance, professional improvement, work relationships, program trends, and availability of funds. Persons whose contracts and/or work agreements are not to be renewed will be notified in accordance with the non-reappointment procedure section of the College’s Dismissal, Non-Reappointment, and Grievance Procedure. All positions are contingent upon yearly budget allocations. Academic freedom is essential to an institution of higher learning and should not be cause for dismissal or non-renewal of contract. Within the environment of academic freedom, faculty members are expected to carry out their duties in a professional, ethical and collegial manner that enhances the purpose of the institution.

5.5 Employee Work Schedules

5.5.1 Exempt Employees
These positions are not subject to the overtime requirement of the Fair Labor Standards Act, and exempt employees are not required to submit time cards.

*Faculty* – Faculty work schedules are based on instructors being on campus a minimum of 30 hours per week. Faculty are not generally required to be present when students are away, except for in-service activities or when directed by their supervisor in support of college needs. Full-time regular continuing education faculty members work the class schedule as set in accordance with the needs of the college. Continuing Education faculty are also not generally required to be present when classes are not in session except for in-service activities and when directed by their immediate supervisor. Class schedules will be determined in accordance with college needs.

*Instructional Technicians* – Instructional Technicians work 40 hours per week. They may be required to schedule additional hours on campus for meetings, committee activities, and other College functions. Instructional Technicians do not earn vacation time. However, they are generally not required to be present when students are away, except for in-service activities.

*Executive, Administrative, and Professional Staff* – Employees at this level are expected to work the number of hours necessary to fulfill the requirements of their position.

5.5.2 Non-Exempt Employees
Employees in this category are subject to the overtime requirement of the Fair Labor Standards Act (FLSA) and submit monthly time cards. They work 40 hours per week. Overtime starts only after an employee has worked 40 hours in a calendar week. For FLSA purposes, CFCC’s workweek begins at 6:00 a.m. on Monday and runs to 6:00 a.m. the following Monday.

Employees whose principal duty stations require them to be at their desks or confined to their offices are entitled to a fifteen (15) minute break in each half of the workday. Supervisors are to schedule the break time, and at no time is a break period to interfere with a duty, or is service to anyone to be postponed because of a scheduled break. Evening employees are scheduled for forty (40) hours per week but are allowed their mealtime within their scheduled time on the job.

5.5.3 Compensatory Time
The College awards compensatory time off in lieu of payment for overtime at the rate of one and one half hours for each hour beyond regularly assigned weekly work hours. If overtime occurs on weekends or holidays, the ratio moves to two to one. Supervisors should make every effort to avoid situations that require a non-exempt employee to exceed the 40-hour workweek. In no case in a non-exempt employee to schedule himself/herself for overtime work. Compensatory time must be taken in the pay period in which overtime is worked. When the overtime occurs late in the pay period, compensatory time must be taken before other vacation or bonus leave is requested.

The North Carolina Department of Labor has ruled that ship personnel are exempt from overtime compensation. This means that ship personnel will receive compensation of one hour for each hour over 40 hours within a workweek.

5.6 Employment Process

5.6.1 Initial Contact
When a regular position opens, the senior level administrator of the division in which the vacancy occurs must complete an online “Position Vacancy Form” using the PeopleAdmin system and submit it to the Human Resources office. The information on this form must be consistent with the job description and qualifications. The President has the final approval of the “Position Vacancy Announcement” which is also reviewed and approved using the PeopleAdmin system.

5.6.2 Applicant File
Non-exempt positions – Non-exempt positions must be advertised internally for three business days prior to a general advertising or posting on the college website. Internal job postings will be placed on the college Intranet and by advertisement on the main bulletin boards on each campus. Internal candidates include regular full-time employees currently on the CFCC payroll at the time the opening is approved. The search committee for internal postings will consist of the department head and/or designee, supervisor (if different from the department head), and the Chief Human Resources Officer (or designee). Openings without one or more qualified recommended internal candidate(s) will be advertised after the three-day internal posting period has closed according to the selection process. Regular non-exempt positions that are not filled by promotion, lateral transfer, or organizational change will be advertised and posted in the two-county service area for a period of 15 days. In order to be considered official, a
Cape Fear Community College employment application must be completed and submitted online to the Human Resources office via PeopleAdmin within the time frame allowed for each position. At the end of this time frame, College personnel will proceed with the selection process as described under Selection Process.

*Exempt positions* – Regular exempt positions that are not filled internally through promotion, lateral transfer, or organizational change will be advertised in the two-county service area, in other state locations, and as needed outside the state. The opening will be listed with the North Carolina Employment Security Commission, the North Carolina Department of Community Colleges, the other colleges in the North Carolina Community College System, appropriate colleges and universities in the state, and with other organizations and agencies. The application acceptance period will generally be no less than 15 days. In order to be considered official, a Cape Fear Community College employment application must be completed and submitted online to the Human Resources office via PeopleAdmin within the time frame allowed for each position. At the end of this time frame, College personnel will proceed with the selection process as described under Selection Process.

Applications for part-time employment will also be submitted using PeopleAdmin.

5.6.3 Selection Process

Whether a vacancy is being filled internally or externally, the staff member(s) or search committee charged with conducting the search will proceed with the selection process. This will include a review of applicants’ qualifications, appropriate personal interviews and, as needed, consultation with other College employees. Reference checks must be made on all candidates for positions.

Upon completion of their search and interview of candidates, the search committee will normally recommend two or more qualified candidates to the President in a nonprioritized order. In the event the search committee is able to recommend only one qualified candidate, the committee chair will meet with the President to review the circumstances of the search that resulted in a limited field of recommended candidates, the qualifications of candidates in general, and the qualifications of the recommended candidate in particular. In cases where the committee recommends only one candidate, the President may select the candidate, re-open the search, or re-advertise the position.

The findings of the committee and the committee’s evaluation of each recommended candidate is outlined on an online Personnel Recommendation Form via PeopleAdmin. The President, after evaluating the recommendations of the committee and finding a suitable candidate, will make the final approval for employment, or in the case of personnel who report directly to the President, the President’s recommendation will be forwarded to the Board of Trustees for final approval. After approval by the President or Board, the applicant will be notified of his/her selection. The appointment will be confirmed by letter from the President or his designee.

If a candidate who is selected to fill a vacancy declines the offer, the position may be offered to another qualified applicant who had submitted an application within the accepted time frame. If a search is canceled for any reason, any attempt to fill the vacancy at a later date will follow the same procedures as for a new position.
5.6.4 Temporary Replacement of Full-Time Employment
In the rare event that a regular full-time position comes open at such a time that it is in the best interest of the College that no break occur in operations, the vacancy may be filled with a temporary employee. In all such cases, filling the position with a temporary employee must be approved in advance by the President, and in most cases a full search must be conducted within six months in accordance with established policy and procedures. Exceptions to conducting a search include situations such as disability leave and call-up for extended active military duty. When a search is conducted to fill the position, the person appointed in the interim will be eligible to apply for the position.

5.6.5 Unsolicited Applications
The Human Resources office does not accept unsolicited applications for employment. Resumes and other unsolicited information that are sent to the College are returned to the sender.

5.6.6 New Employees
New employees should report to the Human Resources office on or before the first day of employment for the purpose of processing required personnel forms concerning payroll, State Retirement System, Social Security, Federal and State tax forms and other required forms. All full-time employees will receive benefits information and training on the employee handbook during orientation.

All newly hire part-time employees must coordinate with Human Resources to complete new hire paperwork. The hiring supervisor will send a recommendation through PeopleAdmin to Human Resources. Once received, the new hire will set up a meeting time with Human Resources for new hire packet completion. The process must be completed no more than three (3) business days after the employee’s start date.

5.6.7 Employee Changes
Any change in an employee’s status must be reported promptly to the Human Resources office. Senior level administrators are responsible for reporting changes.

The President reserves the right to make changes in an employee’s job status through reorganization or reassignment. All other promotions or transfers of employees will be considered by the President upon request by the employee or appropriate supervisory personnel.

Employees have the responsibility of notifying Human Resources or the Business Office, as appropriate, any time personal information changes which would affect their retirement, insurance, beneficiaries or dependents, or other important matters. Changes, including address and telephone, should be reported as soon as they occur to avoid any problems in mailing official communications and correcting any crediting and coverage for insurance, retirement, and similar purposes. Phone numbers are particularly important in case of an emergency.

5.6.8 Security Check
All employees will be checked for any criminal record upon hiring. Criminal convictions are not an absolute bar to employment, but will be considered only in relation to specific job requirements.
5.7 Salaries
The salaries of all personnel are paid from institutional funds; therefore, they must be within the guidelines established by the NC Community College System. Beginning salaries for instructors are determined by the applicant’s teaching experience, educational preparation, and business or industrial experience. Beginning salaries for non-teaching staff are based on the pay range assigned to each position and generally will be at entry level. Part-time employees are paid at a rate agreed upon at the time of employment.

5.7.1 Salary Increases
The President approves salary increases for all college personnel. These decisions are based on how the salary increase funds are allocated by the North Carolina General Assembly, availability of additional funding, and supervisor recommendations based on job evaluations. The North Carolina General Assembly mandates salary increase distribution in the following ways:

- Across-the-board: This requires all full-time employees to receive the mandated percentage or lump sum increase unless the General Assembly gives authorization to withhold increases due to poor performance evaluation. Occasionally, the instructional personnel percentage varies from the non-instructional percentage. Part-time employees usually receive similar increases.
- Average across-the-board: The salary increases given equals the average percentage. This gives the College flexibility to give some employees a higher raise than others. The salary adjustments are based on the employee’s job performance. In-lieu-of-merit percentage: This is usually an additional percentage above the mandated across-the-board percentage. The in-lieu-of-merit increase gives the College the flexibility to give employees a higher increase based on job performance. Supervisor recommendations for salary changes are based on job evaluations.

5.7.2 Longevity Pay
Qualifying employees assigned to full-time and regular part-time positions receive longevity pay after ten or more years of State employment. Longevity pay is determined by multiplying an employee’s annual salary on the date of eligibility by the appropriate rate determined by his/her aggregate service as shown in the table below:

<table>
<thead>
<tr>
<th>Years of Aggregate Service</th>
<th>Longevity Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 but less than 15 years</td>
<td>1.50%</td>
</tr>
<tr>
<td>15 but less than 20 years</td>
<td>2.25%</td>
</tr>
<tr>
<td>20 but less than 25 years</td>
<td>3.25%</td>
</tr>
<tr>
<td>25 or more years</td>
<td>4.50%</td>
</tr>
</tbody>
</table>

5.8 Benefits

5.8.1 Health Insurance
Regular full and part-time (75% or higher) employees are eligible to participate in the State Health Plan of North Carolina. Employees will be given the opportunity to choose between the currently available plans. Cost and coverage levels will vary depending upon plan selection. The employee is always responsible for the premium for dependent coverage. An employee hired on a nine month basis who does not return to work after the summer break shall repay the college any insurance premiums that have been paid on his or her behalf.

Salaried regular part-time employees designated as half time but less than three-quarter time are eligible, provided they pay the entire cost.

A detailed account of coverage, premiums, and application procedures may be obtained from the Human Resources office.

5.8.2 Dental/Vision Insurance
A voluntary dental health plan and vision insurance are available to full-time employees at their own expense. The employees are eligible to select coverage during the first 30 days of their employment. Information may be obtained from the Human Resources office.

5.8.3 Unemployment Insurance
All College employees are covered under the Unemployment Insurance Act. Information may be obtained from the Business Office.

5.8.4 Wage Continuation Disability Insurance
Regular full-time employees are covered under the Disability Income Plan of North Carolina as administered by the State Retirement System. Information may be obtained from the Human Resources office.

5.8.5 Flexible Benefit Plan
A flexible benefit plan (IRS Section 125) is available for regular full-time employees who choose to participate. Enrollment is held annually.

5.8.6 Supplemental Insurance and Deferred Compensation
Full-time employees may also choose to enroll in supplemental insurance and deferred compensation plans as offered by various companies during the year or at specified enrollment times.

Employees may participate in the Cape Fear Community College 403(b) deferred compensation plan effective January 1, 2009, however, the College reserves the right to exclude certain employees from participation in accordance with the section 403(b) rules. Employees will be provided detailed information on this benefit at the time of hire and annually beginning in 2009.

5.8.7 Social Security
All College employees are covered by Social Security. The employee pays a percentage on a maximum wage base. The State pays a matching percent. Percentages and the wage base are subject to change.
5.8.8 State Retirement
Regular full-time employees are members of the North Carolina Teachers’ and State Employees’ Retirement System. The employee and the College contribute a percentage of the gross salary of each full-time employee to the retirement fund.

The State policy covering all aspects of the retirement system is provided in the publication “Teachers’ and State Employees’ Retirement Handbook.” Copies are available in Human Resources and on-line at www.myncretirement.com. The Retirement System web-site allows employees to view their retirement accounts on-line through the ORBIT System.

5.8.9 Workers’ Compensation
All employees are covered by Workers’ Compensation. If an employee is injured because of or in the course of his/her employment, or contracts an occupationally related disease, he/she is entitled to medical attention at the College’s expense. In addition, the employee will be paid for lost time as provided for by the Workers’ Compensation Act.

The first responsibility for workers’ compensation lies with the employee. Therefore, it is imperative for the employee to report the accident or occupationally related disease to his/her supervisor. A Workers’ Compensation report must be filed with the Business Office within five (5) working days after the accident occurs. In addition, the supervisor must complete the Supervisor’s Accident Report and submit it to the Business Office within five (5) days after the accident. (For full details see General Statute 115D-23 on file in the Library or in the Business Office.)

5.8.10 Employee Lounge
Employee Lounges have been provided for College employees. Each person using these lounges shares the responsibility for the maintenance and cleanliness.

5.8.11 Flower Fund
A special fund has been set aside from the Vending Fund for payment of flowers upon the death of any full-time employee, current Trustee, and the following members of his/her family: spouse, child, parent, brother or sister, including step and in-law relationships. Flowers may also be sent to the funeral of a retired employee or past Board member. In lieu of flowers, a memorial contribution may be made to a charity or to the CFCC Foundation or scholarship fund of choice. Cards may be sent to retired employees, past Board members or part-time employees at the death of an immediate family member.

Flowers will be sent to the hospital for ill employees and Board members only after confinement exceeds three consecutive days.

The Human Resources office has the responsibility, when made aware of death or sickness, to send flowers, cards, or memorial contributions as appropriate.

Generally, the cost of flowers and memorials will range from $40 to $55 for funerals and from $35 to $45 for flowers for other occasions.

5.9 Leave Policies
Any exceptions to all leave policies must be requested by the employee for approval by the President, in advance if possible.

5.9.1 Sick Leave

*Sick Leave Credits* – Sick leave credits are provided for regular full-time and part-time (half-time or over) employees who are in pay status for one-half or more of the regularly scheduled workdays and holidays in a pay period. Sick leave is earned at the rate of 8 hours per month for regular full-time employees. The rate for regular part-time employees is computed as a percentage of total amounts provided to full-time employees.

*In addition, vacation leave in excess of 240 hours on December 31 of each year is converted to sick leave.*

*Advancement* – The College may advance sick leave not to exceed the amount an employee can accumulate during the employee’s current contract. If an employee requires time away from work that is not covered by available sick leave or other paid leave, the unpaid leave taken will be reconciled and the employee’s paycheck reduced accordingly on a pro rata basis or as otherwise required under the Fair Labor Standards Act. Should an employee leave the College’s employment for any reason, sick leave will be prorated on a monthly basis and any sick leave used in excess of what the employee actually earned will be deducted from his/her paycheck.

**NOTICE:** if an employee’s need for sick leave is foreseeable, the employee must provide his or her supervisor with at least five (5) business days’ advance notice of the reason for the leave before the leave is to begin. If five (5) business days’ notice is not practicable because of a change in circumstances or a medical emergency, notice may be provided as soon as practicable (normally within one (1) or two (2) business days of learning of the need for sick leave). The employee must make this notification personally unless physically or mentally incapable, and in this instance, the employee’s representative must make the notice in a timely manner.

If an employee’s need for sick leave is not foreseeable, notification must be made to the employee’s supervisor of the reason for his or her absence as early as possible (and in any event, not later than thirty (30) minutes before the beginning of the scheduled workday). The employee must make this notification personally unless physically or mentally incapable, and in this instance, the notice must be made by the employee’s representative in a timely manner.

*Verification* – To avoid the abuse of sick leave privileges, the College may require a statement from a medical doctor or other acceptable proof that the employee was unable to work due to personal illness, family illness or death in the family.

For any absence of three (3) or more consecutive workdays, the employee may be requested to obtain and present a Certification of Health Care Provider or other acceptable medical certification from his or her health care provider or the health care provider of his or her immediate family member attesting to the illness, injury, or medical condition for which sick leave is being taken. For any absence of ten (10) or more consecutive workdays due to an illness, injury, or medical condition for which leave may be taken under this policy, an employee is required without further notice to obtain and present the appropriate medical certification.
Presentation of a medical certification by the employee, if required pursuant to this policy, is a condition to the employee’s leave being authorized.

Return to Work Certification – The College may require an employee to obtain and present a return to work certification from his or her health care provider before the employee may return to work following a personal illness, injury, or medical condition for which sick leave is taken. If a return to work certification is required, it must be provided to the College prior to and as a condition of the employee’s restoration to employment.

Use of Sick Leave – Sick leave may be used for illness or injury which prevents an employee from performing usual duties, including the actual period of temporary disability connected with childbearing or recovery therefrom. Sick leave may not be used for purposes other than prescribed by this policy.

Sick leave may also be requested for:

1. Medical appointments
2. Illness of a member of the employee’s immediate family (For this purpose, immediate family includes a spouse, parent, son or daughter, as defined in the College’s Family and Medical Leave Policy, and also includes step relationships. Sick leave may also be taken for the illness of other dependents living in the employee’s household.)
3. Death of a member of the employee’s immediate family (For this purpose, immediate family is defined as spouse, parents, children, brother, sister, grandparents, and grandchildren. Also included are the step, half, and in-law relationships.)

Sick Leave Transferable – Unused sick leave may be transferred when an employee transfers to a public school, community college, or other North Carolina governmental agency if the head of the employing agency or school administrative unit is willing to accept it. Sick leave transferred to CFCC cannot have been granted at a higher amount than is allowed for CFCC employees.

Separation – Sick leave is not allowable in terminal leave payments when an employee separates from State service. It may be exhausted prior to participation in the Disability Income Plan.

Leave Charges – Sick leave shall be taken and charged in units of time appropriate and consistent with the responsibility of managing absences in keeping with operational needs. Sick leave will be deducted in full hour units, i.e., a full hour for any part of an hour overdrawn.

Eight (8) hours of sick leave must be deducted for each full-time day missed by any full-time regular employee. Part-time regular employees must deduct the number of hours they were scheduled to work on the day(s) missed.

Faculty is charged sick leave using the following formula:

\[
\frac{\text{hours absent}}{\text{scheduled work hours}} \times 8 \text{ hours} = \text{hours charged (rounded to the nearest whole hour)}
\]

Examples:
1 hour absent x 8 hours = 2 hours charged
4 hours scheduled

2 hours absent x 8 hours = 3 hours charged
6 hours scheduled

absent full day x 8 hours = 8 hours charged
5 hours scheduled

Department Chairs will be responsible to ensure the proper sick leave hours are reported in accordance with this policy.

Reinstatement of Sick Leave – Sick leave shall be reinstated when an employee returns from authorized leave without pay or when reinstated within five years from any type of separation. Sick leave may be reinstated when an employee accepts College employment within five years after separating from governmental employment in North Carolina.

Retirement Credits – One month of credit is allowed for each 20 days, or any portion thereof, of sick leave to an employee’s credit upon retirement, but not to exceed 12 days for each year of retirement membership.

When Sick Leave is Exhausted – Once sick leave has been exhausted, an employee must use earned vacation leave for any absence due to an illness, injury, or medical condition covered by this policy. Any additional days away from work after sick leave and earned vacation leave have been exhausted will be without pay. Eligible employees shall be granted leave in accordance with the Family and Medical Leave Policy for a period of up to 12 workweeks, regardless of whether sick leave and vacation leave are available. Additional leave without pay up to one year may be granted by the President for the remaining period of disability after the 12-week period. During FMLA periods only FMLA days covered by a medical certification are eligible for paid sick or shared sick leave. Vacation leave, if available, can be used for FMLA days not covered by medical certification.

Leave Records – The College will maintain annual records for sick leave for each employee. The College will notify employees of leave balances at least once each year.

5.9.2 Vacation Leave

Purpose and Uses – The primary purpose of paid vacation is to allow and encourage employees to renew their physical and mental capabilities and to remain a full productive employee. Employees are encouraged to request leave during each year in order to achieve this purpose. Vacation leave may also be requested for other periods of absence for personal reasons, for absences due to adverse weather conditions when the school is not closed, and for personal illness or illnesses in the employee’s immediate family in lieu of sick leave.

Time lost for late reporting may be charged to the vacation leave account. Deductions may be made from a non-exempt employee’s pay where excessive tardiness or absenteeism occurs. Any time not covered by paid leave will require a written explanation by the employee and approval by the President.
Scheduling Leave – Vacation leave shall be taken only upon authorization of the employee’s division head, or the President. The College will try to consider employees’ preferences and work out schedules, bearing in mind individual and College needs.

Leave Credits – Vacation leave credits are provided under the terms and conditions of this policy for a full-time or regular part-time (half-time or over) employee who is in pay status for one-half or more of the regularly scheduled workdays and holidays in a pay period. The rate is based on length of total State service. Leave for part-time employees shall be computed as a percentage of total amounts provided to a full-time employee.

<table>
<thead>
<tr>
<th>Total Years of State Service</th>
<th>Hours Granted Each Month</th>
<th>Days Granted Each Year</th>
</tr>
</thead>
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<td>9.34</td>
<td>14</td>
</tr>
<tr>
<td>5 but less than 10</td>
<td>11.34</td>
<td>17</td>
</tr>
<tr>
<td>10 but less than 15</td>
<td>13.34</td>
<td>20</td>
</tr>
<tr>
<td>15 but less than 20</td>
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<td>23</td>
</tr>
<tr>
<td>20 years or more</td>
<td>17.34</td>
<td>26</td>
</tr>
</tbody>
</table>

Accounting for Creditable Service – The College is responsible for informing each employee of the types of prior service, which are eligible to be counted as total State service. If the employee fails to produce evidence of prior service at the time of employment and later produces such evidence, it creates a cumbersome, time-consuming process to adjust leave records. When this occurs, credit will be allowed for the service and the earnings rate will be adjusted; however, retroactive adjustments will only be allowed for the previous twelve months preceding employment at CFCC. Adjustments will not be decreased when the College fails to properly determine prior service once an employee has provided appropriate documentation.

Maximum Accumulation – Leave may be accumulated without any applicable maximum until December 31 of each calendar year. On December 31 of each calendar year any employee with more than 240 hours of accumulated leave shall have the excess accumulation converted to sick leave so that only 240 hours are carried forward to January 1 of the next calendar year. Excess annual leave cannot be converted to sick leave for individuals who leave the College at any time other than at the close of the leave year. Accumulation for part-time employees will be pro-rated based on the amount of time worked.

Advancement – Upon request, the President may advance annual leave not to exceed the amount the employee would earn during the remainder of the employee’s current contract. If an employee requires time away from work that is not covered by available vacation leave or other paid leave, the unpaid leave taken will be reconciled and the employee’s paycheck reduced accordingly on a pro rata basis or as otherwise required under the Fair Labor Standards Act.
Should an employee leave the College’s employment for any reason, vacation leave will be prorated on a monthly basis and any vacation leave used in excess of what any employee actually has earned will be deducted from his or her final paycheck. Vacation leave will be deducted in full hour units, i.e., a full hour for any part of an hour overdrawn.

*Leave Charges* – As a rule, leave should be used and charged in increments of one or more hours. However, leave to be paid as terminal leave and leave to be exhausted before disability retirement or leave without pay shall be in units of one hour.

*Leave Transferable* – Unused leave may be transferred when an employee transfers to another North Carolina governmental agency if accepted by that employing agency. The College does not accept annual leave from any other jurisdiction.

If no leave is transferred, the employee leaving College service will be paid in a lump sum for accumulated leave not to exceed 240 hours (prorated for part-time employees). If the North Carolina governmental agency accepts a part of the leave, the combination of the amount transferred and paid for shall not exceed 240 hours (prorated for part-time employee).

*Options During Leave Without Pay* – An employee going on leave without pay may exhaust vacation leave or may retain part or all accumulated leave until the employee returns, the only exceptions being:

- If an employee has accumulated vacation leave, all leave must be exhausted before going on leave without pay for vacation purposes; or,
- If an employee requests leave for other personal reasons for a period not to exceed 10 workdays, vacation leave must be used if available; however, if the leave is for a period longer than 10 workdays, the employee may choose to use vacation leave or retain it for future use. Options for use of vacation leave under the Workers’ Compensation Policy, Family and Medical Leave Policy, and Military Leave Policy are included in these respective policies. If leave without pay extends through December 31 of a calendar year, any leave accumulation above 240 hours (prorated for part-time employees) shall be converted to sick leave.

When on paid vacation an employee continues to accumulate leave, is eligible to take sick leave, is entitled to holidays and is eligible for salary increases during that period.

*Separation* – Lump sum payment for vacation leave is made only at the time of separation. An employee shall be paid in a lump sum for accumulated vacation leave not to exceed a maximum of 240 hours (prorated for part-time employees) when separated from CFCC service due to resignation, dismissal, non-reappointment, reduction in force, or death. An employee is not entitled to any scheduled holiday occurring after the last day of work, except when the last day of the month is a holiday and the employee is in pay status through the last available workday. The employee ceases to accumulate leave and ceases to be entitled to take sick leave. The last day of work is the date of separation.

Employees separating from the College due to service retirement or early retirement may elect to exhaust vacation leave after the last day of work but prior to the effective day of retirement. All
benefits accrue while leave is being exhausted. If vacation leave is exhausted, the last day of leave is the date of separation; and any unused leave not exhausted must be paid in a lump sum not to exceed 240 hours. If vacation leave is not utilized, the last day of work is the date of separation.

5.9.3 Compensatory Time
The College awards compensatory time off in lieu of payment for overtime to non-exempt employees at the rate of one and one half hours for each hour beyond regularly assigned 40 weekly work hours. If overtime occurs on weekends or holidays, the ratio moves to two to one. Supervisors should make every effort to avoid situations that require a non-exempt employee to exceed the 40-hour workweek. In no case is a non-exempt employee to schedule himself/herself for overtime work.

- AMOUNT EARNED

The maximum amount of compensatory leave that may be accrued by an employee is 60 hours, which is the number of hours of compensatory time earned for 40 hours of overtime, unless the employee’s vice-president authorizes additional hours. It is the employee’s responsibility to take compensatory leave as soon as possible after it has been earned.

- SCHEDULING OF COMPENSATORY LEAVE

Employees should make every effort to take all compensatory time before the end of the pay period in which overtime is worked. When the overtime occurs late in the pay period, compensatory time must be taken within the next pay period.

To schedule compensatory leave, an employee must make a written request to his or her supervisor. The employee’s request will be granted within a reasonable time provided that the employee’s absence will not unduly disrupt the College’s operations or impose an unreasonable burden on the College’s ability to provide services of acceptable quality and quantity for students and other recipients of its services during the requested absence period.

The determination of what constitutes a reasonable time within which to grant an employee’s request for compensatory leave will be based on customary work practices of the College and the facts and circumstances surrounding the employee’s request for compensatory time. In addition to other relevant factors, the College may consider the following:

1. Whether the employee’s absence will interfere unreasonably with the College’s normal work schedule;
2. Whether the employee’s requested absence period coincides with the College’s anticipated peak workloads based on past experience;
3. Whether the employee’s requested absence period will occur while the College is experiencing emergency needs for staff or services; and,
4. Whether qualified substitute staff is available to perform the employee’s work during his/her requested absence.

- PAYMENT IN LIEU OF COMPENSATORY TIME
Employees subject to this policy will not be entitled to cash payment in lieu of compensatory time, except as may be determined in the College’s sole discretion on a case-by-case basis or under the following circumstances:

- Employees will be paid for all overtime hours worked to the extent that such hours exceed the maximum of 60 hours of compensatory time that may be accrued under this policy.
- An employee who has any accrued, unused compensatory time when he or she separates from employment with the College will be paid for the compensatory time at a rate not less than the average regular rate received by the employee during the three years immediately preceding his or her separation or the regular rate received by the employee at the time of his or her separation, whichever is greater.

- **SHIP PERSONNEL WHO QUALIFY AS SEAMEN**

Ship personnel who are “seamen,” within the meaning of the FLSA, are exempt from overtime compensation. The College is not obligated to provide them with compensatory time for any workweek in which they work more than 40 hours. However, the College currently provides employees who are seamen with compensatory time in the amount of one hour for each hour over 40 within a workweek. Compensatory time for seamen is administered in the same manner as for non-exempt employees, except that it is earned at a different rate and will not be paid out upon an employee’s separation from employment for any reason. The College reserves the right to limit the availability of compensatory time for exempt ship personnel at any time if, in its discretion, the College determines that the additional time away from work creates a conflict with the College’s operational requirements.

**5.9.4 Personal Leave for Faculty**

Faculty members will be allowed to take one day each per fall and spring semester for personal business or circumstances that cannot be attended to outside the normal working day. Personal leave may not be used for purposes, which would normally be considered vacation or sick leave. Twelve month faculty may use their spring semester personal day between January 1 – June 30 and their fall semester personal day between July 1 – December 31.

The request must be made on the proper form and be submitted to the employee’s immediate supervisor for approval at least two days in advance of the date the leave is to be used. A verbal request will be considered if the request is of a nature to make the advance request impossible; however, the request must be reduced to writing upon return to work.

**5.9.5 School Leave**

Any employee who is a parent, guardian, or person standing in loco parentis of a school-aged child is eligible to take school leave of up to four hours per calendar year so that the employee may attend or otherwise be involved at that child’s school. For purposes of this policy, “school” includes (1) any public school; (2) a private church school, church of religious charter, or non-public school (as described in Article 39, Parts 1 and 2, of the North Carolina General Statutes) that regularly provides a course of grade school instruction; (3) any preschool; or (4) a child day care facility providing day care for more than five children under the age of 13 (not including the
operator’s own children) on a regular basis of at least once per week for more than four hours but less than 24 hours per day.

School leave must be taken at a time mutually agreed upon between an employee and his/her supervisor. Employees who are authorized to take school leave may apply vacation leave toward their school leave absence to the extent permitted upon the College’s policy on vacation leave. Faculty members who are authorized to take school leave may apply personal leave toward their school leave absence to the extent permitted under the College’s policy on school leave. Time away from work for school leave otherwise will be without pay.

5.9.6 Educational Leave
Any full-time employee may be granted permission to take educational leave with pay under the provision of the State Board of Community Colleges. Educational leave as defined in this regulation refers to release from the employee’s normal duties or assigned responsibilities. State funds may be used to pay salaries of personnel while on educational leave provided all of the following conditions are met:

1. Employees desiring educational leave should submit a request in writing to the appropriate senior level administrator who in turn will evaluate such requests for recommendation to the President. Only the President and the Trustees of the College can approve the educational leave requested.
2. The employee is a regular full-time employee who is employed on a nine, ten, eleven, or twelve-month basis and is under contract for the year following the educational leave. Normally the employee must have completed five years of employment with the College to be eligible for such leave. Exceptions to the five-year prerequisite may be recommended by the President when it is in the best interest of the College to do so. An employee must have completed five additional years of employment to be eligible for subsequent educational leave.
3. Educational leave is contingent upon availability of other personnel to cover the employee’s duties.
4. The educational leave with pay will not exceed a period of one semester per calendar year.
5. The studies engaged in during such educational leave are directly related to improving the competence of the employee.
6. In the event the employee fails to complete the employment contract for the year following educational leave, the employee will REFUND to the College all salary paid by the College during the period of the educational leave, or pro-rated amount if the employee fulfills a portion of the contract.
7. Administrative personnel taking educational leave must do so at the convenience of the College and their particular job responsibilities. Usually no more than three (3) members of the instructional staff will be granted educational leave in any one semester.
8. Professional development funds to cover tuition or books will not be granted for use while an employee is on educational leave.

5.9.7 Military Leave
Leave with pay shall be granted to members of Reserve Components of the U.S. Armed Forces for certain periods of active duty training and to members of the State Militia (National Guard)

Leave shall be granted to employees of the college for certain periods of service in the uniformed services. No agent or employee of the college shall discriminate against any employee of the college or applicant for employment at the college because of their membership, application for membership, performance of service, application for service or obligation for service in Uniformed Services. During a period of reserve active duty, the employee will continue to accumulate sick and vacation leave. If the employee does not return to State employment, vacation leave earned while on reserve duty will be paid in accordance with the Vacation Leave Policy.

An employee shall be granted necessary time off when the employee must undergo a required physical examination relating to military service. For additional information contact the Human Resources office.

When ordered to State or Federal active duty, or as an intermittent disaster-response appointee upon activation of the National Disaster Medical System, the following shall apply for each period of involuntary service:

1. Members shall receive up to thirty (30) calendar days of pay based on the employee’s current annual State salary.
2. After the thirty-day period, members shall receive differential pay for any period of involuntary service. This pay shall be the difference between military basic pay and the employee’s annual State salary, if military pay is the lesser.
3. For periods eligible for military leave with differential pay, the activated State employee is required to provide a copy of their Leave and Earnings Statement or similar document covering the period eligible for differential pay.

When on State Duty, the State continues to pay for health coverage for members for the National Guard. When on Federal active duty, the State will pay for coverage in the State Health Plan for at least 30 days from the date of active service pursuant to the orders. Partial premiums are not accepted; therefore, if a full premium is paid to cover a partial month, coverage will also continue to the end of that month. After that, the employee may choose to continue coverage in the State Health Plan by paying the full premium. If the employee chooses to exhaust vacation leave, the State also pays for coverage while exhausting leave.

5.9.8 Civil Leave

Jury Duty – An employee who serves on a jury is entitled to leave with pay and regular compensation plus fees received for jury duty. The employee should report back to work as soon as jury duty is completed. He/she must report back to work the day following completion of the duty. If jury duty occurs on a scheduled day off, he/she is not entitled to additional time off.

Court Attendance – (a) When an employee attends court in connection with official duties, no leave is required. Fees received as a witness while serving in an official capacity shall be turned in to the College. (If court is on a day that would normally be an off day, the time is to be considered as working time and included in the total hours worked per week.) (b) When an
employee is subpoenaed or directed by proper authority to appear as a witness, civil leave with pay shall be granted. Any fees received shall be turned in to the College. The employee may use vacation leave rather than take civil leave with pay in which case any fees received may be retained. (This is not considered as work time.)

5.9.9 Family and Medical Leave Policy

Eligibility
Leave provided under the Family and Medical Leave Act (FMLA) is available to all eligible employees of The College. In order to be eligible for FMLA leave under this policy, an employee must: (A) have worked for The College for at least 12 months, which need not be consecutive months; (B) have been employed for at least 1,250 hours of service during the 12-month period prior to the commencement of FMLA leave; and, (C) be employed at a worksite where 50 or more associates are employed by The College within 75 miles of that worksite.

If an employee is not eligible to receive FMLA leave from The College, any leave taken for medical or other reasons will need to be taken only as permitted by our other leave policies.

Reasons for Taking Leave
If an employee is eligible for FMLA leave, the employee is permitted to take up to 12 weeks of FMLA leave during a calendar year, except that 26 weeks of leave is available for servicemember family leave described in the Servicemember Family Leave Section below. FMLA leave is without pay unless otherwise provided by our other policies, such as vacation leave, sick leave, or workers’ compensation.

Leave may be taken: (1) for the birth of a child, and to care for the newborn child; (2) for the placement of a child for adoption or foster care, and to care for the newly placed child; (3) to care for a spouse, child, or parent (but not a parent “in law”) with a serious health condition; (4) due to an employee’s own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee’s job; or (5) because of any “qualifying exigency” described in the “Definitions” section, which includes short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and any additional activities to which The College consents arising out of the fact that the spouse, or a son, daughter, or parent of the eligible employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

An employee’s FMLA leave for the birth or placement of a child must conclude within 12 months of the birth or placement.

Servicemember Family Leave
In addition, and subject to the certification provisions set forth below, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to take up to 26 workweeks of leave during a “single 12 month period,” defined as the period beginning on the first day the eligible employee takes FMLA leave to care for the covered servicemember and ending 12-months after that date, regardless of the method used by The College to determine the employee’s 12 workweeks of leave entitlement for other FMLA-
qualifying reasons. If an eligible employee does not take all of his or her 26 workweeks of leave entitlement to care for a covered servicemember during this “single 12-month period,” the remaining part of his or her 26 workweeks of leave entitlement to care for the covered servicemember is forfeited. Leave entitlement to care for a covered servicemember shall be applied on a per covered servicemember, per injury basis. The eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious injury or illness, except that no more than 26 workweeks leave may be taken within any single 12-month period.

During the single 12-month period described in the immediately preceding paragraph, an eligible employee shall be entitled to a combined total of 26 workweeks of Servicemember Family Leave and leave under paragraphs (1), (2), (3), (4) or (5) in the “Reasons for Taking Leave” Section. Nothing in this paragraph shall be construed to limit the availability of leave under paragraphs (1), (2), (3), (4) and (5) during any other 12-month period.

**Definitions**

The term “*serious health condition*” that qualifies an employee for FMLA leave is an illness, injury, impairment, physical or mental condition that involves:

1. inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or any subsequent treatment in connection with such inpatient care; or
2. any period of incapacity (inability to work, attend school, or perform regular daily activities due to the serious health condition) of more than three (3) consecutive calendar days involving two (2) or more occasions of treatment, or one (1) occasion of treatment with a continued regimen of treatment, by or under the supervision of a health care provider; provided in all such cases the first visit to a health care provider must occur within seven (7) days of incapacity, and if it is an incapacity involving two (2) or more occasions of treatment, the second must occur within thirty (30) days of the first day of incapacity; or
3. any period of incapacity due to pregnancy or prenatal care; or
4. any period of incapacity or treatment due to a chronic, serious health condition, by or under the supervision of a health care provider, involving two (2) or more visits to a health care provider per year; or
5. a period of incapacity which is permanent or long-term due to a condition of which treatment may be ineffective and that involves supervision of a health care provider; or
6. any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as most forms of cancer, heart attacks, conditions requiring surgery, strokes, severe arthritis, or back conditions requiring extensive therapy or surgery.

*Non-serious health conditions not covered by the FMLA:* In the absence of complications or a required inpatient hospitalization, the common cold, flu, earaches, upset stomachs, minor ulcers, headaches (other than migraines), routine dental or orthodontia problems, periodontal disease, and cosmetic treatments are *not* serious health conditions for the purposes of FMLA.
The term “covered active duty” means any deployment of an Armed Service member to a foreign country under a call or order to active duty.

The term “covered servicemember” means a current member or veteran of the Armed Forces, including a member or veteran of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty; provided that, in the case of veterans, the medical treatment triggering the need for leave occurs within five years of the veteran departing the Armed Forces. For the purposes of this definition, a serious injury or illness incurred in the line of duty includes the aggravation by a current member of the Armed Forces or existing or preexisting injuries. Furthermore, for the purposes of this definition, a serious injury or illness incurred in the line of duty by a veteran may manifest itself before or after the Armed forces member became a veteran.

The term “outpatient status,” with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to:

1. a military medical treatment facility as an outpatient; or
2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

The term “next of kin of covered servicemember” means the nearest blood relative other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purpose of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.

The term “parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”

The term “son or daughter” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability” at the time that FMLA leave is to commence.

The term “son or daughter of a covered servicemember” means a covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
The term “son or daughter on covered active duty or call to covered active duty status” means the employee’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the associate stood in loco parentis, who is in the Armed Forces on active duty or called to active duty status, and who is of any age.

The term “covered family member” means a spouse, children, parents, grandparents, parents-in-law and step children who reside with the employee for more than six (6) months in each year.

The terms “covered military member” means the employee’s, spouse, son, daughter, or parent on covered active duty or call to covered active duty status.

The term “qualifying exigency” includes:

1. Short-notice deployment;
2. Military events and related activities;
3. Childcare and school activities;
4. Financial and legal arrangements;
5. Counseling;
6. Rest and recuperation;
7. Post-deployment activities; and,
8. Additional activities, including events which arise out of the covered military member’s covered active duty or called to covered active duty status, provided that The College and employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

The term “serious injury or illness,” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on covered active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

**Employees Who Are Married to Each Other**

The combined total FMLA leave of employees of The College who are married to each other may not exceed 12 weeks during the applicable 12-month period if the leave is taken for the birth of a child or to care for the child after birth; for placement of a child for adoption or foster care or to care for the child after placement; or to care for a child with a serious health condition. This limitation does not prohibit either employee from taking additional FMLA leave for which he or she may be eligible, such as leave to care for a parent with a serious health condition or because of a serious health condition of the employee.

The aggregate number of workweeks of Servicemember Family Leave to which both a husband and wife may be entitled shall be limited to 26 workweeks during the single 12-month period if the leave is:

i. Servicemember Family Leave; or
ii. a combination of Servicemember Family Leave and leave described in paragraphs (1), (2), (3), (4) or (5) of the “Reasons for Taking Leave” Section above.
**Intermittent Leave**
FMLA leave may be taken intermittently or on a reduced leave schedule when medically necessary to care for a family member with a serious health condition or because of an employee’s own serious health condition or for Servicemember Family Leave; or for Qualifying Exigency Leave. If an employee requires or is permitted to take intermittent leave or leave on a reduced schedule, the employee must try to schedule his or her leave so as not to disrupt The College’s operations. We may require the employee to transfer temporarily to an available alternative position (including a part-time position) for which the employee is qualified and which better accommodates recurring periods of leave than the employee’s regular position.

**Designation of FMLA Leave**
Leave taken for any purpose by an employee who is eligible for FMLA leave will be designated by The College as FMLA leave, even if the employee has not specifically requested FMLA leave. FMLA leave will run concurrently with any paid leave and will be substituted for FMLA leave, in which case the employee must abide by our policies for the taking of paid leave.

**Scheduling**
If an employee’s need for FMLA leave is foreseeable, the employee must provide The College with at least 30 days’ advance notice before the FMLA leave is to begin. If 30 days’ advance notice is not practicable, for example because the employee does not know when the leave will be required to begin, or in the case of changed circumstances or a medical emergency, notice must be given as soon as practicable. It should be practicable for the employee to provide notice either the same day as the need arises or the next business day, but the determination in such cases will take into account the individual facts and circumstances of the case. Notice should be provided by the employee personally, or by the employee’s spouse, an adult family member, or another responsible person, if the employee is unable to provide notice personally. Notice must be received by the Human Resources office in writing.

When the need for leave is not foreseeable, the employee, or the employee’s spouse, an adult family member, or another responsible person, if the employee is unable to provide notice personally, must provide notice as soon as practicable under the facts and circumstances of the particular case. In such cases, the employee should notify his or her supervisor or the Chief Human Resources Officer in writing far in advance of the anticipated leave date as practicable, normally, within two (2) business days of when the need for the leave becomes known to the employee.

The above two types of notice provisions apply in the case of a Qualified Exigency Leave and leave required to care for a covered servicemember with a serious injury or illness.

**Supervisors who receive notice from an employee that he or she needs leave that may qualify as FMLA leave are expected to contact the Chief Human Resources Officer immediately, so that a determination as to the employee’s FMLA eligibility and the conditions of the employee’s leave may be made. Copies of all leave requests and medical certifications should be forwarded to the Chief Human Resources Officer.**
When planning medical treatment for which FMLA leave will be necessary, you should consult with your supervisor and make every reasonable effort to schedule your leave so as not to disrupt the operations of The College. This ordinarily should occur prior to scheduling treatment so that a treatment schedule which best suits the needs of both you and The College may be worked out. Employees who are out on FMLA leave are expected to report periodically to their supervisor on their status and intent to return to work.

Compensation and Benefits
When an employee takes FMLA leave, he or she is required to apply any available vacation leave toward that employee’s FMLA absence, if the reason for the FMLA leave is a reason for which short-term disability, long-term disability, or vacation leave may be taken under The College’s leave policies. Sick leave, vacation, and vacation leave will not be applied toward FMLA leave if the employee is receiving long or short-term disability or workers’ compensation. Any FMLA leave that is not covered by long or short-term disability, workers’ compensation, vacation leave will be without pay.

The College will continue providing group health insurance coverage and will continue paying its share of an employee’s group health insurance premiums while the employee is out on FMLA leave (whether paid or unpaid), on the same conditions as the coverage provided by The College at the time the employee’s leave begins, subject to any changes in the plan that take place during the leave. During FMLA leave, the employee is responsible for his or her share of the group health insurance premium. This amount will be deducted from the employee’s paycheck as directed by the employee during any period of paid leave, but must be paid by him or her to The College at the time it normally would be deducted from the employee’s paycheck or as otherwise agreed between the employee and The College during any period of unpaid leave.

If the premium payment for the employee’s share is more than 30 days late, The College may cease maintaining health insurance coverage (after providing 15 days’ written notice that payment has not been received), or may pay the employee’s share and recover the amount paid from the employee. If the 15-day notice is provided and the employee fails to pay the employee’s share of the premium prior to the specified date on which coverage will be dropped, the employee’s health insurance may be terminated as of the end of the 30-day grace period. If an employee is unable to pay his or her portion of the group health insurance premium during FMLA leave, The College may in its sole discretion agree to pay the amounts owed by an employee to avoid a lapse of coverage. The employee will be required to reimburse The College for any premiums paid on his or her behalf, whether or not an acknowledgment is signed or submitted, and whether or not the employee returns to work.

Certifications
Initial Certification. At or soon after the time an employee indicates a need for FMLA leave, The College will require the employee to furnish complete and sufficient medical certification from that employee’s health care provider, or the health care provider of the employee’s family member, or the health care provider of the employee’s covered servicemember, as applicable, by completing and submitting a Certification of Health Care Provider form provided by The College or certification in another form acceptable to The College, attesting to the nature of the serious health condition, probable length of treatment, and reasons the employee is required to care for his or her family member.
In the case of leave being taken to care for a covered servicemember, the employee must obtain complete and sufficient medical certification completed by an authorized health care provider of the covered servicemember. The following healthcare providers may complete such a certification: a United States Department of Defense (“DOD”) health care provider, a United States Department of Veterans Affairs (“VA”) health care provider, a DOD TRICARE network authorized private healthcare provider, or a DOD non-network TRICARE authorized healthcare provider.

In cases of an employee’s own serious health condition or the serious health condition of a family member, an appropriate member of the College’s Human Resources department (but not the employee’s direct supervisor) may contact the health care provider for purposes of clarification and authentication of any medical certification (or recertification) after the employee who has been given reasonable opportunity to cure any deficiencies fails to do so. Failure to provide complete and sufficient medical certification may result in a delay of FMLA leave. The College reserves the right to request a second or third medical opinion at its expense. The College will reimburse the employee for reasonable out-of-pocket travel expenses incurred in connection with obtaining a second or third medical opinion. Documentation of these expenses (receipts, mileage information, etc.) should be provided to the Chief Human Resources Officer.

**Recertification.** The College may require an employee to provide complete and sufficient medical recertifications every thirty (30) days unless the duration of the condition is projected to be longer than 30 days, in which case recertification may be required when the minimum duration expires. The College reserves the right to request complete and sufficient recertification in less than 30 days if the employee requests an extension of leave; or if the circumstances described by the previous certification have changed significantly; or when we receive information that casts doubt upon the employee’s stated reason for the absence or the continuing validity of the certification. In any event, The College may request complete and sufficient recertification every six (6) months.

**Return to Work Certification.** As a condition of returning to work after FMLA leave that was due to an employee’s own serious health condition, The College will require the employee to obtain and present a complete and sufficient return to work certification from the employee’s health care provider indicating that the employee is capable of returning to work and performing the essential functions of his or her position, with or without reasonable accommodation. Costs associated with any return to work certification will be at the employee’s expense and the employee is not entitled to be paid for the time or travel costs spent in acquiring such certification.

**Certification for Leave Due to Covered Active Duty or Call to Covered Active Duty of Covered Military Member.** In the case of “qualified exigency leave” arising out of a covered active duty or call to covered active duty status of a “covered military member” defined in the Definitions Section above, an employee must supply a copy of the covered military member’s covered active duty orders or other documentation issued by the military indicating that the covered military member is on covered active duty or has been called to covered active duty status, and the dates of the covered military member’s covered active duty service. This
information need only be provided once. A copy of new covered active duty orders or other documentation issued by the military shall be provided if the need for leave because of a qualifying exigency arises out of a different covered active duty or call to covered active duty of the same or a different covered military member. In every case, the employee must provide a complete and sufficient certification.

**Certification for Leave Due to Other Qualifying Exigencies.** For “qualifying exigency” leave defined in the Definitions Section of the Handbook other than a covered active duty or call to covered active duty status, the employee must provide The College with a complete and sufficient certification in the form of a signed written statement or description of the appropriate facts regarding the qualifying exigency for which FMLA leave is requested, supported by any available written documentation. The facts provided must be sufficient to support the requested leave. In addition to the facts and supporting documentation, a complete and sufficient certification must contain the approximate date on which the qualifying exigency has commenced or will commence and, if the leave requested is because of a qualifying exigency over a single, continuous period of time, the beginning and end dates of such absence. If the leave requested is because of a qualifying exigency which will occur on an intermittent or reduced schedule basis, an estimate of the frequency and duration of the qualifying exigency must be provided. If the qualifying exigency involves a meeting with a third party, the employee must include in the written statement the appropriate contact information for the individual or entity with whom the employee is meeting and a brief description of the purpose of the meeting, which The College, at its sole discretion, may choose to verify.

**Premium Charges**
The College will charge the employee for health insurance premiums paid by The College during any unpaid portion of FMLA leave if the employee fails to return to work after an employee’s leave entitlement is exhausted or has expired, unless the reason the employee does not return to work is due to the continuation, recurrence, or onset of a serious health condition that would entitle the employee to leave under the FMLA, or other circumstances beyond the employee’s control prevent his or her return. Decisions to remain with a family member who no longer requires the employee’s care or to remain at home following the birth or placement for adoption or foster care of a child who does not have a serious health condition will not be considered beyond the employee’s control.

**Job Restoration**
It is expected that, following an FMLA absence, the employee will return to work. As a general rule, when an employee returns to work following FMLA leave, the employee will be restored to the same position that the employee held prior to the beginning of leave, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. The resumption of benefits upon the employee’s return from FMLA leave will be subject to any plan changes in benefits that have taken place during the period of FMLA leave.

**Questions and Employer’s Response to Request for FMLA Leave**
Employees are encouraged to direct any questions about the FMLA to the Human Resources department. Upon request to Human Resources department, an employee may obtain the publication, *Notice of Your Rights under the Family and Medical Leave Act*. An employee shall be informed of The College’s decision on requested FMLA leave within five (5) business days of
his or her request and submission of complete and sufficient medical certification when required under this policy.

5.9.10 VOLUNTARY SHARED LEAVE PROGRAM

• POLICY

(a) In cases of a prolonged medical condition a regular full-time or regular part-time employee may apply for or be nominated to become a recipient of leave transferred from the vacation leave account of another employee or from the sick leave or vacation account of an immediate family member defined as spouse, parents, children, brother, sister, grandparent or grandchild (including step, half, and in-law relationships). For purposes of this policy, prolonged medical condition means medical condition that is likely to require an employee’s absence from duty for a period of at least 20 consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences, or if the employee has had a previous, but different, prolonged medical condition within the last 12 months, the agency may make an exception to the 20 day period.

(b) An employee who receives benefits from the Disability Income Plan of North Carolina (DIPNC) is not eligible to participate in the shared leave program. Shared leave, however, may be used during the required waiting period and following the waiting period provided DIPNC benefits have not begun.

(c) Participation in this program shall be limited to 1,040 hours, (prorated for regular part-time employees), either continuously or, if for the same condition, on a recurring basis. However, management may grant employees continuation in the program, month by month, for a maximum of 2,080 hours, if management would have otherwise granted leave without pay.

(d) An employee on workers’ compensation leave who is drawing temporary total disability compensation may be eligible to participate in this program.

(e) The employee shall exhaust all available leave before using donated leave.

(f) Non qualifying conditions: This leave does not apply to short-term or sporadic conditions or illnesses that are common, expected or anticipated. This includes such things as sporadic, short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term, recurring medical or therapeutic treatments. These examples are illustrative, not all inclusive. Each case must be examined and decided based on its conformity to the intent of this policy and must be applied consistently and equitably.

• ADMINISTRATION

The Human Resources department will handle administration of the voluntary shared leave program. The President or his designee will approve shared leave donations on a case-by-case basis.

• QUALIFICATIONS TO PARTICIPATE IN VOLUNTARY SHARED LEAVE PROGRAM

In order to participate in the Voluntary Shared Leave Program, an employee shall meet the following conditions:
(1) Employee shall be a regular full-time or regular part-time employee. (The limitation and leave balance for regular part-time employees shall be prorated.)

(2) A recipient shall apply, or be nominated by a fellow employee to participate in the program.

(3) The President or his designee shall review the merits of all requests and approve or disapprove each.

- **DONOR GUIDELINES**

  (a) A donor may contribute vacation leave to another employee in any agency. A member may contribute vacation or sick leave to an immediate family member in any agency, public school, or community college. Immediate family is defined as spouse, parents, children, brother, sister, grandparents, grandchildren, great grandparents and great grandchildren. Also, included are the step, half, and in-law relationships.

  (b) The minimum amount to be donated is four hours. An employee family member donating sick leave to a qualified family member under the Voluntary Shared Leave program may donate up to a maximum of 1040 hours but may not reduce the sick leave account below 40 hours.

  (c) The maximum amount of vacation leave allowed to be donated by one individual is the amount of the individual’s annual accrual rate. However, the amount donated shall not reduce the donor’s vacation leave balance below one-half of the annual vacation leave accrual rate.

  (d) An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using annual leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating may not receive remuneration for the leave donated.

- **LEAVE ACCOUNTING PROCEDURES**

The following conditions shall control the accounting and usage procedures for leave donations in the Voluntary Shared Leave program:

(1) All leave donated shall be credited to the recipient’s sick leave account.

(2) At the expiration of the medical condition, as determined by a doctor’s release, any unused leave in the recipient’s donated leave account shall be treated as follows:

   (a) The recipient’s vacation and sick leave account balance shall not exceed a combined total of 40 hours (prorated for regular part-time employees).

   (b) Any additional unused donated leave shall be returned to the donor(s) on a pro rata basis and credited to the leave account from which it was donated. Fraction(s) of one hour shall not be returned to an individual donor.

(4) If a recipient separates due to resignation, death, or retirement from state government, participation in the program ends. Donated leave shall be returned to the donor(s) on a pro rata basis.

5.9.11 Amendment to Voluntary Shared Leave Program
Effective April 1, 2009 full-time employees may donate sick leave to a non-relative Cape Fear Community College co-worker under the following guidelines:

a) Policy will remain the same as above with the exception that employees at Cape Fear Community College will be eligible to donate sick leave under the criteria spelled out below to a fellow co-worker.

b) Administration will remain the same as above.

c) Qualifications to participate in voluntary shared leave remain the same as above.

d) Donor Guidelines:

1. A donor must be a full-time or regular part-time employee of Cape Fear Community College. The CFCC employee receiving the donation must also be a full-time or regular part-time employee of CFCC.

2. The minimum amount of leave that can be donated is 8 hours and the maximum amount is 1040 hours, but may not reduce the donor’s sick leave balance account below 100 hours.

3. Employees who have a current sick leave balance less than 108 hours or who have had any LWOP in the last 12 months will not be able to participate in the program.

4. An employee will not be eligible under any circumstances to donate leave to his or her immediate supervisor or any other employee in the employee’s direct upward chain of command.

5. Donation of sick leave by co-workers will be used in the time frame after the leave is approved and the donated hours completely exhausted before another sick leave donation may be applied. Only one donation of sick leave may be in effect at one time and approved donated leave will be applied in the chronological order it was approved. All approved shared leave requests will be date stamped once approved.

6. An employee may not solicit co-workers to donate voluntary shared sick leave. An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten or coerce any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving or using sick leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating may not receive remuneration for leave donated.

e) Leave Accounting Procedures

   Same as above with the following exception: Unused donated leave will be returned to the current donor. Only one donor at a time may donate sick leave to a non-relative co-worker of CFCC.

5.10 Professional Development

5.10.1 Professional Growth and Development Policy Statement

The rapid rate of change makes it essential for all faculty and staff members to devote part of their time to staying current in their field of expertise. Employees are expected to develop and
maintain the administrative skills, such as computer literacy, necessary for successful job performance. Faculty members are expected to further their knowledge within their specialty and continuously to refine their instructional skills.

The College offers many opportunities to help employees in their growth and development. These include conferences, seminars, visits to industry and the opportunity to take classes at little or no cost. The College also provides facilities such as the Learning Resource Center (LRC), the Technology Training Center (TTC) and the Learning Lab which offer faculty and staff training in computer and other skills.

The College expects employees to use these and other resources to ensure currency and continued growth in their chosen field. It is the responsibility of each employee to provide to his or her supervisors and to the Human Resources office records of growth and development activities such as transcripts and certificates of attendance or completion. Professional growth and development will be considered in faculty and staff annual performance evaluations.

5.10.2 College Courses
Regular full-time employees will be allowed to attend college on a part-time basis to upgrade or improve their abilities as it relates to their job duties and responsibilities through study or degrees, so long as it does not interfere with their College duties or conflict with NC Community College System regulations. Employees may be allowed to take one course at a time during working hours, providing it is approved by their supervisor with definite consideration being given to increases in workloads to other employees.

5.10.3 Tuition – Free Courses
Full-time Cape Fear Community College faculty or staff members employed for a term of nine or more months may request to take one course per semester to upgrade or improve his/her abilities as it relates to his/her job duties and responsibilities upon approval by his/her supervisor to be paid for by the College. This course can be either a curriculum course or an occupational extension course and is limited to only one per semester. The employee is responsible for all other course related fees.

Cape Fear Community College will pay for tuition only (curriculum course) or registration fee only (occupational extension course) for only approved job related classes.

5.10.4 Textbooks
CFCC furnishes textbooks for use by regular full-time employees who enroll in supervisor approved and job related tuition-free courses at the College, subject to availability of funding and completion of courses. Book vouchers must be requested through the President’s office. Used books are to be purchased with CFCC vouchers when available in the CFCC bookstore.

All textbook packages provided by the College (textbook and any supplementary texts, workbooks, CD’s, etc.) must be returned to the President’s office within 5 workdays of completion of classes in order to increase the availability of used textbooks for the next academic term.
Employees must give serious consideration to their ability to complete courses before requesting textbook vouchers from the College as either failure to complete courses for unexcused reasons or failure to return all textbook packages on a timely basis and in usable condition will require reimbursement from the employee for net textbook expenses incurred by the College. “Net textbook expenses” is defined as the original cost of the new or used book less the buyback value of returned books as determined by the CFCC Bookstore.

5.11 Disciplinary and Grievance Policies and Procedures

5.11.1 Disciplinary Actions

General Information
Discipline will be based on the severity of an offense or failure, the repetitive nature of an offense or failure, the circumstances surrounding an offense or failure, and the frequency of the current or previous offenses or failures. In all events, disciplinary decisions will be made in the best interests of the College. All disciplinary actions, including oral warnings, should be noted in the employee’s personnel file. Disciplinary actions may include an oral warning, a written warning, being placed on disciplinary probation, suspension with or without pay, demotion, and dismissal. These actions are not required to be taken all together or in any particular order.

For purposes of this policy, “College premises” shall include the buildings, grounds, and parking lots of the College campus, satellite facilities, or any other location where the business of the College is being performed or carried out, and College equipment and vehicles. “Students” of the College shall include enrolled students, applicants for enrollment, and other participants and applicants for participation in College programs and services.

Prohibited Conduct
Disciplinary actions, up to and including dismissal, may be taken in response to the following offenses as examples, but may not be solely limited to these statements:

FALSIFYING personnel or other College records or documents or obtaining employment on the basis of false or misleading statements.

REFUSAL or inability to perform assigned duties, deliberately neglecting assigned duties, or poor, careless, or inefficient performance of assigned duties.

REPEATED discourtesy to or difficulty in dealing with students of the College or fellow employees, visitors, guests, or the public that comes in contact with the College.

THEFT from the College, from a fellow employee, or from any student of the College, or a prior history of such theft.

VIOLATION of safety practices, negligence, or intentional conduct, which results or could result in damage to College property or serious injury to self, students of the College, fellow employees, or the public that comes in contact with the College.
FAILURE to report to work, being absent from work without timely notification to the employee’s supervisor, repeatedly being late to work or in reporting back to work following breaks or the meal period, or unauthorized leaving of College premises during working hours.

DISCLOSURE of confidential information concerning the College, students of the College, or fellow employees.

IMMORAL or inappropriate conduct on College premises or during working hours.

WILLFUL or unnecessary waste, damage, abuse, or misuse of equipment, materials, supplies, or other property of the College or that of a student or fellow employee, or removing equipment, materials, supplies, or other property of the College or that of a student or fellow employee from College premises without permission.

POSSESSION of illegal weapons, ammunition, firearms, firecrackers, or other explosives on College premises or during working hours.

INSUBORDINATION to supervisors or management personnel.

PERFORMING personal tasks or attending to personal business during working hours. USING vulgar, profane, or abusive language toward a student, another employee, or a supervisor or any other management person at any time whether on or off College premises.

PROVOKING or instigating a fight or fighting on or off College premises, while engaged in College duties, or while at any College-sponsored event.

VIOLATION of the College’s Drug and Alcohol-Free Workplace Policy.

KNOWINGLY recording time on another employee’s time card, having time on your time card recorded by another employee, or altering any time card for any reason whatsoever.

FALSIFICATION of hours worked or omission of information requested on College documents or records.

GAMBLING in any form; the sale of tickets of any kind on College premises or during working hours without specific permission from your supervisor.

POOR personal hygiene, or creating or contributing to unsanitary conditions.

MISUSE of College vehicles or equipment.

FAILURE to follow the policies and procedures set forth in the College’s Faculty and Staff Handbook or in any other rules and regulations applicable to the employees of the College. These rules are not all-inclusive, but serve to illustrate certain types of unacceptable behavior, which may result in disciplinary action, including dismissal for just cause. Moreover, appropriate disciplinary action will be taken for violations of any other provision of the College’s Faculty and Staff Handbook or other rules and regulations applicable to employees of the College, up to
and including dismissal for just cause, and any disciplinary actions specified elsewhere in the Faculty and Staff Handbook are available to deal with the offenses or failures as described.

**Procedure**
All disciplinary actions will be administered in accordance with the Discipline Procedure section of the College’s Discipline, Non-Reappointment, and Grievance Procedure.

**Right to Appeal**
Employees who wish to appeal any disciplinary action taken against them should refer to the Grievance Procedure section of the College’s Discipline, Non-Reappointment, and Grievance Procedure. Review of the disciplinary action may be requested in accordance with the Discipline, Non-Reappointment, and Grievance Procedure, from the level where the decision to administer discipline was made.

**5.11.2 Sexual and Other Unlawful Harassment**
Cape Fear Community College (the “College”) prohibits any form of sexual or other unlawful harassment involving any of its employees in the employment relationship or involving any College employee and a student of the College in the educational relationship, whether it is in the form of a College employee harassing a student or a student harassing a College employee. The College has a firm belief and has established a policy that all employees and students are entitled to work and learn in an environment free of discrimination or intimidation based on race, color, religion, gender, sex, age, national origin, disability, or other legally protected status, or that of an employee’s or a student’s relatives, friends, or associates.

Sexual harassment does not require physical contact but merely has to create an unwelcome environment between employees and between employees and students. It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to the conduct is made a term or condition of an individual’s employment or education (either explicitly or implicitly), when submission to or rejection of the conduct is used as the basis for employment or educational decisions affecting the individual, or when the conduct in any way interferes with an individual’s work or educational performance or creates an intimidating, hostile, or offensive environment. Occasional compliments of a socially acceptable nature do not constitute sexual harassment.

Other unlawful harassment consists of verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, sex, age, national origin, disability, or other legally protected status, or that of his or her relatives, friends, or associates, and that has the purpose or effect of creating an intimidating, hostile, or offensive environment; has the purpose or effect of interfering unreasonably with an individual’s work or educational performance; or otherwise adversely affects an individual’s employment or educational opportunities.

Any act, comment, or behavior that constitutes sexual or other unlawful harassment is strictly prohibited and will not be tolerated of any employee or student, either on or off College premises. This prohibition covers not only the relationships between employees of the College, but also each employee’s relationships with students of the College or with the employees of other companies encountered in the course of performing the duties of his or her job.
**Reports by Employees**

Employees, without any fear of reprisal, have the responsibility to bring any form of sexual and other unlawful harassment (whether by another employee or by a student of the College) to the attention of their supervisor or department head so that an investigation may be begun into the circumstances of the incident and the alleged harassment. Any supervisor, department head, or other College administrator who receives a report from an employee alleging sexual or other unlawful harassment will handle the matter immediately and report it to the Chief Human Resources Officer.

If an employee is uncomfortable with reporting such harassment to his or her immediate supervisor or department head, he or she should report it to the Chief Human Resources Officer. If uncomfortable with initially reporting such harassment to the Chief Human Resources Officer, the employee should go directly to the President of the College. Notwithstanding the availability of these alternatives, employees are encouraged to attempt to resolve any incidents of sexual or other unlawful harassment with the designated administrative officer who is most directly concerned, excluding individuals accused of such harassment.

**Reports by Students**

Students, without any fear of reprisal, have the responsibility to bring any form of sexual and other unlawful harassment by an employee of the College to the attention of the Vice President for Student Services so that an investigation may be begun into the circumstances of the incident and the alleged harassment. The Vice President for Student Services upon receiving a report from a student alleging sexual or other unlawful harassment will handle the matter immediately and report it to the Vice President for Instructional Services. If a student is uncomfortable with reporting such harassment to the Vice President for Student Services, he or she should talk to another College administrator or go directly to the Vice President for Instructional Services. In uncomfortable with initially reporting such harassment to the Vice President for Instructional Services, the student should go directly to the President of the College. Notwithstanding the availability of these alternatives, students are encouraged to attempt to resolve any incidents of sexual or other unlawful harassment with the designated administrative officer who is most directly concerned, excluding individuals accused of such harassment.

**College’s Response to Reports; Review**

If the person alleged to have engaged in sexual or other unlawful harassment is an employee of the College, the College will conduct a review of the results of the investigation with that person, and corrective and/or disciplinary action will be taken which may result in immediate termination of employment for employees who are determined to have engaged in sexual or other unlawful harassment, conduct approaching sexual or other unlawful harassment, or other conduct that violates this policy.

If the person alleged to have engaged in sexual or other unlawful harassment is a student of the College, the College will conduct a review of the results of the investigation with that person, and corrective and/or disciplinary action will be taken which may result in immediate dismissal from the College for students who are determined to have engaged in sexual or other unlawful harassment, conduct approaching sexual or other unlawful harassment, or other conduct that violates this policy.
If an initial report of sexual or other unlawful harassment is made by an employee to his or her supervisor or department head or to the President of the College, any review of the decision rendered must follow the Grievance Procedure section of the College’s Discipline, Non-reappointment, and Grievance Procedures, from the step where the decision was rendered; provided, however, that the Grievance Procedure may be modified with the consent of the employee to protect confidentiality. If an initial report of sexual or other unlawful harassment is made by a student to the Vice President for Instructional Services or to the President of the College, any review of the decision rendered must follow the Student Appeal Procedure approved by the Board of Trustees, from the step where the decision was rendered; provided, however, that the Student Appeal Procedure may be modified with the consent of the student to protect confidentiality.

The College will keep information relating to harassment allegations and investigations as confidential as possible under the circumstances and will take appropriate corrective action, including disciplinary measures when justified, to remedy violations of this policy. Be advised that disciplinary action, up to and including termination, will be taken against any employee who is determined to have engaged in sexual or other unlawful harassment, conduct approaching sexual or other unlawful harassment, or other conduct that violates this policy. Be advised that disciplinary action, up to and including dismissal from the College, will be taken against any student who is determined to have engaged in sexual or other unlawful harassment, conduct approaching sexual or other unlawful harassment, or other conduct that violates this policy with regard to employees of the College.

5.11.3 Discipline, Non-reappointment, Grievance Procedure
The purpose of this Discipline, Non-Reappointment, and Grievance Procedure is to help insure that where appropriate, employees will be afforded adequate notice and an opportunity to respond to any charges that may result in disciplinary action, to inform employees of the College’s procedures relating to non-reappointment, and to help assure employees that their grievances (including those relating to disciplinary action) will be considered fairly, rapidly, and without reprisal.

General Definitions

1. A fiscal year runs from July 1 through June 30 of the following calendar year.
2. A contractual employee is any College employee who has a written agreement with the College to work for all or any portion of a fiscal year.
3. A contract period is the period during a fiscal year for which a contractual employee has been hired to work.
4. Disciplinary action includes an oral warning, a written warning, disciplinary probation, suspension with or without pay, demotion, and dismissal.
5. Dismissal is the termination of a contractual employee’s employment by the College during a contract period.
6. Non-reappointment is the administrative decision not to rehire a contractual employee at the conclusion of a contract period.
7. A grievance is any matter of concern or dissatisfaction arising from the working conditions of an employee, including any disciplinary action taken against the employee, subject to the control of the College.
8. A day is a normal workday during which the administration of the College is open for business, unless otherwise defined.

5.11.4 Discipline Procedure
Employees may be disciplined for any of the reasons described in the College’s policy on Disciplinary Actions and elsewhere in the College’s Faculty and Staff Handbook. Any supervisor administering discipline other than an oral warning should consult first with the Chief Human Resources Officer. This is for the purpose of achieving reasonable uniformity in administering discipline by coordination through a central office.

Disciplinary Action for Which a Pre-Disciplinary Conference Is Held (Suspension Without Pay, Demotion, Dismissal)

Prior to any proposed disciplinary action involving suspension without pay, demotion, or dismissal, a contractual employee will be afforded the opportunity to participate in a pre-disciplinary conference, at which the employee will be provided with notice of the charges against him or her (including a description of the nature of the proposed disciplinary action, its recommended effective date, and the reason(s) for the proposed action) and an opportunity to respond to those charges. Any response by the employee to the charges will be considered by the College official(s) participating in the conference (generally, the employee’s immediate supervisor) prior to making a decision regarding any disciplinary action against the employee. The employee then will be notified in writing of the decision regarding disciplinary action. A copy of the notice of the disciplinary action should be provided to the Chief Human Resources Officer, who will place it in the employee’s personnel file. Supervisors and other administrative officials who do not believe that they can render an impartial decision in connection with a pre-disciplinary conference due to their involvement in the circumstances leading to the conference are required to excuse themselves from the decision making process.

Disciplinary Action for Which a Pre-Disciplinary Conference Is Not Held (Oral Warning, Written Warning, Disciplinary Probation, Suspension With Pay)

A pre-disciplinary conference generally will not be made available to a contractual employee prior to disciplinary action involving an oral warning, a written warning, disciplinary probation, or suspension with pay. At the time of any disciplinary action taken against an employee that does not require a pre-disciplinary conference, the supervisor administering the discipline should complete a written report describing the offense(s) with which the employee has been charged and the disciplinary action taken. (A copy of a written warning may be substituted for this report). A copy of the report should be provided to the Chief Human Resources Officer, who will place it in the employee’s personnel file. Employees who are not contractual employees generally are not entitled to a pre-disciplinary conference prior to any disciplinary action. However, a pre-disciplinary conference may be held if determined by the College to be appropriate.

Emergency Suspension Without Pay

An employee may be suspended prior to any required pre-disciplinary conference in emergency situations (for example, in order to avoid undue disruption of work, to protect the safety of
persons or property, or for other serious reasons). In the event of an employee’s emergency suspension, the employee shall be required to leave the College premises at once. The Human Resources office should be notified immediately. Scheduling of a disciplinary conference then should be initiated and a disciplinary conference held as soon thereafter as practicable (generally, within three days of the suspension).

**Right to Appeal**

Employees who wish to appeal any disciplinary action taken against them may have the decision reviewed under the College’s Grievance Procedure below.

**5.11.5 Non-Reappointment Procedure**

Any contractual employee may be subject to non-reappointment following a contract period, depending upon program changes, financial exigency, reduced enrollment, and other factors deemed relevant to total institutional interests. All non-reappointment determinations will be based on the best interests of the College and shall be made in accordance with applicable law and applicable College policies. Except in the case where financial information from the State affecting a non-reappointment determination is unavailable, regular contractual employees whose contracts will not be renewed will be notified of their non-reappointment by June 1 of the fiscal year preceding the fiscal year for which they will not be reappointed. Because the need for temporary employees varies from semester to semester and temporary positions are not established in the budget as regularly recurring positions, employees in temporary positions will not be given advance notice of non-reappointment.

The decision not to reappoint a contractual employee at the conclusion of a contract period is committed, without further recourse, to the judgment of the College officials authorized to make the non-reappointment determination, based on the factors described above, and may not be appealed through the College’s Grievance Procedure or otherwise. However, if for some reason the opportunity for a hearing is required by law in connection with a contractual employee’s non-reappointment, any appeal will be conducted in accordance with the College’s Grievance Procedure.

**5.11.6 Grievance Procedure**

Employees are encouraged to discuss matters pertaining to their employment initially with their immediate supervisors. The College’s goal is to find solutions at the lowest possible level and to keep proceedings relating to employee grievances as informal and confidential as possible. Supervisors and employees are expected to make every effort to resolve any problems as they arise. An employee’s immediate supervisor should be given the courtesy of knowing about his or her grievance and a chance to help resolve it, as the supervisor will be in the best position to handle the employee’s grievance satisfactorily.

The College recognizes that not all grievances will be settled satisfactorily between an employee and his/her supervisor, and for this reason has adopted procedures to assist in the formal resolution of grievances. STEPS 1 and 2 of this Grievance Procedure are open to all College employees, except in the case of non-reappointment. STEP 3 is available to contractual employees who are appealing any disciplinary action taken against them for which a pre-disciplinary conference is required (generally, suspension without pay, demotion, or dismissal).
Supervisors are responsible for helping the employees they supervise to understand the College’s Discipline, Non-Reappointment, and Grievance Procedure and to feel free to use the Grievance Procedure without fear of criticism or action being taken against them affecting the terms and conditions of their employment. All grievances should be given prompt and objective consideration in an atmosphere of mutual assistance.

As to those grievances that cannot be resolved informally, the following procedures are established:

**STEP 1 (Supervisor)**

Within five (5) days following his or her knowledge of an event giving rise to a grievance, including the receipt of a notice of disciplinary action, an employee must present the grievance to his or her supervisor. The grievance must be in writing, must be signed and dated by the employee, and must include the following:

1. A statement concerning the basis for the grievance and the issues to be resolved;
2. Information about attempts made to solve the grievance;
3. Information about the results of those attempts;
4. The remedy or corrective action sought.

Any supervisor who receives a written grievance is responsible for making a careful inquiry into the facts and circumstances of the grievance, including any new information relating to disciplinary action taken against the employee. The supervisor should make every effort to resolve the matter promptly and fairly, generally within ten (10) days of when the grievance is presented. The length of response time will depend in large part upon the nature and extent of the supervisor’s review.

**STEP 2 (Senior Level Administrator)**

An employee who is dissatisfied with the decision of his or her supervisor may submit the written grievance to the Senior Level Administrator responsible for the employee’s division. This must be done within five (5) days after the decision of the supervisor is made known to the employee or the employee with the exercise of reasonable care could have determined the decision. If a grievance in proper form is not submitted within the specified time period, the subject of the grievance will be considered settled on the basis of the decision made at STEP 1 of this Grievance Procedure.

If further review of a decision made at STEP 1 of this Grievance Procedure is appropriate, the Senior Level Administrator will make such investigations as he or she deems appropriate, will make an independent determination on the merits of the grievance, and will inform the employee in writing of his or her findings and decision, generally within ten (10) days after receipt of the employee’s written grievance. The length of response time will depend in large part upon the nature and extent of the Senior Level Administrator’s review.
If, for some reason, an employee reasonably believes that he or she cannot present a written grievance to his or her supervisor initially, the employee may submit the complaint directly to the Senior Level Administrator responsible for the employee’s division in accordance with this STEP 2. However, this should be the procedure only in extreme cases (for example, where the employee is alleging sexual or other unlawful harassment by his or her immediate supervisor). If STEP 3 of this Grievance Procedure is not available to an employee due to the nature of his or her grievance, the decision of the Senior Level Administrator shall be final and binding.

STEP 3 (Appeals Committee/President of the College)

If a contractual employee’s grievance relates to disciplinary action taken against the employee that involves suspension without pay, demotion, or dismissal, or any other disciplinary action for which a pre-disciplinary conference is required to be held, the employee may submit his or her written grievance to the President of the College and request an appeals hearing before an Appeals Committee appointed by the President. This must be done within five (5) days following receipt of the decision of the Senior Level Administrator responsible for the employee’s division.

If a grievance in proper form and the accompanying request for an appeals hearing are not submitted within the specified time period, the subject of the grievance will be considered settled on the basis of the decision made at STEP 2 of this Grievance Procedure. If an appeals hearing following a decision at STEP 2 of this Grievance Procedure is appropriate, the President will appoint an Appeals Committee, which will have authority to conduct the appeals hearing and recommend a decision to the President. The Appeals Committee shall be comprised of five College employees, selected from a pool of seven College employees designated by the President. A written list of the individuals chosen as members of the pool shall be provided to the employee who has requested an appeals hearing, generally with ten (10) days after the President’s receipt of the employee’s written grievance and request. The length of time for informing the employee of those College employees who have been chosen as members of the pool will depend in large part upon the ability of the President to contact and confirm the availability of potential pool members.

If a member of the pool chosen by the President does not believe that he or she can render an impartial decision in connection with an appeals hearing due to his or her involvement in any circumstances leading to the appeals hearing, the member must advise the President so that he or she may be removed from the pool and a substitute member may be designated. The employee who has requested the appeals hearing may object to any one member of the pool, even if the member has had no involvement in the circumstances leading to the appeals hearing, by providing the President with a written request for the member’s removal from the pool within three (3) days of receiving the list of members of the pool provided by the President. If such an objection is made, the member shall be removed from the pool and another College employee shall be designated as a substitute member.

Selection of the five College employees who will serve on the Appeals Committee will be based on the availability of each member of the pool to participate in the appeals hearing. No member of the Appeals Committee shall have any personal interest or be directly or indirectly involved in the matters under consideration.
Unless a request for postponement has been received, the appeals hearing shall be conducted within 30 days of the date on which the final pool of College employees who may participate in the appeals hearing is established, at the date and time and within the parameters established by the Appeals Committee. The employee who has requested the appeals hearing and the College officials who are involved shall have the right to representation, to call and cross-examine witnesses, and to present other evidence. The hearing shall be closed to the public. Any request for postponement of an appeals hearing must be submitted in writing to the President at least five (5) days prior to the scheduled hearing.

Following the appeals hearing, the Appeals Committee shall meet to consider the evidence presented and, by majority vote, shall answer the issues set forth in the written grievance that is the subject of the appeal. A written report containing the Appeals Committee’s recommendation(s) shall be prepared and submitted to the President, generally within ten (10) days after appeals hearing is completed. The length of response time will depend in large part upon the nature and extent of the Appeals Committee’s deliberations. Upon receipt of the Appeals Committee’s written report, the President shall review the report, shall consider the Appeals Committee’s recommendation(s), and shall make a final and binding decision on the matter. The President will inform the employee in writing of this decision, generally within five (5) days after receipt of the Appeals Committee’s report. The length of response time will depend in large part upon the nature and extent of the Appeals Committee’s recommendations.

The Appeals Committee’s report shall be advisory in nature and shall not bind the President’s decision. Failure to request review of a decision relating to disciplinary action or a grievance in accordance with the provisions of this Grievance Procedure shall be deemed to be a waiver of the opportunity to receive such review, unless the College official at the level where review is sought determines that extenuating circumstances have prevented the employee from requesting review in a timely manner, in which case the College official, in his or her sole discretion, may extend the applicable deadline for requesting review.

Other Remedies Preserved

The existence of this Discipline, Non-Reappointment, and Grievance Procedure does not preclude any individual from pursuing any other remedies available under law.

5.12 Drug and Alcohol-Free Workplace Policy

Statement of Policy

The employees of the College are its most valuable resource, and their health and safety are of great importance. The use of illegal drugs and the abuse of alcohol are harmful to health, and the College will not tolerate any drug or alcohol use which imperils the health and well being of its employees, students, or the public at large, or which could result in damage to College property. All employees have the right to work in a drug and alcohol-free environment, and the College is committed to maintaining a safe workplace free from the influence of illegal drugs and alcohol. This statement of the drug and alcohol-free workplace policy of the College is being provided as part of its good faith commitment to complying with the Drug-Free Workplace Act of 1988 and
to maintain a safe workplace. Employees are required to abide by this policy as a condition of their employment with the College.

**Definitions**

For purposes of this policy, the term “prohibited drugs” means any “controlled substances” as defined at 21 U.S.C. 802 and listed on Schedules I through V of 21 U.S.C. 812, as revised from time to time, and as defined by other federal statutes and regulations. Generally, these are drugs, which have a high potential for abuse and include but are not limited to heroin, marijuana, cocaine, PCP, amphetamines, and “crack.” Also included are any other drugs that are illegal under federal, state, or local law, legal drugs that have been obtained illegally or are not being taken as prescribed by a licensed health care provider, and substances that are not intended for human consumption (such as glue). “Alcohol” means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.

For purposes of this policy, “workplace” includes the buildings, grounds, and parking lots of the College campus, satellite facilities, or any other location where the business of the College is being performed or carried out, and College equipment and vehicles.

**Violation of Policy**

A violation of this drug and alcohol abuse policy occurs when any employee:

1. Engages in the unlawful or unauthorized manufacture, distribution, dispensing of, possession of, sale, purchase, or use of any prohibited drug or alcohol while at the workplace, while traveling to or from the workplace, while using equipment owned or leased by the College, while in a vehicle owned or leased by the College, while at work or during working hours, while engaged in business for the College, or while representing the College away from the workplace, except for the reasonable social use of alcohol in a business/social setting;
2. Manufactures, distributes, dispenses, possesses, sells, purchases, or uses prohibited drugs away from the workplace in a manner that adversely affects the employee’s work performance, his or her or others’ safety at work, or the regard or reputation of the College in the community;
3. Manufactures, distributes, dispenses, possesses, sells, purchases, or uses alcohol away from the workplace in a manner that adversely affects the employee’s work performance or his or her or others’ safety at work;
4. Fails to report to the College a conviction under any federal or state criminal drug statute or conviction of an alcohol-related crime that results from a violation occurring in the workplace more than five (5) calendar days following such conviction; or,
5. Stores any prohibited drug or alcohol in a locker, desk, vehicle, or other repository owned or leased by the College or located at the workplace.

Commission of any of the above violations will result in disciplinary action, up to and including termination. Likewise, at its sole discretion and in lieu of or in addition to taking disciplinary action against the employee, the College may require the employee, on his or her own time and at his or her own expense, to participate in and complete satisfactorily a substance abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency. The Drug Free Workplace Act of 1988 also requires
the College to notify any federal agency (ies) with which it contracts of all convictions of employees for workplace drug-related crimes within ten (10) calendar days of receiving notice thereof.

In accordance with the Drug-Free Workplace Act of 1988, the College will take disciplinary action against any employee who is convicted under any federal or state criminal drug statute for a workplace-related violation and/or will require the employee to participate in and complete satisfactorily an approved substance abuse assistance or rehabilitation program.

**Awareness Program**

To assist employees and their families to understand and avoid the perils of drug and alcohol abuse, the College has established a comprehensive awareness program. The College will use the program in an ongoing educational effort to prevent and eliminate drug abuse that may affect the workplace. The awareness program will strive to inform employees of the following:

1. The dangers of drug and alcohol abuse in the workplace;
2. The College’s drug and alcohol policy and its intention to maintain a drug and alcohol-free workplace;
3. The availability of counseling, rehabilitation, and assistance programs for employees who voluntarily seek such assistance; and
4. The penalties that the College will impose for violation of this policy.

**5.13 Tobacco-Free Policy**

By unanimous approval of the College’s Board of Trustees, it is the policy of Cape Fear Community College that:

1. **Use of tobacco is prohibited by students, staff, faculty or visitors:**
   - in all campus buildings, facilities or property owned or leased by Cape Fear Community College and outside areas of the campus;
   - on campus grounds, facilities, or in vehicles that are the property of the college;
   - at lectures, conferences, meetings, athletic, social and cultural events held on college property.
   - for the purposes of this policy, tobacco is defined as any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos, pipes, bidis, hookahs, smokeless or spit tobacco or snuff, e-cigarettes or any product simulating smoking instruments.

2. **The sale or free distribution of tobacco products, including merchandise, on campus or at school events is prohibited.**

3. **Student organizations are prohibited from accepting money or gifts from tobacco companies, including:**
   - Events sponsored by tobacco companies and/or allowing the on-campus distribution of free, reduced-price, or fully priced tobacco products or products that advertise or promote tobacco use (T-shirts, hats, etc.)
   - All tobacco advertising, such as billboards and signs in all campus buildings, facilities or property owned, leased and operated by Cape Fear Community College.
4. Tobacco advertisements are prohibited in college-run publications and on grounds and facilities, including athletic facilities, owned or operated by Cape Fear Community College.

5. Cape Fear Community College will provide access to tobacco cessation programs on campus.

These tobacco treatment programs shall be publicized regularly in student, faculty and staff publications and academic buildings, through Student Services and through other appropriate means.

6. Implementation & Compliance

A campus committee developed and implemented a plan to communicate the policy to students, staff, faculty and visitors upon initial implementation on August 1, 2009. Thereafter, the College provides appropriate signage and other physical indicators of our policy, including this notice. All tobacco waste management products such as ashtrays shall be removed. Violators of the policy shall be issued a verbal reminder of the policy.

Visitors who repeatedly violate the policy shall be asked to leave campus. Staff and faculty who repeatedly violate the policy shall be referred to their supervisor. Repeated violations by staff or faculty can result in further personnel action such as reprimand. In accordance with the Code of Conduct, students who violate the policy shall be referred to the Vice President for Student Services.

5.14 Reduction in Force Policy

The Reduction in Force Policy of Cape Fear Community College is designed for the termination of employment during a fiscal year pursuant to a written agreement due to a lack of sufficient funding or enrollment to merit continuation of courses, programs, and/or services. Reduction in Force provisions do not apply to non-reappointment following the expiration of a contract period. All decisions made under this policy will take into consideration the needs of the population being served with respect to the mission and goals of the College while attempting to minimize the negative impact on the level and quality of services provided. Primary responsibility for recommending separations due to a reduction in force will rest with the senior level administrators whose decisions will be based on recommendations from supervisors and other management personnel associated with the department where reductions will be made.

An employee who is to be terminated through a reduction in force will be informed in person by his/her immediate supervisor and will be informed in writing by the President. Maximum notice will be given an employee, whenever possible; under no circumstances will a notice be given less than thirty days prior to separation. The letter from the President will state the conditions, which determine the separation, a general description of the procedures followed in making the decision, and the right to appeal by the employee. An employee who wishes to appeal his/her separation from employment resulting from reduction in force may do so beginning at Step 3 of the Grievance Procedure Section of the College’s Discipline, Non-Reappointment, and Grievance Procedure. In the event the matter is not satisfactorily resolved to the employee’s satisfaction, the employee may appeal the matter to the Administrative and Personnel Committee.
of the Board of Trustees of Cape Fear Community College. The decision of the Administrative and Personnel Committee is final.

An employee who is separated through a reduction in force will be given priority consideration for re-employment during the next twelve months assuming he/she meets the requisite performance standards and qualifications for the position to be filled. He/she will receive all copies of position vacancies during this period.

An employee who is to be separated through a reduction in force may choose a twelve month leave of absence without pay in lieu of separation in order to continue group insurance benefits (to be paid in full by the employee). Choosing a leave of absence does not extend the time or alter the conditions under which priority for re-employment is provided.

5.15 Communicable Disease Policy

OSHA Standard; Exposure Control Plan

Compliance with Standard and Exposure Control Plan – The federal Occupational Safety and Health Administration (OSHA) has promulgated a standard to eliminate or minimize occupational exposure to hepatitis B (HBV), human immunodeficiency virus (HIV) and other blood borne pathogens (the “Standard”), which Standard has been adopted by the State of North Carolina. In compliance with the requirements of the Standard, Cape Fear Community College has established an Exposure Control Plan. Employees who, during the performance of their duties, are reasonably anticipated to have skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials, are deemed to have “occupational exposure” and are required to abide by the Standard and to follow the College’s Exposure Control Plan and the procedures set forth therein. Failure to do so will result in disciplinary action, up to and including termination. Copies of the Exposure Control Plan are available from the Human Resources office.

Training Programs – To insure that all employees with occupational exposure understand their obligations under the Standard and the Exposure Control Plan, the College will provide an exposure control training program during working hours at the time of the employee’s initial assignment to tasks where occupational exposure may take place and annually thereafter. Additional training will be provided whenever the College institutes new tasks or changes its procedures so as to affect the employee’s occupational exposure. Employees who have been designated as having occupational exposure are required to participate in the College’s training programs and, upon completion thereof, must sign an Exposure Control Training Statement.

HBV Vaccination – As part of its Exposure Control Plan, the College will offer an HBV vaccine and vaccination series to each employee within ten (10) working days of his/her initial assignment to a task involving occupational exposure, unless the employee has previously completed the HBV vaccination series, antibody testing has revealed that the employee or student is immune to HBV, or the vaccine is contraindicated for medical reasons. The HBV vaccination will be provided at no cost to the employees. Employees who decline to accept the HBV vaccination offered must sign a Hepatitis B Declination.
An employee who initially elects not to receive the HBV vaccination and who continues to be at risk for occupational exposure may later require the College to provide the HBV vaccination and will receive the HBV vaccination free of cost.

**Non-Discrimination**

Employees and students of the College who may be infected with a reportable communicable disease, as defined by the North Carolina Department of Environment, Health, and Natural Resources shall not be excluded from employment or enrollment, or restricted in their access to College facilities, services, programs, or activities, unless medically based judgments in individual cases establish that exclusion or restriction is reasonably necessary in the opinion of the College because the infected individual poses a significant risk of substantial harm to the health or safety of him/herself or others at the College that cannot be eliminated or reduced by reasonable accommodation.

Individuals who know or have reason to believe that they are infected with a communicable disease are expected to seek expert medical advice about their health circumstances and are obligated, legally and ethically, to conduct themselves responsibly for the protection of themselves and others. Employees and students who know that they are infected with a communicable disease are encouraged to share that information with their supervisor or advisor, as applicable, so that the College can assist in the appropriate response to their health and employment or educational needs and can make any reasonable accommodations, if necessary. Such information will be kept confidential, unless authorized by the individual in writing to be released, except that appropriate health care providers, supervisors, department heads, administrative staff, and safety and health personnel may be informed regarding any restrictions in participation or work duties and any reasonable accommodations, and government representatives may be provided information in compliance with applicable laws and regulations.

**5.16 Political Activities of Employees**

Employees of Cape Fear Community College may become a candidate for a public office and be elected or appointed to a public office provided the following conditions are met:

1. An employee who wishes to run for public office must send a written notice to the President who in turn will notify the Board of Trustees. The notice must stipulate that the employee will not campaign or engage in any political activities during his/her regular work hours or involve the College in political activities.
2. An employee who is elected to a part-time public office will send a written notice to the President certifying that the office will not interfere with his/her carrying out assigned College duties and that leave will not be requested. The President will inform the Board of Trustees.
3. An employee who is elected or appointed to a full-time public office or to the General Assembly will be required to take a leave of absence without pay upon assuming that office. The employee must request leave through a written notice to the President who will take the request to the Board of Trustees. The length of the leave of absence will be determined by the Board.

Employees of less than three years longevity with CFCC will not be granted a leave of absence to take a full-time elected or appointed public office.
4. An employee who becomes a candidate for public office is prohibited from soliciting support during regular work hours. The employee in question is prohibited from soliciting support on college property unless authorization to do so is granted by the Board of Trustees. To request authorization, a written request must be sent to the Board of Trustees through the President.

5.17 Solicitation
Salespersons and solicitors will not be allowed to contact school personnel during work hours except through specific permission from the President or an administrative person designated by the President.

Distribution of home addresses of students, teachers, or staff is prohibited. The only exception will be employers seeking to employ students.

No outside agencies will be allowed to solicit from students or staff unless it is a recognized non-profit organization, which has obtained prior approval from the President of the College or one with the authority to act on the President’s behalf.

Voluntary gift, sickness, and coffee funds will be permitted among the staff. No member of the staff should accept a gift or a loan from a person that he/she supervises.

SECTION VI – Student Services

6.1 Children on Campus Policy
Children cannot be taken into classrooms, laboratories or shops unless authorized by the College faculty member responsible for these areas.

Children cannot be left unattended on campus including the Learning Resources Center, the cafeteria, lounge areas, registration sites, administrative offices or parking lots. College personnel will expect responsible adults to remove unattended or disruptive children immediately.

Failure to comply with this policy will lead to disciplinary action as outlined in the College Catalog, Student Handbook, and Faculty and Staff Handbook. Visitors violating this policy will be notified of the violation and continued violation will result in the individual being asked to leave campus.

6.2 Guidelines for Display or Distribution of Materials
Guidelines for Display or Distribution of Handbills, Posters, or Other Materials by Student Clubs, Community and Non-Profit Organizations, and Individuals

The College would like to provide educational opportunities to its students and others in the College community and believes that public expressions through display or distribution of handbills, posters, or other materials can play an important role in accomplishing this goal. The College also believes firmly in its obligation to College employees and its students to provide an environment that is conducive to learning. Public expression that enhances this environment by
affording students and others in the College community exposure to a variety of ideas is encouraged. Subject to the terms and conditions set forth in these procedures, to any rules or regulations established by the College pertaining to display or distribution, and to other applicable laws, rules, and regulations, an organization or individual may display or distribute handbills, posters, or other materials that are aimed at providing information to students.

The following guidelines apply to materials posted on the campus of Cape Fear Community College, regardless of the source of those materials. They include:

1. Posted information shall not contain obscene or libelous information or other information that is not protected by law.
2. Information will not be placed over existing notices. Outdated material will be removed to make room for timely information.
3. All event items must be removed by the sponsoring organization immediately follow the event.
4. All notices to be posted in stairwells, at doorways, or in other college locations not otherwise permitted in these guidelines, require approval by the Vice President for Student Services five work days (Monday through Friday) in advance of the proposed posting.
5. Due to extreme space limitations, information to be posted by student groups, community groups, or individuals in areas other than those reserved for Phi Theta Kappa and academically oriented student clubs will be posted for a maximum of two weeks and must be no larger than 8.5” x 11”.
6. Items not approved in the prescribed manner will be removed and discarded.
7. Placement of information on vehicles of others on campus is prohibited.
8. The College reserves exclusive rights to re-arrange materials to accommodate the display of additional materials, to establish limits on the amount of information organizations may display, and to deny additional requests when all designated space is being used.
9. Failure by any organization or individual to abide by CFCC guidelines will be grounds for denying additional requests from the same organization or individual.

The College will grant access by an eligible organization or individual to areas of College premises designated for public expression on a neutral basis, in accordance with these procedures. A grant of access to any particular organization or individual does not mean that the College endorses the beliefs, practices, or views expressed by that organization or individual, and outside organizations and individuals are expressly prohibited from stating, implying, or suggesting in any manner that they are endorsed by or associated with the College or that any publication, announcement, or other form of expression provided by the organization or individual has been approved by or is associated with the College. Areas of College premises designated for public expression will not be denied to any organization or individual on the basis of the content of information sought to be provided by or the convictions or affiliations of that organization or individual.

Given the varying nature of different organizations and the wide-range of notices that individual students and/or college personnel may wish to post on occasion, additional guidelines apply to certain types of organizations and individuals. (Additional information available from Student Services office.)
SECTION VII – Instructional Services

7.1 Curriculum

7.1.1 Curricula
The full time vocational and technical programs offered by Cape Fear Community College are designed to prepare individuals to enter the labor market as beginning tradesmen and technicians. The General Education Program is for students who desire to tailor their educational goals to personal interests rather than to specific professional requirements. The College Transfer program is designed to prepare students to transfer to a four-year college or university.

7.2 Work Schedules
Instructors’ teaching schedules are determined by Department Chairs and Deans. Work schedules will take into account the number of preparations, numbers of students taught, nature of the subject, and help available from secretaries and teaching assistants. Any changes in an instructor’s schedule must be approved by the appropriate Dean.

7.3 Teaching Loads
Normal faculty teaching loads generally fall within the following limits: 18 semester hours or 25 contact hours, whichever occurs first. Every effort will be made to ensure loads are not excessive. There may be times when additional teaching loads will be assigned in order to meet college needs. However, over the course of an academic year, loads should average within the guidelines established above. Instructors who teach English Composition exclusively have teaching loads of 15 semester credits plus three (3) hours per week assisting students in CFCC’s Center for Academic Enhancement.

7.4 Hours
Faculty must schedule a minimum of five office hours per week. Office hours will be scheduled so that faculty are accessible to students. Hours must be posted and are to be given to students as part of first day handouts. As needed for appointments with students and as required by the College, Faculty are expected to schedule additional time on campus for faculty meetings, committee activities, etc.

Part-time faculty members will be accessible to students. If possible, office hours will be provided. If office hours are not possible, instructors will provide contact information in the first day handout. This contact information is to include a telephone number and instructions for making an appointment. Additionally, each part-time instructor has a mail slot. Students are to be advised of the location of the mail slot along with instructions on scheduling appointments.

7.5 Absences
Absences from the campus during the faculty member’s scheduled hours must be cleared with the appropriate department chair. Faculty members are expected to make arrangements in advance with the appropriate department chair for any absences from regularly assigned duties. The department chair will notify the appropriate Dean. In case of emergencies, or unavoidable absences, instructors are required to call in and report such directly to the appropriate
Department Chair. If the department chair is unavailable, the instructor should talk with the appropriate Dean.

7.6 Promptness
Regular attendance and promptness should be emphasized by the staff and required of all students. Faculty should begin classes on time and, in fairness to classes to follow, end on time. A roll call is to be made during each class or laboratory session.

7.7 Office Areas
Every full-time faculty member has been provided with either a private or semiprivate office and it is expected that the office will be maintained in a professional manner.

7.8 Professional Development
The College will from time to time provide upgrading experiences through professional development sessions such as classes, workshops, visits to industry, lecturers, etc. Faculty members are expected to take advantage of these programs when possible.

The NC Community College System conducts conferences for faculty in most specialties. Cape Fear Community College’s employees are encouraged to participate in these conferences when appropriate.

7.9 Industrial Experiences
At various times industries are willing to allow faculty to come to their plants for the purpose of becoming familiar with industrial innovations. Then too, at times industries may need the services of faculty members to work on particular difficulties in their plants. The College encourages such cooperative endeavors when possible.

7.10 Supervision of Students
It is important that students be under faculty supervision at all times during scheduled classes, labs, or shops. Faculty are requested not to absent themselves from their classes except when absolutely necessary to do so. If an accident happens while a faculty member is out of class, he/she could be considered negligent and liable for damages.

7.11 Advisory System
The Faculty Advisory System is an integral part of the total educational process of the College. Each curriculum student will be assigned a faculty advisor. Department chairs or deans will be responsible for coordinating advising activities in their department. The assignment of a student to an advisor will be made by the Division of Student Services in cooperation with the appropriate department chair or dean.

The following are guidelines for the use of faculty advisors:

1. The advisor’s signature on a Course Registration Card means official approval and must not be given without proper consideration.
2. The advisor should work with each advisee making sure that each student is registered for proper courses needed to pursue a degree or diploma in the chosen field of interest.
3. Students should be made aware that failure in a major subject, including any course with a prerequisite, must be made up before going into the next higher sequence course.
4. In addition to the initial contact during registration, advisors should maintain contact with all advisees.
5. Personal problems or problems that the advisor does not feel qualified to handle should be referred to the Student Services Office.
6. Advisors are urged to work closely with the counselors in matters pertaining to the students, especially if student-advisor personality conflicts exist. Also, advisors are urged to refer students to the counselors when there is a student-instructor personality conflict.
7. Final grades will be made available to the advisor, at the end of each report period.
8. The faculty advisor should provide sufficient office hours to meet the needs of advisees. Each faculty advisor should be interested in and attempt to work effectively on an individual basis with each advisee.
9. As a member of the faculty, each advisor should be familiar with the academic aspects of the student’s program and should have knowledge of career objectives of each advisee.

If advising is executed properly, it will contribute significantly to each student’s progress and at the same time be an important factor in keeping student attrition to a minimum.

7.12 Classroom Rules

Faculty are expected to develop rules for their students that are necessary to provide a classroom atmosphere conducive to effective learning. Additionally, the faculty member is expected to apply rules in the classroom that are applicable throughout the College. No food or beverages are permitted in any classrooms or labs.

7.13 Evaluation of the Faculty

By CFCC Staff – Since continued employment and salary increases are contingent upon job performance, professional improvement, and assigned responsibilities other than teaching, any faculty evaluation will concentrate on these criteria. The administrative staff and academic supervisors, who are in a position to make evaluative judgments, and who have occasion to observe to what degree instructors meet these criteria, make recommendations to the President for merit pay and continued employment considerations.

Visits to the classroom, laboratory, or shop by appropriate supervisors are an integral part of faculty evaluation. The purpose of such visits is the observation of the teaching-learning process in the particular setting. Following such visits the faculty member being observed is given a check sheet upon which areas of observation have been noted. The faculty member is requested to visit the evaluating supervisor’s office at a convenient time for an informal discussion of the class visitation.

By Students – Faculty will be evaluated by their students annually and a summary of these evaluations will be given to each faculty member. A copy will also be placed on file in the appropriate department chair’s office.

7.14 Course Outlines

Course outlines are available for all courses included in the curricula offered at Cape Fear Community College. Faculty members should review these and develop their lesson plans around the objectives of the course being taught. Faculty members must review or revise these course outlines annually.
7.15 Handouts
Each instructor is required to provide students with a handout the first day a class meets. The handout should include (a) a brief course description, (b) the major objectives of the course (written in terms of what the student will do rather than what the instructor will do), required textbooks and materials, (d) the course requirements (what will be expected or required of the student), (e) the college’s grading scale, and (f) the course prerequisites and corequisites.

7.16 Disposal of Complimentary Textbooks
The following is a memorandum from the NC Community College System:

It is the opinion of the Attorney General that complimentary textbooks are the property of the colleges and may be disposed of only in accordance with G.S.115D-15 and with the approval of the State Board of Community Colleges. Any proceeds must be used for capital outlay purposes.

7.17 Clerical Help
The College provides secretarial help for faculty work. Secretaries will type and/or duplicate any schoolwork in quantities as requested by the faculty. The appropriate dean will be responsible for decisions regarding the priority of work in cases where it will not be possible to complete all work within requested deadlines. Instructors must comply with copyright laws regarding duplicating copyrighted material and must not request clerical help to duplicate those types of materials.

7.18 Technicians
Several technicians have been added to the staff in an effort to improve the instructional programs at Cape Fear Community College. Some of these are used in laboratories and shops while others are available to assist instructors in the preparation and the use of various audiovisual teaching aids. The College encourages the teaching staff to make full use of these valuable resource persons.

7.19 Academic Freedom
Academic freedom is essential to the mission of higher education, which is to allow and promote free inquiry into the total environment of human endeavor. A college exists for the purpose of examining questions and issues arising out of that environment, including the past, the present, and the future. Cape Fear Community College firmly believes in freedom of inquiry, freedom to teach, freedom to share, and freedom to learn from others. All freedoms carry with them responsibility to use them with care and with full consideration for the rights and freedoms of others.

7.20 Grading
The responsibility of grading students rests with the faculty and will be in accordance with the college’s grading scale.

7.21 Field Trips
Well-planned field trips can provide valuable learning experiences. Faculty planning field trips should do so in coordination with the members of the department and should have the approval of the appropriate dean and department chair that will clear such field trips with the vice
president. Prior to the trip the appropriate dean should be provided with a written report showing
(1) the nature and location of the planned field trip; (2) objectives of the trip and its relationship
to the courses being taught; (3) the date and hours students will be off-campus; and (4) a roster of
students participating in the field trip. In the case that a field trip, for any reason, runs longer than
planned, the appropriate dean must be notified so that the appropriate faculty can be notified.

7.22 Live Projects
All live projects at Cape Fear Community College should be such that they promote learning for
the students and not simply a service to any individual or organization. (See North Carolina
Administrative Code 2D.0310.)

All automobile and/or other equipment worked on or constructed in any class sponsored by Cape
Fear Community College must be the personal property of the students, the students’ parents,
CFCC or its employees, or the property of other public agencies. Proper identification of such
equipment will be required by CFCC instructors before work may commence. In the case of
automobiles or other vehicles, a registration card will suffice.

All materials and supplies used in such projects will be purchased by the owner from private
sources. Under no condition will Cape Fear Community College’s materials and supplies be
applied to any private vehicle or equipment.

These regulations are intended purely as a minimum guideline. Further restrictions may be
imposed by the instructor if he deems them wise.

It is not the intent, nor shall it be the result, that Cape Fear Community College be in competition
with business and industries in the area it serves.

7.23 Faculty Meetings
Faculty meetings will be scheduled as the need arises. An attempt will be made to schedule
meetings when they least interfere with teaching schedules. All faculty members are expected to
attend these meetings. If, for an emergency reason, a faculty member is unable to attend she or
he must notify the appropriate dean.

7.24 Faculty Association
The College encourages each faculty member to actively support the Faculty Association. A
number of improvements in the school’s operation have resulted from recommendations from the
Association and additional progress is anticipated. (See Appendix A for a copy of the Faculty
Association’s Constitution and By-Laws.)

7.25 Planning and Conducting Distance Learning Programs Policy
The principal mode of offering courses and programs at Cape Fear Community College has
been, and will continue to be, through regular on-campus instructional activities. However, the
demand for education beyond the main campus and through alternatives to traditional
instructional activities has steadily increased. Consequently, distance learning, both degree-
related and continuing education instruction is offered off-campus. This policy is designed to
assure that the College is as responsive as possible to the needs of the people of New Hanover
and Pender Counties while maintaining the quality and effectiveness of its regular on-campus
instructional programs. This policy further permits the Board and the President to fulfill their responsibilities: (1) to assure that the academic standards of distance learning activities are consistent with those maintained on-campus, (2) that distance learning activities are consistent with the College’s mission and goals and (3) assure the public that distance learning programs meet established criteria of the Commission on Colleges.

Distance learning is a fundamental part of the College’s mission. Part of the College’s mission statement reads that “Cape Fear Community College is an open door, comprehensive community college that strengthens the academic economic, social and cultural life of the citizens of New Hanover and Pender counties by promoting enrichment through lifelong learning.”

To help accomplish its mission, CFCC offers distance learning to students at the satellite centers, area prisons, and at work places. In addition, qualified individual students may take telecourses at home. One of the College’s strategic goals for 1996-97 is to “increase access to all college programs, with particular emphases in occupational extension programs designed for business and industry and in community-based adult basic education.”

The general requirements for distance learning courses are the same as for traditional courses offered on the main campus. Admission, attendance, testing, grading, and evaluation policies are the same as for courses on the main campus. In addition, special evaluations are provided for telecourse and fiber optic delivery methods to assure that the instruction is the same quality as for traditional classes. Finally, Student Services, the Learning Resources Center, and other departments provide services for distance learning students commensurate with the distance from the main campus and the number of students enrolled.

Principles: The guiding principles for developing, conducting, and evaluating degree-related distance education activities in the College are as follows:

1. The Board of Trustees and the President of the College are responsible for the coordination and supervision of all degree-related instructional activities in the College.
2. The departments offering the instruction are responsible for the development, delivery, regular evaluation, and accreditation of specific degree-related extension instruction activities, courses, and programs.
3. The academic standards and quality of degree-related extension instruction activities shall be consistent with and comparable to the academic standards and quality of regular, on-campus instruction activity. The application and maintenance of academic standards are the responsibility of the academic unit offering the instruction.

In the course of planning and developing degree-related distance education activities, the sponsoring department is responsible for coordination with other departments, relevant organizations, and agencies, including satellite centers established by the Board of Trustees. Authorization from the President is required before initiating interinstitutional coordination or activities.

**SECTION VIII – Learning Resources**
8.1 Learning Resource Services

Cape Fear Community College provides materials and services for students, faculty and staff through the Learning Resource Center (LRC). The Learning Resource Center includes the Library and the Media Center (AV). The Learning Resource Center operates under the direction of an administrator who is responsible to the Vice President for Instructional Services.

8.1.1 The Library

The Library contains approximately 34,000 pieces of print and non-print media, which support the vocational, technical, and humanities offerings of the College. Both print and non-print materials are housed in the library. All of these materials are indexed in the DAC (Data Automation Catalog), the public access online catalog. Among the LRC collections are over 30,000 print titles, nearly 4,000 audiovisual titles, over 14,000 pieces of microform, and a pamphlet collection. Qualified personnel are always on duty to assist faculty, students, and community patrons in using these resources. Efforts are made continuously to update and increase the holdings. Faculty and staff members are encouraged to participate in selecting new acquisitions.

During Fall and Spring semesters, the LRC is open Monday through Thursday from 7:30 a.m. until 10:00 p.m., Friday from 7:30 a.m. until 5:00 p.m., and on Saturday from 9:00 a.m. until 1:00 p.m. During the summer, it is open Monday through Thursday from 7:30 a.m. until 9:00 p.m. and Friday from 7:30 a.m. until 11:30 a.m.

The College ID card is made at registration. This card serves as a library card and is used to check out library materials.

Bibliographic services are available for instructional preparation and classroom presentation for advanced study, for personal development and research, and for knowledge of innovative and experimental development. Instructors wishing to have books placed on reserve for their classes should contact the Library in advance. Instructors should also call 24 hours in advance if they are bringing their class to work in the library. Class tours may be scheduled by calling the reference librarian on duty. Students may sign up for scheduled LRC tours throughout each semester. Students must sign up for Internet instruction before using it for research.

Over 700 periodicals are available on the serials shelves. Back issues of periodicals are available in either hardcopy or microforms. Periodicals are not allowed to be checked out; however, copiers are conveniently located for photocopying purposes. All periodicals must remain in the Library.

CD-ROM research is available using Newsbank (a collection of newspaper articles); SIRS (Social Issues Resources Series); Commerce Clearing House Federal Tax Reports; Info Trac, Books in Print Plus; Biology Digest, CINAHL (allied health index); and various encyclopedias, and other reference tools. Online research sources include the INTERNET, First Search and Epic. The LRC at Cape Fear Community College offers interlibrary loan privileges for students and staff. A request can be made after a thorough search of material in the LRC yields insufficient results. Request forms are available at the reference desk.
Adaptive Services for Special Needs Patrons Include:

1. Books on audiotape and audio equipment.
2. TeleSensory Equipment, two CCTV (closed circuit television) magnification systems for visually impaired students and patrons.

This equipment is easy to use and is available during the LRC’s normal hours of operation. LRC staff will offer assistance to any student who would like to use this equipment; however, students with special needs will be given priority. A workstation with educational software is located in the CAE.

**8.1.2 Media Center**

The purpose of the Media Center is to support the educational efforts of faculty, staff and students. Staff members are available for assistance generally from 7:30 a.m. to 10:00 p.m. Evening instructors and staff should request assistance at the circulation desk after 5:00 p.m.

Services provided by the Media Center include:

2. Demonstration and assistance for faculty in the use of audiovisual equipment.
3. Production of media for faculty and staff use.
4. Dubbing of telecourse offerings for student use.
5. Coordination and presentation of teleconferences.
6. Computerized graphics workstations.

The Media Faculty/Staff Self-Help Center includes equipment and supplies for laminating, comb binding of booklets, cutting cardboard and paper, stapling and hole punching, constructing signs with die-cut letters, designing posters, label making, making thermal transparencies, photocopying with 35mm camera and copy stand, rough editing of in-house videotapes, enlarging notices into large posters, and videotaping of educational material using a camcorder.

A/V equipment is available for two-week checkout to all faculty and staff. A/V equipment may also be checked out for off campus use by staff only if such use is direct and necessary component of an educational effort by Cape Fear Community College. Equipment must be returned immediately after the educational event. If this is not possible, the equipment must be locked and secured until returned. Equipment needed for long-term use should be ordered through departments and become part of their inventory.

A/V equipment may be checked out by outside groups ONLY if they are a component of local, state, or federal government and the item is not in use or reserved for use within the College. The borrowing agency will be held responsible for any damage, loss, or theft of the equipment while it is in the borrower’s possession.

**8.1.3 Acquisition Procedures**

The Learning Resource Center has established procedures for ordering books, serials, audiovisual programs and audiovisual equipment. All of these items are cataloged in the online catalog and are checked out to faculty and staff on a semester basis. At the end of fall semester, a telephone renewal is allowed for faculty and staff. All items must be returned at the end of spring
semester for the annual LRC inventory. The LRC staff will inform faculty and staff of these procedures when requesting print or audiovisual materials and equipment. Forms for services or materials needed at off-campus sites are also available in the LRC.

### 8.1.4 Teleconference Services

Cape Fear Community College has among its facilities two locations for teleconferencing, S501 and the Auditorium (S002). The Center is designed as a multiple use facility: lectures, meetings, teleconferences for constituent clientele, video viewing by classes and other groups, as well as satellite television courses. Anyone who wishes to use Teleconferencing should call Ext. 5133 or 5138 during the day or Ext. 5130 in the evening.

### 8.1.5 Materials Selection Policy

Learning Resource Center materials are selected by the LRC staff, faculty, staff, students, and community patrons. Materials are selected to support each curriculum and for self-help. All materials are selected to provide cultural enlightenment, factual knowledge, literary appreciation, aesthetic values, ethical standards, literacy education, and recreational reading. The community college student body is as diverse as the community the College serves. It is the obligation of the LRC to provide for each unique group by considering different points of view. Principles are placed above personal opinion and reason above prejudice to select materials of the highest quality in regard to content and format.

### 8.1.6 Weeding Policy

Weeding is an ongoing process, but all materials are reviewed at least on a five-year rotating basis. Some collections are reviewed more often as needed. Faculty members are an integral part of this process and are requested to assist the LRC staff with this task. The Director of the LRC has the responsibility for determining whether material will be retained or discarded.

### 8.1.7 Gifts Policy

The Learning Resource Center gladly accepts donations to the collection, using the criteria of the [Materials Selection Policy](#). Gifts that cannot be used in the collection will be disposed of through the weeding procedure.

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### SECTION IX – Fiscal Services

#### 9.1 Payroll

Salary checks for full and part-time faculty and staff are issued on the last workday of the month. Salaries are usually paid earlier in December. All salaries are subject to federal and state income tax withholdings and Social Security. State Retirement contributions are mandatory for full-time employees only. Full-time employees are eligible for voluntary payroll deductions. Continuing Education instructors’ checks are issued in accordance with the “Guidelines and Procedures for Continuing Education Instructors and Classes”.

#### 9.2 Inventory Control

All equipment is controlled by an inventory number and is assigned to specific areas or departments. No item of equipment should be moved from the assigned area without prior notification to the Director of Purchasing.
9.3 Disposal of College Property
College property either is owned by Cape Fear Community College, the North Carolina State Board of Community Colleges, or is held in trust for the College by the Cape Fear Community College Foundation.

Strict laws govern the disposal of public property. When in the opinion of faculty or staff a piece or pieces of equipment have become worn beyond repair, obsolete, or otherwise no longer useful, they should confer with appropriate administrators for a recommendation to the President. The Senior Vice President for Business and Institutional Services is authorized to dispose of equipment properly and according to law.

9.4 Budgeting
The State Budget for Cape Fear Community College is allocated by the NC Community College System based on the College’s Full Time Equivalent (FTE) for the previous fiscal year. The allocated budget is distributed by the President of the College, with assistance from the Senior Vice President for Business and Institutional Services, senior staff, deans, and other administrators. The County budget consists of funds from New Hanover and Pender Counties. These funds are requested by the President and the Board of Trustees and are provided primarily for maintenance and operation of the physical plant.

All requests for federal and private grants must be approved through the Institutional Effectiveness and Planning Office.

9.5 Petty Cash Policy
Petty cash purchases are for emergencies under $30.00 and are to be used with discretion. Any exceptions to this must have prior approval from the Director of Purchasing or the Senior Vice President for Business and Institutional Services.

A receipt for purchases made from petty cash must be presented to the Director of Purchasing before reimbursement is made. The receipt should include the budget code and signatures of the requester and his or her supervisor.

9.6 Mail
The Shipping and Receiving Department is responsible for pick-up and delivery of mail to employees. Packages and large items of mail should be taken to the Shipping and Receiving Department.

9.7 Keys
Keys for offices, rooms, and buildings are available through the Senior Vice President for Business and Institutional Services. All keys are the property of Cape Fear Community College and should be returned to the Senior Vice President for Business and Institutional Services when no longer needed. Keys must not be duplicated. Keys may be requested through the employee’s supervisor.

9.8 Parking
Parking spaces are provided, if available, for all full-time employees. The fee is $10.00 per quarter or $30 per year for nine-month employees or $40 per year for twelve-month employees. Full-time employees who do not have an assigned parking space as well as part-time employees may elect to use the Nutt St. Deck or the student parking lots for $10.00 per year. Parking fees are nonrefundable in the event of separation of employment.

9.9 Traffic Plan and Towing Policy
The following rules, regulations, and ordinances constitute the Traffic Plan and Towing Policy of Cape Fear Community College:

1. Definitions:
   a. Motor Vehicle includes any machine designed or intended to travel over land by self-propulsion or while attached to a self-propelled vehicle.
   b. An abandoned motor vehicle is one that:
      i. Is left unattended in violation of any rule, regulation or ordinance regulating parking; or
      ii. Is left for longer than two days on property owned, operated, managed or regulated by Cape Fear Community College.
   c. A junked motor vehicle is an abandoned motor vehicle that also:
      i. Is partially dismantled or wrecked; or
      ii. Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
      iii. Is more than five years old and appears to be worth less than $100.00; or
      iv. Does not display a current license plate.
   d. Tow, in any of its forms, includes to remove a vehicle by any means including towing and to store the vehicle.
   e. Tower means the person who towed the vehicle.
   f. Towing fee means the fee charged for towing and storing.

2. Student Vehicle Registration: All motor vehicles where the owner or operator parks on the campus or keeps said vehicle on the campus must be registered once a year with Cape Fear Community College. The following information shall be required of the registrant at the time of registration: the name, address, and telephone number of the registered owner of the vehicle; the State in which the vehicle is registered; the license plate number of the vehicle, including the name of the State that issued the license plate; the make, model and color of the vehicle; and the name, address and telephone number of the operator, if different from the owner. Students’ parking and security fee is $10 for 1 – 8 credit hours or $20 for 9 or more credit hours per semester, and $3 for each continuing education course (excludes Basic Skills, HRD, Small Business, EMT, Law Enforcement, Fire, and Customized Industry Training). In exchange for payment of the fee, the student shall receive a decal that authorizes the student to park in areas designated for student parking and is valid for one year. The decals must be displayed in the window of the vehicle for which it was purchased. Student with registered vehicles who have purchased decals and have the decal properly displayed in the window of the vehicle may park only in areas designated for student parking.

3. Employees Leasing of Parking Spaces: Upon payment of the annual leasing fee of $40.00 by a College twelve-month employee or $30 by nine-month employee, the employee will be assigned a numbered parking space giving the employee the sole right to park in that designated parking space during the College’s normal hours of operation. Unassigned
parking in the Nutt St Deck and student parking lots is $10.00 annually. Full-time employees who have an assigned space at the Wilmington Campus cannot park in the Nutt St Deck during the College’s normal hours of operation when classes are in session.

4. Parking:

   a. No vehicle without a valid decal may be parked in any parking lot or parking area designated for student parking;
   b. In parking lots or areas with numbered parking spaces, only the person who has leased that parking space may park in that parking space;
   c. In all parking lots or parking areas with marked parking spaces, parking is not permitted outside the marked spaces;
   d. No vehicle shall be parked in any manner so as to block the ability of another vehicle to leave its parking space or exit from the parking lot or parking area;
   e. No vehicle shall be parked or left standing or unattended on any road, street, alley, travel lane, driveway, parking lot or parking area entrance or exit, sidewalk, or pedestrian crossing;
   f. Where signs are posted limiting parking in any manner such as for a limited amount of time, for handicapped persons, or for visitors, parking shall be permitted only as posted.
   g. Motorcycles, mopeds, scooters, vehicles with trailers, and bicycles are not allowed in the Nutt St. Deck.

5. Violation: A person may be issued a citation for each violation of the above rules, regulations and ordinances. The fine for each citation is $5.00. A vehicle parked in violation of any of these rules, regulations and ordinances is subject to immediate towing.

6. Repeated Violators: Any person receiving more than three (3) citations for any violations within any one semester is banned from parking on campus for the remainder of that semester. Any vehicle parked or left on campus that is banned from parking on campus shall be subject to immediate towing.

7. Removal of Vehicles: Cape Fear Community College may remove and have towed to a storage garage or area an abandoned or junked motor vehicle found to be in violation of any rule, regulation, or ordinance of Cape Fear Community College. The Security Guard shall notify the Office of Business Services of any vehicle to be towed and the Office of Business Services shall arrange for the immediate towing of the vehicle. The owner or operator of the towed vehicle shall be responsible for paying the towing fee of the tower.

8. Notice of Towing: Whenever a vehicle with a valid registration plate or registration is towed, the Office of Business Services shall immediately notify the last known registered owner of the vehicle of the following:
   a. A description of the vehicle;
   b. The place where the vehicle is stored;
   c. The violation with which the owner or operator is charged, if any;
   d. The procedure the owner must follow to have the vehicle returned to him which is to contact the tower and satisfy the tower’s requirements for release of the vehicle; and
   e. The procedure the owner must follow to request a probable cause hearing on the towing, if one is desired.

If the vehicle has a North Carolina registration plate or registration, notice shall be given to the owner within 24 hours. If the vehicle is not registered in North Carolina, notice shall be given to the owner within 72 hours. Actual notice shall, if feasible, be
given or notice can be given by telephone, including leaving the information on the telephone answering machine. Whether or not the owner is reached by telephone, notice shall be mailed to his last known address unless he or his agent waives this notice in writing.

Whenever a vehicle with neither a valid registration plate nor registration is towed, the Senior Vice President for Business and Institutional Services of Cape Fear Community College shall make reasonable efforts, including checking the vehicle identification number, to determine the last known registered owner of the vehicle and to notify him of the information listed in this paragraph hereinabove.

9. Hearing Procedure: The owner or any other person entitled to claim possession of the vehicle may request in writing a hearing to determine if probable cause existed for the towing. Probable cause shall exist if the Security Guard had probable cause at the time he contacted the Office of Business Services to believe that a rule, regulation or ordinance of Cape Fear Community College was violated. The request shall be filed with the Magistrate’s Office in the county where the vehicle was towed. The Magistrate’s Office is required by North Carolina General Statute 20-219.119(c) to set the hearing within 72 hours of his receiving the request. The owner, the person who requested the hearing if someone other than the owner, the tower, and the Senior Vice President for Business and Institutional Services shall be notified of the time and place of the hearing. The owner, the tower, the Senior Vice President for Business and Institutional Services, and any other interested parties may present evidence at the hearing. The Senior Vice President for Business and Institutional Services and the tower may submit an affidavit in lieu of appearing personally, but the affidavit does not preclude that person from also testifying. The only issue at this hearing is whether or not probable cause existed for the towing. If the Magistrate finds that probable cause did exist, the tower’s lien to secure payment of the towing fee continues. If the Magistrate finds that probable cause did not exist, the tower’s lien is extinguished. Any aggrieved party may appeal the Magistrate’s decision to the District Court Division of the General Court of Justice of the State of North Carolina as permitted by North Carolina General Statute 20-219.11(f).

10. Option to Pay or Post Bond: At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of his vehicle by:
   a. Paying the towing fee, or
   b. Posting a bond for double the amount of the towing fee.

11. Hearing on Lien: The tower may seek to enforce his lien or the owner may seek to contest the lien pursuant to Chapter 44A of the North Carolina General Statutes.

12. Payment to Tower Guaranteed: Cape Fear Community College shall pay the tower his towing fee only if the final determination of the Court is that no probable cause existed for the towing.

13. Traffic Plan: This Traffic Plan shall be printed and copies posted at appropriate places on campus as notice to the public of these parking and traffic rules, regulations, and ordinances governing the campus of Cape Fear Community College and copies shall be filed in the Office of the Secretary of the State of North Carolina.

9.10 Requisitioning
All purchasing on behalf of the College must be conducted by the Purchasing Department. The procedures to follow in requesting items or services to be purchased are in the CFCC Purchasing
Manual. The Manual has been distributed to department chairs and is on file in the Purchasing Office.

9.11 Equipment
Before ordering equipment, please check with the Purchasing and Inventory Director to see if equipment is already on hand. The guidelines for purchasing equipment are in the CFCC Purchasing Manual.

9.12 Travel Regulations
The College authorizes travel within the regulations mandated by the State Board of the North Carolina Community College System. Because the travel regulations are subject to change, please refer to the current NCCCS Accounting Procedures Manual on file in the College Business Office or visit NCCCS’ website for the most current information. These regulations apply to all College employees and members of the Board of Trustees. Travel requests are approved contingent upon the availability of funds.

An employee traveling on official college business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, circuitous routes, delays, or luxury accommodations and services unnecessary, unjustified, or for the convenience or personal preference of the employee in the performance of official college business are prohibited.

All in and out-of-state travel must be authorized in writing by the President or his designee. In addition, written authorization must be secured in advance from the President or his designee for excess lodging, registration, out-of-state travel, and out-of-country travel. The employee must submit the Travel Request Form at least two weeks prior to his/her travel date.

Blanket Authorization
The College Board of Trustees shall pre-authorize the President’s routine travel in the manner they see fit and determine the level of detail they require before authorizing travel, subject to the State Board of Community College guidelines.

A blanket approval is required for all others, excluding the College President, for routine travel to claim mileage reimbursement while conducting College business. The blanket authorization must include

- Name of person traveling;
- Destination(s) and purpose for travel as defined by the college;
- Dates of travel for example, July 1, 20xx – June 30, 20xx;
- Source of funding; and
- Any other information necessary to justify traveling on a routine basis.

A blanket authorization form may be completed and approval secured annually. The blanket travel authorization form must be approved prior to departure for all routine travel for which reimbursement is issued.
Transportation Allowance

College employees on College business may drive their private vehicles at the rate of:

- Fifty cents ($0.50) per mile if a College vehicle is not available; and
- Thirty cents ($0.30) per mile if a College vehicle is available and the employee elects to drive his/her personal vehicle.

The employee must contact the car pool to see if a College vehicle is available and verify that fact on his/her Travel Request Form and Travel Reimbursement Request Form. Reimbursement of costs incurred through use of a private vehicle should be for direct mileage between points on the employee’s itinerary. Actual cost of tolls and parking are reimbursed with a receipt. Reimbursement may not be made for commuting between an employee’s home and his duty station, except temporary or part-time curriculum and extension instructors who travel more than 15 miles to or from a duty station for teaching curriculum or extension courses. These mileage expenses may be paid in justified cases approved in writing by the College’s president or his designee. Note: This policy is not intended to reimburse normal commuting expenses.

College employees on official college business may use their private cars for personal convenience according to the rates listed above or air-coach rate, whichever is less.

Reimbursement for travel between the employee’s duty station and the nearest airline terminal and for appropriate parking may be made under the following circumstances:

- Airport limousine – one round trip fare supported by a receipt;
- Taxi – actual cost when supported by a receipt; and
- Private car – fifty cents ($0.50) per mile for a maximum of two round trips with no parking charge, or for one round trip with parking charge supported by a parking receipt.

Reimbursement for travel to and from the airline terminal at the employee’s destination may be made under the following circumstances:

- Airport limousine – one round trip fare supported by a receipt;
- Bus – one round trip fare. In lieu of using a taxi or airport shuttle, employees can be reimbursed without receipts five dollars (45.00) for each one-way trip either from the airport to hotel/meeting or from the hotel/meeting to the airport;
- Taxi – when shuttle service is available – one round trip shuttle fare supported by a receipt;
- Taxi – when shuttle service is not available – one actual fare to and from the airline terminal supported by a receipt.

Tickets for commercial air travel must be “air coach.” Exceptional conditions requiring the use of “first class” accommodations may warrant reimbursement provided a statement of the condition is attached. A receipt is required for reimbursement. Flight insurance is not reimbursable.
Requests for all travel as passengers on noncommercial (charter flights) aircraft are made and approved in the same manner as all transportation.

The actual cost of coach fare for train and bus service is reimbursable, as is the actual cost of Pullman fare when overnight trips are required.

The actual cost of taxi and shuttle fares is reimbursable when required for travel on College business. Taxi fares are not reimbursable for intercity transportation except in emergencies when a less expensive mode of transportation is available within a reasonable period.

Rental car charges at the least expensive available rate are reimbursable when required for intercity travel when no alternate mode of transportation is practical. No reimbursement may be made for use of a rental car in-state when a College or private car is available.

Subsistence Allowance

Subsistence consists of lodging and meals. The maximum for a 24-hour period is $101.05 when traveling in-state and $115.55 for out-of-state. Following is the rates table for reimbursement:

<table>
<thead>
<tr>
<th></th>
<th>In-State</th>
<th>Out-of-State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breakfast</td>
<td>$ 7.75</td>
<td>$ 7.75</td>
</tr>
<tr>
<td>Lunch</td>
<td>10.10</td>
<td>10.10</td>
</tr>
<tr>
<td>Dinner</td>
<td>17.30</td>
<td>19.65</td>
</tr>
<tr>
<td>Lodging</td>
<td>65.90</td>
<td>78.05</td>
</tr>
</tbody>
</table>

$ 101.05        $ 115.55

Daily Travel (Not Overnight)

Allowances shall not be paid to employees for lunches if travel does not involve an overnight stay, unless the meal is included as an integral part of a congress, conference, assembly, convocation, etc. Such congress must involve the active participation of persons other than the employees of the College and must be planned with a formal agenda.

To be eligible for allowance for the breakfast and evening meals, the employees must:

- Breakfast – depart from duty station before 6:00 a.m.;
- Dinner – return to the duty station after 8:00 p.m.;
- The travel must involve a travel destination at least 35 miles from the employee’s regularly assigned duty station; and
Have worked five (5) hours longer than the normal workday in order to be reimbursed for both meal allowances.

The time of departure and/or arrival must be stated on the travel reimbursement request.

**Daily Travel (Overnight)**

Employees may receive allowance for meals for partial days of travel when the partial day is the day of departure or the day of return. The travel must involve a travel destination located at least 35 miles from the employee’s regularly assigned duty station (vicinity) or home, whichever is less. To be eligible, the employee must:

- Breakfast – depart duty station before 6:00 a.m.;
- Lunch – depart duty station before Noon (day of departure) and return to duty station after 2:00 p.m. (day of return); and
- Dinner – depart duty station prior to 5:00 p.m. (day of departure) or return to duty station after 8:00 p.m. (day of return).

The time of departure and/or arrival must be stated on the travel reimbursement form. The reimbursement rates listed are inclusive of gratuities. Costs of meals furnished with other related activities (registration fees, conference costs, etc.) may not be duplicated in the reimbursement request.

No excess will be allowed for meals unless such costs are included in registration fees and/or there are predetermined charges or the meals were for out-of-country travel. The College President or his/her designee may grant excess subsistence for meals while traveling out-of-country. To claim excess subsistence, approval must be secured prior to departure.

Reimbursement of actual costs of overnight lodging whether in-state or out-of-state, must be documented by a receipt of actual lodging expenses from a commercial establishment. Lodging costs shall not exceed $65.90 in-state or $78.05 out-of-state unless excess subsistence for lodging is approved by the College president or his designee. This documentation shall be attached to the reimbursement request. Reimbursement to employees sharing a room with a member of his or her family will be limited to the single occupancy rate.

**Other Travel Allowances**

All registration fees must be approved, in advance, by the College President or his designee. For an employee to be reimbursed for a registration fee, the employee must provide documentation of the expense by a receipt.

**Itemizing under “Other Expense”**

These items are not counted toward the authorized subsistence but are allowable:

- tipping for handling baggage at common carrier terminals;
- tipping for the handling of baggage when arriving at or departing from the place of lodging;
• office phone calls are reimbursable. Calls over $5.00 must be identified by a point of origin and destination.
• employees needing to transmit data for official college business via their computer should use the most efficient manner available. Prior to reimbursement, the employee’s supervisor must approve. Documentation and justification must be attached to the request for reimbursement.

Not Reimbursable:

• refreshments and other personal expenses;
• tipping for room service, valet, and other hotel services; and
• costs of laundry, entertainment, alcoholic beverages, “set-up,” between-meal snacks or refreshments, and other personal expenses are not reimbursable.

Advances
A travel advance may be requested if the total estimated cost exceeds $100.00. The advance will be calculated at a maximum of 90% of the total estimated cost. The request must be in the Business Office two weeks before the check is required. If the estimated cost is less than $100.00, the employee is responsible for his/her travel costs. The employee will be reimbursed when the Travel Reimbursement Request form is processed.

Reimbursement
Submit Travel Reimbursement Request forms to the Business Office by the fifth day of the month. Reimbursement forms must be submitted to the Business Office within 30 days after the travel period has ended.

9.13 Information Technology

9.13.1 Computer Use Policies
The State Auditor and the North Carolina Department of Community Colleges require a strong security system to protect the integrity of the information stored on our computing system. Cape Fear Community College has adopted the following regulations to insure the security and the integrity of the data stored on the computer network:

1. All computer users share responsibility for the security of the data on the network. Each user is issued a login password that allows the user access to the data necessary to perform his/her duties. The strongest link to data security is our system of passwords. Under no circumstances should a user share a login password with staff, faculty, students, or friends.
2. Users are not to login on multiple terminals/workstations concurrently unless all terminals/workstations are within sight of the user. During registration processes, concurrent logins are allowed only while under direct supervision of the department head.
3. Employees ending employment with Cape Fear Community College must have all rights to the computing system removed on the last day of employment. It is the immediate department head’s responsibility to notify the Vice President for Information Technology Services of an employee’s plans to end employment. If Cape Fear Community College initiates termination of an employee all rights to the computing system for that individual must be removed immediately. It is the
responsibility of the person initiating the termination to notify the Vice President for Information Technology Services immediately. In either case, it is the responsibility of the Chief Human Resources Officer to verify with the Vice President for Information Technology Services that the user’s rights have been removed from the system on the last day of employment.

4. An individual who is not a regular Cape Fear Community College employee should have no access to our administrative system or areas of institutional networks, which are reserved for administrative use unless prior written approval is obtained from the appropriate department head. Students and guests will be provided limited access to academic computing systems as required for instructional purposes.

5. Security is maintained on all computing systems by the use of access control lists, monitoring of logins and system logs, the extensive use of passwords, and restricted physical access to critical areas.

Allocation and Use of Information Technology Resources Policy
The allocation and use of information technology resources is essential to fulfilling the college’s instructional purposes, to providing technological programs and support services to help students succeed, and enabling faculty and staff to continue rendering quality education and service to the College and the community.

The CFCC Information Technology Committee provides oversight and guidance for all information technology initiatives. The committee’s goals include: (a) appropriate standardization, allocation, and cost effective use of resources; (b) assistance in long-range planning for the institution; and evaluation of the effectiveness of information technology systems, policies, and procedures within all academic and administrative areas.

The College conducts an annual planning cycle as part of its institutional effectiveness process. Information technology allocations are determined in conjunction with this process and are based on prioritized needs within CFCC as reflected in the College’s institutional effectiveness plan.

Each department, in preparing annual equipment requests, shall develop a prioritized list of information technology needs for that department. The Information Technology Services department in conjunction with the Information Technology Committee and the College Council, shall annually prepare a college-wide and prioritized list of information technology needs. The President shall apportion equipment and supply resources to support prioritized information technology needs across the College.

9.13.2 E-mail and Internet Policy

Purpose and Benefits
College owned or operated computing resources are reserved for the educational, instructional, research, and administrative computing needs of the faculty, students, staff, and other individuals authorized by the College. The College’s computing resources include but are not limited to all College computers and hardware, access to the Internet or access to any College intranet provided through College owned or operated computers, online and offline storage, and network
and communications facilities. Access to these computing resources is a privilege and, therefore, it is essential that all users exercise responsible ethical behavior when using these resources. Users are expected to read, understand, and comply with the College’s Acceptable Use Policy.

The College monitors access to the computing resources and reserves the right, without prior notice to users, to access the College’s computing resources and to use any and all information retrieved from the computing resources. Users do not have an expectation of privacy regarding their use of the computing resources, and by accessing and using the College’s computing resources, users expressly consent to such monitoring, access, and use by the College. Further, information contained on the College’s computing resources and in College accounts, including but not limited to e-mail, may be subject to inspection under the Public Records Law of the State of North Carolina.

All students, faculty and staff are responsible for using these computing facilities in an effective, efficient, ethical, non-discriminatory and lawful manner. The college does not attempt to articulate all requirements or unacceptable behavior by its users. Therefore each individual’s judgment on appropriate conduct must be relied on. To assist in such judgment the following Acceptable Use Policy has been developed:

1. College computing resources are to be used only for educational, research, or instructional purposes for which access is provided except for personal occasional, incidental, brief use when not conflicting with work performance. College computing resources are not to be used for any unauthorized purpose, including but not limited to commercial purposes, partisan political activities, unauthorized access to remote computers or non-College related activities.

2. An access account assigned to a user must not be used by any other individual. Users are responsible for the proper use of their accounts, including proper password protection and appropriate use of the College’s computing resources. Obtaining another user’s password, allowing friends, family, co-workers, or any other individual use of your or another user’s account, or other unauthorized use of an access account, is a serious violation of this policy.

3. Users shall not create, display, transmit, or make accessible threatening, racist, sexist, obscene, offensive, annoying or harassing language, e-mail messages, and/or material, including broadcasting unsolicited messages, sending unwanted e-mail, or impersonating other users. College policies against discrimination and harassment apply to communications through the College’s computing resources.

4. All computer software is protected by federal copyright law. In addition, most software is proprietary and protected by legal licensing agreements. Users are responsible for being aware of the licensing restrictions for any software used on the College’s computing resources. Users will not download and install application software

5. Users shall not download, reproduce and/or distribute copyrighted or licensed materials without proper authorization from the author or creator. Additionally, users shall not publish information, messages, graphics, or photographs on any web page, without the express permission of the author or creator including college Web page content or college logo. Users will state on home pages created and residing on CFCC systems the following disclaimer: “The
views and opinions expressed in this page are strictly those of the page author and not necessarily those of Cape Fear Community College.”

6. Users shall not engage in activities to damage or disrupt the hardware, software, or any communication associated with the College’s computing resources, such as virus creation and propagation, wasting system resources, overloading networks with excessive data, or any attempt to circumvent data protection schemes or uncover security loopholes.

7. Users shall not waste, monopolize, interfere or misuse the College’s computing resources by, for example, requesting an excessive number of copies from a printer, playing games, or participating in chain letters or Ponzi schemes.

8. Users shall not access without authorization or damage any portion of the College’s computing resources or other College property, such as College records, applications or data. Users shall not use the College’s computing resources for illegal activities.

9. Users learning of the misuse of the College’s computing resources or violations of this Acceptable Use Policy must notify a faculty member of the College or other College official immediately.

Enforcement:
Failure to follow the Acceptable Use Policy and any misuse of the College’s Computing resources may result in the loss of access (privilege may be suspended immediately upon discovery of violations), also law enforcement agencies may be involved (through court order). Failure to follow the regulations described here will result in disciplinary action taken in accordance with the “Disciplinary Action” section of the College’s Faculty and Staff Handbook. Any conduct, which violates local, state, or federal laws, will result in the immediate loss of all access to the College computing resources and will be referred to appropriate College offices and/or law enforcement authorities.

Cape Fear Community College is not liable for actions of anyone connected to the Internet through the College’s computing resources. All users will assume full liability: legal, financial or otherwise, for their actions.

9.13.3 Electronic Signature Policy
Cape Fear Community College (CFCC) recognizes an electronic signature as a valid signature from employees and students subject to Conditions 1 and 2 and contracts with outside agencies subject to Conditions 1 and 3 below:

Condition 1: Campus Network Username and Password
- Institution provides student or employee with a unique username
- Student or employee sets his or her own password
- Student or employee logs into the campus network and secure site using both the username and password

Condition 2: Student/Employee Login ID and Personal Identification Number (PIN)
• Institution provides student or employee with a unique PIN
• Student or employee sets his or her own PIN
• Student or employee logs into a secure site using both the login ID and PIN

Condition 3: Contracts with Outside Agencies

• College contracts with outside agency to provide instruction via the Internet.
• Contracting agency transmits class information, progress reports, grade summaries, etc. via e-mail to the College from their e-mail address of record; or College downloads information from the agency’s official secure website.
• Employee sets his or her own password with the contracting agency in order to access their secure website to retrieve College data.

An electronic signature is defined as any electronic process signifying an approval to terms, and/or ensuring the integrity of the document, presented in electronic format.

Students use electronic signatures to register, check financial aid awards, pay student bills, obtain unofficial transcripts, update contact information, log into campus computers, complete forms, submission of class work, tests, etc.

Employees use electronic signatures for submitting grades, viewing person payroll data, logging into campus computers, accessing protected data through the administrative computing system and custom web applications provided by the college, etc.

Contracts with outside agencies use electronic signatures for submitting grades, class information, and progress reports to the College.

It is the responsibility and obligation of each individual to keep their passwords and PIN private so others cannot use their credentials. This is further explained in Section 9.13.1 Computer Use Policies of the CFCC Faculty and Staff Handbook and the CFCC Student Catalog section on “Computer Acceptable Use Policy”.

Once logged in, the student or employee is responsible for any information they provide, update, or remove. CFCC will take steps to ensure both the passwords and PIN are protected and kept confidential. Furthermore, users are responsible for logging out of all systems and exercising the necessary precautions when using publicly accessible computers.

This policy is in addition to all applicable federal and state statutes, policies, guidelines, and standards.

9.14 Long Distance Telephone Calls

9.14.1 Personal long-distance calls are to be made collect or charged to your personal telephone card or personal cellphone. All long distance telephone calls are documented and electronically stored by phone extension and by month including costs for reference. Collect calls are accepted only from the captain of the R/V DAN MOORE when the ship is away from port.
SECTION X – Facilities, Maintenance, and Safety

10.1 Public Use of Campus Facilities
It is the policy of the Trustees of Cape Fear Community College to allow citizens to use campus buildings and facilities for civic, cultural, educational, recreational, and other activities if the users preserve and properly care for the facilities and the activities do not conflict with the use of these facilities or grounds for College purposes and activities or with local ordinances or laws of the State or Federal government and other policies adopted by the Trustees.

10.2 Emergency Evacuation

**Evacuation Policy**
The following procedures are to be followed in the event that an emergency evacuation becomes necessary in any building or classroom owned and/or operated by Cape Fear Community College.

*Day Hours* – If the emergency evacuation is created by an outside source the Switchboard Operator receiving the telephone call will immediately call the police and report the information, which created the emergency situation. After notifying the police, the operator will notify the Vice President for Student Services, who will immediately cause the building to be evacuated. If the Vice President for Student Services is not available, the operator will notify the Vice President for Instructional Services, the Senior Vice President for Business and Institutional Services, or the senior administrator present.

If the Switchboard Operator is notified by a governmental agency such as the Police or Fire Departments, the Operator should, after notifying the appropriate administrator, call the person at that agency to verify that such a call did come from that agency.

The administrator will take immediate appropriate steps to ensure the safety of all students and personnel.

*Evening Hours* – The Switchboard Operator will follow the above procedures except that the Duty Administrator is to be notified. In the event that the Duty Administrator is not available, the operator will notify the senior administrative officer present, who will follow the prescribed procedure for emergency evacuation.

*Saturdays and Other Days of Public Occupancy* – The person receiving the information which calls for an emergency evacuation should:

1. Immediately notify the Police (911).
2. Notify the senior administrative officer present or his/her designee who will take immediate appropriate steps to ensure the safety of the public by evacuating the building.

**Evacuation Procedure**
Follow the instructions on the evacuation route map located near the door in each room. If the room does not have instructions for evacuation, exit via the shortest route to safety. After the “all clear,” and when the senior administrative officer present determines that the evacuated building is safe to re-enter, evacuees will return to their respective areas. Students and staff are to follow the evacuation pattern established for each floor by using the diagram on the evacuation route map located in each room. Should the primary route as indicated by the solid red line be blocked off by smoke or fire, the secondary escape route indicated by the broken red line located on the diagram should be followed. Supervisory personnel should review evacuation procedures with personnel under their supervision. Faculty members should go over the procedures with their students at the beginning of each quarter.

**Evacuation Plan for Handicapped**

**FRED J. GALEHOUSE BUILDING** – Employees, at the time of an evacuation, will take means to get handicapped persons to the front stair landings on the third and fourth floors. Staff will proceed to take students with help from other staff or Fire Department members to the main floor (exterior exits) and exit. If this route is blocked, rescue will be attempted by the Fire Department members from the ground. The staff will be expected to break the glass partition of the window leading to the outside third and fourth floor balconies facing Front Street, enabling the Fire Department to rescue the handicapped over the side with the help of ladders. (NOTE: Glass partition should be broken with a fire extinguisher, chair, trash can or other objects which can be thrown with the purpose of breaking out the glass.)

**MALCOLM J. MCLEOD BUILDING** – Employees, at the time of an evacuation, will take means to get handicapped persons to the west wing (facing river) exterior stair well. They will proceed to take students with help from other staff or Fire Department members to the bottom floor exit. If this route is blocked, rescue will be attempted by the Fire Department with aerial ladders from the ground. (NOTE: The Fire Department will be expected to break the glass partition inward from the outside of the balconies enabling the Fire Department to help students from outside. This will prevent glass from falling on students going outside at the ground floor exit.) Evacuation plans for handicapped are also posted in each classroom.

### 10.3 Other Safety Measures

#### 10.3.1 Safety

All faculty and staff members are expected to evaluate the safety of areas which they use. Safety glasses must be worn in areas where danger to the eyes exists; this is required by law. Appropriate shoes must be worn at all times while on school premises. All shop and lab instructors are responsible for assuring that safe work habits are taught and followed at all times while shop or lab classes are in progress. Any unsafe situations should be brought to the attention of the Chairman of the Safety Committee, the Vice President for Instructional Services, the Senior Vice President for Business and Institutional Services, or the Campus Police Chief. SAFETY IS EVERYBODY’S BUSINESS!

#### 10.3.2 Adverse Weather

The decision to cancel any portion or all of Cape Fear Community College classes due to inclement weather or other emergencies is the responsibility of the President or his designated
representative. Announcements will be made on local television and radio stations at the earliest possible time once a decision is made to cancel or close. Days missed due to cancellation and/or closing will be designated with pay for staff and faculty. Efforts to make up classes will be made during the semester in which they are missed. In the event the schedule will not permit this, the Board of Trustees may choose to excuse those days when such is requested by the President.

10.3.3 First Aid Information
Health services at Cape Fear Community College are limited to the provision of first aid kits, health counseling and health records (reports on injuries). Medical histories are required in four programs at CFCC and the medical information is available only to appropriate personnel. The Dean of Student Development has the responsibility for health services. First aid treatment is available on campus for minor injuries. Treatment for more serious injuries can be obtained from the local rescue squad and hospitals. The counseling staff provides limited health counseling for students.

10.3.4 Security Guards
Security guards are on duty when school is in session and at special events when school is not in session.

10.3.5 CPR Policy
All students, faculty and support staff involved in the direct provision of patient care must be currently certified in basic life support, including cardiopulmonary resuscitation.

APPENDIX A – Faculty Association Constitution

APPENDIX A
FACULTY ASSOCIATION
CAPE FEAR COMMUNITY COLLEGE

CONSTITUTION

ARTICLE I
Name
Section The official title of this organization shall be the CAPE FEAR COMMUNITY COLLEGE FACULTY ASSOCIATION. For the purpose of this Constitution, Bylaws, and general usage, the name FACULTY ASSOCIATION may be used.

ARTICLE II
Membership
Section This organization shall consist of all full-time members of the Faculty. Part-time faculty are invited to join the Faculty Association as non-voting members.

ARTICLE III
Purposes and Objectives
Section To serve as an organization through which members may discuss and interpret matters
1. concerning the Faculty, and to provide assistance and encouragement to fellow members.

Section 2. To involve the Faculty in the affairs of Cape Fear Community College in order to enhance the effectiveness and quality of the College.

Section 3. To participate in planning the educational program and in developing educational policy.

Section 4. To maintain a close working relationship between the Administration and Faculty in contributing to the success of this College in accomplishing its goals and purposes.

ARTICLE IV
Officers

Section 1. The officers of the Faculty Association shall consist of a President, Vice President, Secretary, and Treasurer.

Section 2. The officers will be elected by the Faculty Association to serve for a period of two years.

Section 3. Vacancies in elected offices shall be filled by the President; those officers so appointed will serve until the next bi-annual election.

Section 4. Election to all offices shall be by simple majority of all members voting.

Section 5. If a vacancy occurs in the presidency, the Vice President will assume the presidency until the next scheduled election.

ARTICLE V
Meetings

Section 1. Meetings of the Faculty Association shall be held at least once each quarter during the Fall, Winter, and Spring quarters.

Section 2. Special meetings may be called by the President when desired by the membership or when a need arises.

Section 3. Notice of all meetings shall be delivered to Members at least twenty-four (24) hours in advance.

Section 4. A quorum at all meetings shall consist of eligible persons in attendance.

ARTICLE VI
Fiscal Management
Section 1. Any monies in the possession of the Faculty Association shall be placed on deposit in a checking account.

Section 2. All checks drawn on the account shall be signed by the Treasurer and countersigned by the President.

Section 3. An annual audit shall be made of the Faculty Association’s account.

ARTICLE VII
Amendments

Section 1. Any member may propose an amendment to the Constitution by presentation in writing.

Section 2. The President will cause such proposed amendment to be published to the membership at least ten (10) days prior to a scheduled meeting.

Section 3. The amendment will be adopted at a scheduled meeting with two-thirds of the membership present voting in the affirmative.

ARTICLE VIII
By-Laws

Section 1. By-Laws not in conflict with this Constitution may be adopted at any scheduled meeting by simple majority vote of all members voting.

ARTICLE IX
Ratification

Section 1. This Constitution shall be in full force and effect by the affirmative vote of a simple majority of the members.

BY-LAWS
ARTICLE I
Duties of the Officers

Section 1. The President shall:
Preside at all meetings;
Serve as Chairman of the Executive Committee;
Appoint all ad hoc committees;
Cast the deciding vote in event of tie votes;
Execute or sign documents or reports in the name of the Faculty Association;
Have custody of all official records and documents of the Faculty Association;
Perform such other duties as may be deemed necessary as provided for in the Constitution and By-Laws.

Section 2. The Vice President shall:
2. Serve in the absence of the President;
   Serve as a member of the Executive Committee;
   Perform such other duties as may be assigned or delegated to him by the President.

Section 3. The Secretary shall:
3. Keep an accurate record of the meetings of the Faculty Association;
   Issue notice of all meetings of the Faculty Association to the members and prepare an agenda for those meetings.

Section 4. The Treasurer shall:
4. Retain accounting responsibility for all funds in the possession of the Faculty Association;
   Write and sign checks drawn on the account of the Faculty Association and present such checks to the President for countersigning;
   Render financial reports, when requested, at meetings of the Faculty Association;
   Present accounting books for audit when required.

ARTICLE II
Membership
Section 1. Members are expected to maintain a sincere and active interest in the affairs of the College.

Section 2. A membership fee may be required, the amount of such fee to be set by the membership.

ARTICLE III
Committees
Section 1. The President shall appoint all committees, as necessary, to perform specific functions; committees so appointed will be dissolved when their purpose has been accomplished.

Section 2. The President and Vice President of the Faculty Association and at least two other members shall constitute the Executive Committee. During intervals between regular meetings, the Executive Committee shall have and exercise all powers, privileges, and prerogatives of the Faculty Association to act on emergency business or other matters delegated to it by proper authority. When deemed necessary or when requested by the membership, actions of this committee shall be subject to ratification at the next regular meeting of the Faculty Association. Minutes of all Executive Committee meetings shall be recorded and published.
Section 1. The officers of the Faculty Association shall be elected bi-annually at the last regular meeting during the Spring Quarter of even-numbered years to serve for the following two years.

Section 2. Election of all offices shall be by simple majority of all members voting.

Section 3. When a vacancy occurs, the office shall be filled by presidential appointment; such appointment to be effective only for the duration of the unexpired term.

ARTICLE V
Meetings

Section 1. Meetings shall be held at least once each quarter during the Fall, Winter and Spring Quarters.

Section 2. Special meetings may be called by the President when desired by the membership, or when special circumstances arise.

Section 3. Notice of all meetings shall be published at least twenty-four (24) hours in advance.

Section 4. An agenda shall be published which will indicate items of business to be considered at the scheduled meeting.

Section 5. Items to be included in the agenda shall be submitted in writing to the Secretary of the Faculty Association.

Section 6. Robert’s Rules of Order shall govern in the conduct of all meetings of the Faculty Association and the Executive Committee.

ARTICLE VI
Amendments

Section 1. Any member may propose amendments to these By-Laws by presentation in writing.

Section 2. The President shall cause such proposed amendments to be published to the membership at least ten (10) days prior to a scheduled meeting.

Section 3. The proposed amendment may be adopted at a regularly scheduled meeting with two-thirds of the membership present voting for the amendment.