

MINUTES
CAPE FEAR COMMUNITY COLLEGE
BOARD OF TRUSTEES
MARCH 25, 2021
5:00 PM

Following proper public notifications on March 22 2021, and a determination that a quorum was present, the Cape Fear Community College Board of Trustees met in regular session on Thursday, March 25, at 5:00 pm in the boardroom, Union Station Building. Ms. Patricia Kusek, Chair, presided.

Trustees present were: Ms. Patricia Kusek, Chair; Mr. Jonathan Barfield; Mr. Louis A. Burney, Jr.; Mr. William Cherry; Mr. Robby Collins; Ms. Anne David; Mr. A.D. “Zander” Guy; Mr. Jason McLeod; Mr. Bruce Shell and Ms. PJ Eby, SGA President. Trustees not present: Mr. Jimmy Hopkins; Mr. Bruce Moskowitz; Ms. Mary Lyons Rouse and Ms. Paula Sewell.

Employees present were: Mr. James Morton, President; Ms. Christina Greene, Vice President Business Services; Ms. Michelle Lee, Executive Director President’s Office and Board Liaison; Dr. Jason Chaffin, Vice President for Academic Affairs, SACS Liaison; Ms. Sonya Johnson, Executive Director of Marketing and Communications; Mr. David Kanoy, Executive Director of Capital Projects and Facilities; Debi Causey, Coordinator, Events; Ms. Ann Smith, Director Human Resources; Dr. Eric Brandon, Faculty Association President; Mr. Shane Fernando, Vice President of Advancement and the Arts; Mr. Robert Carter, Manager Technical Support IT; Mr. Antonio Arteaga-Paredes, Sr. Media Technician; Ms. Shonia Burns, Computer Technician; Mr. Tim Fuss, Program Director, Law Enforcement & Criminal Justice; Mr. John Downing, VP of EWD and Ms. Chardon Murray, Sociology Instructor and other employees (see below).

Others present were: Mr. Alex Dale, Attorney Ward & Smith

The meeting was opened with The Pledge of Allegiance to the US Flag.

CONFLICT OF INTEREST

Ms. Kusek read the conflict of interest statement issued by the North Carolina Board of Ethics reminding trustees to declare any conflict of interest or appearance of conflict with respect to any matters coming before the Board on this date and refrain from any undue participation in the particular matter involved.

MINUTES

A MOTION was made by Ms. David and seconded by Mr. Cherry to approve the January 21, 2021, minutes as presented. Motion carried unanimously.

RECOGNITIONS AND INTRODUCTIONS

NEW HIRES

There were no new hires in attendance.

CHAIR'S REPORT

Ms. Kusek presented the following report.

Ethics Training

Public servants must participate in an ethics and lobbying presentation within six (6) months of their election, reelection, appointment, or employment. If you have not satisfied your educational requirements please make arrangements to do so. Ethics Training must be completed every two years.

The list of scheduled upcoming training sessions is listed at <http://www.ethicscommission.nc.gov/eduschedule.htm>. Online Ethics Training is not yet available but Live Webinars are currently being held. Please contact Michelle Lee at 910-362-7777 for details.

SEI Forms

SEI Forms and the SEI No Change form are both available online. These are fillable forms and even offer an electronic submission. Please remember that each Board member must complete this form **every year**. The form is due no later than April 15, 2021. The Commission's website is: <https://www.ethicscommission.nc.gov/sei/blankForm.aspx>

President's Evaluation

The annual evaluation process has started. It is very important that we have 100 percent participation in this process. If you have question or concerns, please contact me or Michelle Lee.

Board Self-Evaluation

The annual Board Self-Evaluation will be mailed with the President's Evaluation form. Please return this document in the same envelope as the President's Evaluation.

Commencement

At this point in time, the College is planning a drive-in Commencement for May, 14, 2021. The stage will be limited to the Chair and Vice-Chair. If you would like to attend, please contact Michelle Lee for additional information.

PRESIDENT'S REPORT

President Morton presented the following report.

CFCC and Lees-McRae College Partner for Guaranteed Admission Program

On Wednesday, March 3, Cape Fear Community College President Jim Morton and Lees-McCrae President Dr. Herbert L. King, Jr. signed an agreement to establish a **Guaranteed Admission Program** (GAP) for qualifying Cape Fear Community College (CFCC) students. The agreement also provides scholarship support for eligible Cape Fear Community College (CFCC) students who transfer to Lees-McRae College (LMC) after completing their associate degrees.

Continuing Education and Basic Skills Accountability and Credibility Plan

In accordance with Cape Fear Community College’s Continuing Education and Basic Skills Accountability and Credibility Plan, fifty (50) percent of all off campus and distance education classes which meet more than 12 hours (excluding self-supporting and community service classes) will be visited by the instructor’s supervisor or a designated representative approved in writing by the senior continuing education administrator each semester. Twenty-five (25) percent of all on-campus classes meeting the above criteria will also be visited and documented each semester. In addition, the senior continuing education administrator will visit a ten (10) percent sample of randomly selected off-campus and distance education classes.

Find listed below the semester summary from Fall 2020 class visits made to classes under the responsibility of the Dean of Continuing Education:

Plan Criteria	Classes Offered	Classes Visited by Sr. Administrator	Plan Requirement	Criteria Met
Classes meeting off campus/distance education	270	50 (19%)	10%	Yes

Plan Criteria	Classes Offered	Classes Visited by Supervisor	Plan Requirement	Criteria Met
Classes meeting on campus	184	111 (60%)	25%	Yes

Plan Criteria	Classes Offered	Classes Visited by Supervisor	Plan Requirement	Criteria Met
Classes meeting off campus/distance education	270	150 (56%)	50%	Yes

**Supervisor class visits for classes meeting the off campus/distance education criteria was not met because the division offered more distance education (online) classes than in previous years; therefore, the division underestimated the number of classes required to be visited.*

A MOTION was made by Mr. Burney and seconded by Mr. Cherry to approve the Continuing Education and Basic Skills Accountability and Credibility Plan as presented. Motion carried unanimously.

Economic and Workforce Development (EWD) Pre-Apprenticeship and Apprenticeship Programs

EWD has been working on establishing Pre-Apprenticeship and Apprenticeship Programs over the last couple of years. Currently EWD offers the following.

Pre-Apprenticeship Programs:

- Electrical Line-worker
- Truck Driving
- Electrical Helper

Apprenticeship Programs:

- Electrical (17 participating employers)
- Plumbing and Pipe-Fitting (2 participating employers)
- Fire Alarm Systems (1 participating employer)
- Pursuing Air Conditioning, Heating and Refrigeration

Career and Technical Education (CTE) Pre-Apprenticeship and Apprenticeship Programs

CTE is currently pursuing the establishment of Pre-Apprenticeship and Apprenticeship programs in the following.

Apprenticeship Programs:

- Automotive Systems Technology
- Welding Technology
- Diesel and Heavy Equipment Technology
- Air Conditioning, Heating and Refrigeration Technology

Pre-Apprenticeship Programs:

In addition, CTE is working on establishing Pre-Apprenticeships associated with the above programs through our Career College Promise (CCP) classes.

NC Apprenticeship NC Outstanding Award

Cape Fear Community College Electrical Lineworker Pre-Apprenticeship Program has been selected to receive an award for best practices at the ApprenticeshipNC Conference in April. Nominees for the ApprenticeshipNC conference awards are an asset to their workplace and truly represent the best practices of the Apprenticeship model in North Carolina.

CFCC PARTNERS WITH UNC PEMBROKE

Cape Fear Community College recently signed an articulation agreement with the University of North Carolina at Pembroke to provide a pathway for CFCC's Criminal Justice Technology students to further their education in the criminal justice field. The articulation agreement makes it possible for students who successfully complete the required hours for the Associate in Applied Science in Criminal Justice Technology at CFCC to transfer their credits to UNC Pembroke's Bachelor of Arts in Criminal Justice program.

CFCC Small Business Center

The Cape Fear Community College Small Business Center, in partnership with the North Carolina Department of Revenue, offered two no-cost Sales and Use Tax webinars in Spanish on March 15.

VIRTUAL INFORMATION SESSIONS

Cape Fear Community College will host a series of virtual information sessions about its Career and College Promise program for interested private high school and homeschool students and their parents beginning February 25, 2021.

CFCC Designated 2021-2022 Military Friendly® School

Cape Fear Community College is honored to be designated a Military Friendly School for 2021-2022.

Wilson Center Gift

The Wilson Center at Cape Fear Community College marked its fifth year beginning in October of 2020. The Wilson Center recently received a unique and special gift to celebrate this milestone – a sculpture by renowned artist and activist Dorothy Gillespie. CFCC is thrilled to accept the sculpture which will be on display in the lobby.

Insights Article

President Morton provided an article for the WilmingtonBiz Insights regarding completion of Free Application for Federal Student Aid (FAFSA). CFCC is working hard educate students and their parents regarding the importance of filling out the FAFSA form.

Marketing

Digital billboards promoting Adult High School, General Education Diplomas and FAFSA are currently running.

Currently the College is engaged in a FAFSA application marketing campaign to promote FAFSA completions by high school seniors in New Hanover and Pender Counties. This campaign is in partnership with MyFutureNC. Both New Hanover and Pender County school systems have pledged their participation.

Nursing Programs

We are proud to announce that the CFCC ADN and LPN Programs have both been rated #1 in North Carolina by Nursing Schools Almanac for 2021.

Advertising and Graphic Design Program

CFCC's Advertising and Graphic Design curriculum will begin in the fall and emphasize the principles and practices of design, advertising, illustration, and digital and multimedia preparation of printed and electronic promotional materials that will prepare students for employment in the growing field or continued study.

CFCC plans to collaborate with UNCW to develop a local articulation agreement so that CFCC’s Advertising and Graphic Design graduates can transfer credits to UNCW’s Digital Arts program.

Phi Theta Kappa

CFCC’s chapter received 13 engagement recognitions and 15 awards at the Phi Theta Kappa Virtual Regional Convention. Congratulations to all!

Surf City Youth Academy

The Surf City Center is offering a youth academy this summer. Students 11 years and older may attend by themselves or with a parent or entire family. Please visit <https://cfcc.edu/continuing-education/surf-city-center-summer-youth-academy/> for more information.

Paragon Award – Community Relations

On March 17, CFCC won the 2020 Bronze Paragon Award for our website redesign from NCMPR, the National Council for Marketing and Public Relations. NCMPR’s prestigious Paragon Awards recognize outstanding achievement in design and communication at community and technical colleges. It’s the only national competition of its kind that honors excellence exclusively among marketing and public relations professionals at two-year colleges.

Projected FTE

President Morton stated that out of the 58 community colleges in North Carolina, CFCC is one of the 2 institutions that is projected to be up in FTE. Thank you to everyone who worked hard to make this happen.

FACILITIES & EQUIPMENT COMMITTEE

President Morton presented the following reports.

Annual County Funded Projects

Pender County Capital Outlay Projects 2020-2021 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget	Remaining	Status and Estimated Completion Date
1	Burgaw Center BC & BD Economic & Workforce Development - Add Parking Lot	\$16,000.00		\$6,000.00	\$22,000.00	\$168,000.00	\$146,000.00	Design completed, permitting and Storm water review ongoing.

NC Connect Bonds

Connect NC Bond Projects - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget NC Connect & County Funds	Remaining	Status
2	CFCC " K Building Collision Repair & Refinishing Technology Renovation	\$146,570.00	\$540,708.93	\$33,935.90	\$721,214.83	\$744,175.13	\$22,960.30	Project complete and occupied, contract closeout procedures ongoing.
4	Buildings "A,S,N" 411 N. Front St. Repair & Renovation Projects	\$338,141.02	\$4,096,187.00	\$448,405.98	\$4,882,734.00	\$4,882,734.00	\$0.00	Work started 1/4/21, contract completion date 10/1/21.

Lineman Training Facility

EDA Grant Lineman Training Facility Project - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget Federal Grant and CFCC Other Funds	Remaining	Status
1	CFCC N. Campus Electric Lineworker Overhead and Underground Training Facility	\$90,500.00		\$8,455.00	\$98,955.00	\$791,760.00	\$692,805.00	Construction documents submitted to SCO on 3/3/2021, review pending.

Wilson Center Multi-Purpose Addition

WA Building - Wilson Center Multipurpose Addition Project - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget	Remaining	Status
1	WA Building - Wilson Center Multipurpose Addition					\$1,250,000.00	\$1,250,000.00	Design solicitation complete, executing contract with top scored firm.

Rental Rates Update – Wilson Center

The following are updates to the Wilson Center Rental Rates for the 2021-2022 Season that will apply to any events contracted after March 1, 2021:

- Facility Fee: clarification that web sales incur a 15.5% fee (vs. the 11% fee for in-person/phone purchases)
- Consignment Ticket Fee: previously \$4 per ticket, upgrading to \$5 per ticket
- Unauthorized Ticket Sale Penalty: previously did not exist, now will charge up to \$5 per ticket for any ticket sales not approved or coordinated by the Wilson Center Ticket Central Box Office (fees could amount to \$7500)
- Clarification on labor policy: the 1-hour meal break must occur between the 3rd and 5th hour of work, renter must provide food and 30 min break if 1-hour break cannot be provided
- Camera & Livestream package: previously did not have the equipment, will charge \$2250 for full package (includes three 4K cameras and one switcher, camera crew, an HD 1080p stream of the event, coordination/set up, and more)

A MOTION was made by Ms. David and seconded by Mr. Barfield to approve the Wilson Center Rental Fee’s Update as presented. Motion carried unanimously.

A MOTION was made by Mr. Guy and seconded by Mr. McLeod to go into closed session, North Carolina General Statute Section 143-318-11(a)(5) to discuss real estate. Motion carried unanimously.

The board returned to open session, no action was taken.

FINANCE COMMITTEE

State Budget Revision

A MOTION was made by Mr. Guy and seconded by Mr. McLeod to approve the State Budget Revision for an increase of \$476,116. Motion carried unanimously.

State Budget Summary

The State Budget Summary reported 61.96 percent of the budget had been expended as of February 2021.

County Budget Summary

The County Budget Summary reported 68.98 percent of the budget had been expended as of February 2021.

Institutional Funds Update

Mr. Morton reviewed the February, 2021 report. No items were of concern at this time.

ADMINISTRATIVE & PERSONNEL COMMITTEE

Mr. Guy reviewed the following policies as presented.

Sick Leave Update

5.9.1 Sick Leave

Sick Leave Credits – Sick leave credits are provided for regular full-time, regular part-time (halftime or over), and temporary full-time 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 and in instances where an employee may have a demonstrated pattern of frequent absences, the College may require a medical certification/note from a medical doctor or other acceptable proof that confirms the employee was unable to work due to personal illness, family illness or death in the family. The verification requirement is at the discretion of the supervisor in consultation with Human Resources.

For any absence of three (3) or more consecutive workdays, the employee may be asked 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 a return to work certification from his or her health care provider before being allowed to 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 pregnancy or recovery there from. 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 an employee's immediate family member (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). **Three days of sick leave can be taken in the event of the death of an employee's immediate family member (as listed previously). If more than 3 days are required, additional sick leave may be requested by contacting Human Resources. Additional sick leave requests will be assessed on a case-by-case basis.**

Sick Leave Transferable **Full-time CFCC personnel who were previously employed by another North Carolina agency covered under the provisions of North Carolina General Statute 135 may transfer to CFCC any unused sick leave earned at the other agency. Employees terminating employment at CFCC may transfer unused sick leave to the new employing agency in accordance with the agency's policies and procedures.**

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 or time-limited full-time 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:

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

Examples:

$\frac{1 \text{ hour absent}}{4 \text{ hours scheduled}} \times 8 \text{ hours} = 2 \text{ hours charged}$

$\frac{2 \text{ hours absent}}{6 \text{ hours scheduled}} \times 8 \text{ hours} = 3 \text{ hours charged}$

$\frac{\text{absent full day}}{5 \text{ hours scheduled}} \times 8 \text{ hours} = 8 \text{ hours charged}$

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.

Unused sick leave is considered creditable service in the NC Retirement System. Therefore, upon notification of retirement, employees are asked to limit use of any sick leave to only extenuating circumstances. The unused sick leave balance is a component of the calculation for an employees' final retirement benefit.

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. Records may be viewed by employees on [WebAdvisor or CFCC’s time and leave tracking system](#).

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 requests must be submitted to the supervisor for approval in advance of taking vacation leave. Vacation leave requests should be submitted to the supervisor in a timely manner to ensure adequate time for review of the request and necessary planning for work to be completed during the period of employee’s vacation leave. The approval of vacation leave requests are at the discretion of the supervisor, division head, or the President.

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 an employee to provide a written explanation and request for leave without pay to the President for approval.

Scheduling Leave – Vacation leave shall be taken only upon authorization by the employee’s supervisor, division head, or the President. The College will try to consider employees’ preferences and accommodate their 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 regular full-time, time-limited 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 regular part-time employees shall be computed as a percentage of total amounts provided to a regular full-time employee.

Total Years of State Service	Hours Granted Each Month	Days Granted Each Year
Less than 5	9.34	14
5 but less than 10	11.34	17
10 but less than 15	13.34	20
15 but less than 20	15.34	23
20 years or more	17.34	26

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 regular 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 any 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 performed Monday through Friday. 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

Compensatory leave is earned only after a non-exempt employee has worked 40 hours during the workweek from 6AM Monday through 6AM the following Monday. Use of vacation, bonus, sick leave, furloughs, compensatory leave, holidays, inclement weather days or use of any other leave plan are not considered as time worked and are therefore not included in the computation of compensatory leave.

The following provisions apply to Overtime Compensatory Time:

- Overtime compensatory time may be accumulated up to a maximum of 240 hours (160 hours straight time). Any overtime worked above this amount shall be paid in the employee's next regular paycheck.
- Overtime compensatory time off cannot be denied to an employee unless the compensatory time off will unduly disrupt agency operations.
- Overtime compensatory time shall be taken before any vacation or bonus leave (exceptions may be made for retirees in final month prior to retirement).

- It is the employee's responsibility to take compensatory leave as soon as possible after it has been earned. Overtime compensatory time off not taken within 365 days of being earned will be paid out in the next paycheck.
- If an employee separates before taking overtime compensatory time, it shall be paid in a lump sum along with unused vacation.
- If an employee changes status to an Exempt-FLSA position, overtime compensatory time shall be paid in the next regular pay period after the effective date of the status change.

Scheduling Compensatory Leave

Employees should make every effort to take all compensatory time off before the end of the pay period in which overtime is worked or within the next pay period.

To schedule compensatory leave, an employee must enter the leave request through the College's time and leave tracking system. The employee's request will be routed to their supervisor for approval and 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 compensatory hours earned to the extent that such hours exceed the maximum of 240 hours of compensatory time that may be accrued under this policy.
- Employees will be paid for all overtime compensatory hours earned if not taken within 356 days per the stipulations under this policy referenced above.

- 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.

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the Sick Leave Policy updates as presented. Motion carried unanimously.

Voluntary Shared Leave Program Update

5.9.10 Voluntary Shared Leave Program

Purpose

The purpose of the Voluntary Shared Leave Program is to allow an employee to donate leave, as outlined in this policy, to an employee who has been approved to receive leave through the Voluntary Shared Leave Program because of a medical condition of the employee or of a member of the employee's immediate family that will require the employee's absence for a prolonged period of time.

Policy

- a) In cases of a prolonged medical condition, an employee may apply for or be nominated to become a recipient of leave transferred from the vacation leave account of another employee, from the sick leave or vacation account of an immediate family member as defined in section (c)(8) of this Subchapter or from the sick leave account of a non-family member as provided in (c)(11)(B) of this Rule. For purposes of this Rule, 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 absences for the same condition that has caused the employee to not have enough leave to cover the new need for leave or if the employee has had a previous, but different, prolonged medical condition within the last 12 months, the college may waive the requirement that the employee be absent from duty for a period of 20 consecutive workdays to participate in the program.
- 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 the voluntary shared leave program shall be limited to 1,040 hours, (prorated for 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 the voluntary shared leave program. Use of donated leave under the workers' compensation program shall be limited to use with the supplemental leave schedule as described in 25 NCAC 01E .0707.

- 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 as determined by the college president or the college president’s designee. 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 Rule and must be applied consistently and equitably.
- g) For purposes of this Section, immediate family means:
 - (I) Spouse: A husband or wife; (II) Parent:
 - (i) a biological or adoptive parent; or
 - (ii) an individual who stood in loco parentis (a person who is in the position or place of a parent) to an employee when the employee was a child; or
 - (iii) a step-parent; or
 - (iv) in-law relationships;
 - (IV) Child: A son or daughter who is:
 - (i) a biological child; or
 - (ii) an adopted child; or
 - (iii) a foster child (a child for whom the employee performs the duties of a parent as if it were the employee's child); or
 - (iv) step-child (a child of the employee's spouse from a former marriage); or
 - (v) a legal ward (a minor child placed by the court under the care of a guardian); or
 - (vi) a child of an employee standing in loco parentis; or
 - (vii) in-law relationships;
 - (V) Sister or brother - biological, adoptive (including step-, half- or in-law relationships);
 - (VI) Grandparents, great grandparents, grandchildren, great grandchildren (including step relationships); and
 - (VII) Other dependents living in the employee's household.

Administration

The Human Resources department will handle administration of the voluntary shared leave program. The President or his/her designee will approve shared leave donations on a case-by-case basis. A leave “bank” for use by unnamed employees is not an established practice. Leave shall be donated on a one-to-one personal basis.

Qualifying to Participate in Voluntary Shared Leave Program

To participate in the Voluntary Shared Leave Program, an employee shall meet the following conditions:

1. A donor or recipient shall have a half-time or more permanent, probationary, or time-limited appointment (The limitation and leave balance for permanent part-time employees shall be prorated);
2. A recipient shall apply or be nominated by a fellow employee to participate in the program;
3. A recipient shall produce medical evidence to support the need for leave beyond the available accumulated leave; and
4. The parent college shall review the merits of the request and approve or disapprove according to these Rules.

Donor Guidelines

1. An employee of a community college may donate vacation leave, bonus leave or sick leave to an immediate family member in any State agency, public school or community college. An employee of a community college may donate vacation or bonus leave to a coworker's immediate family member who is an employee in a state agency or public school provided the employee and coworker are at the same college. An employee may donate vacation, bonus, or sick leave to another employee at a community college in accordance with the provisions of (c)(11)(B) of this Rule.
2. An employee of a community college may donate up to five days of sick leave to a non-immediate family member employee of a community college. The combined total of sick leave donated to a recipient from non-immediate family member donors shall not exceed 20 days per year as defined by local college policy. Donated sick leave shall not be used for retirement purposes. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave.
3. The minimum amount of sick leave or vacation leave to be donated is four hours. An employee family member donating sick leave to a qualified immediate 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.
4. 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. Bonus leave may be donated without regard to this limitation.
5. 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. The donation of leave is confidential, and only those individuals authorized under G.S. 115D-29 to access employee personnel file information may view donation information consistent with G.S. 115D-29. Recipients of voluntary shared leave shall not have access to information about individuals who donated leave. The employee donating leave shall 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. The community college may establish a specific time period during which leave can be donated.
2. All leave donated shall be credited to the recipient's sick leave account and is available for use on a current basis or may be retroactive for up to 60 calendar days to substitute for advanced vacation or sick leave already granted to the recipient or to substitute for leave without pay. Donated leave shall be applied to advanced leave before applying it to leave without pay.
3. At the expiration of the medical condition, as determined by the community college, 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 part-time employees).
 - b. Any additional unused donated leave shall be returned to active (working or on leave without pay) donor(s) on a pro rata basis and credited to the leave account from which it was donated.
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 active donor(s) on a pro rata basis.

The Community College Laws of North Carolina do not permit community college employees to donate sick leave to other non-family member community college employees or state workers.

Leave shall not be allowed to be banked for future use. All Shared Leave must be assigned to an individual qualifying for Shared Leave at the time of the donation.

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the Voluntary Shared Leave Policy as presented. Motion carried unanimously.

Tobacco-Free Campus Update

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 vehicles that are the property of the college;
- at lectures, conferences, meetings, athletic, social and cultural events held on college property.;

- except at a specific location(s) on the North Campus, **Surf City and Burgaw Centers** as approved by the College President due to unsafe conditions going off-campus.

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;

- a. Events sponsored by tobacco companies and/or allowing the on-campus distribution of free, reduced-price, or fully priced tobacco products or
- b. products that advertise or promote tobacco use (T-shirts, hats, etc.)
- c. All tobacco advertising, such as billboards and signs in all campus buildings,
- d. facilities or property owned, leased and operated by Cape Fear Community
- e. 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 Development 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 of Student Development.²

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the Tobacco-Free Campus Policy updates as presented. Motion carried unanimously.

Title IX Discrimination and Sexual Harassment Policy Update

In compliance with the Department of Education, and as required by Title IX of the Education Amendments Act of 1972: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

DEPARTMENT OF EDUCATION

AGENCY: Office for Civil Rights, Department of Education.

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

ACTION: Final rule.

<https://www2.ed.gov/about/offices/list/ocr/docs/titleix-regs-unofficial.pdf>

SUMMARY: *The Secretary of Education amends the regulations implementing Title IX of the Education Amendments of 1972 (Title IX). The final regulations specify how recipients of Federal financial assistance covered by Title IX, including elementary and secondary schools as well as postsecondary institutions, (hereinafter collectively referred to as “recipients” or “schools”), must respond to allegations of sexual harassment consistent with Title IX’s prohibition against sex discrimination. These regulations are intended to effectuate Title IX’s prohibition against sex discrimination by requiring recipients to address sexual harassment as a form of sex discrimination in education programs or activities. The final regulations obligate recipients to respond promptly and supportively to persons alleged to be victimized by sexual harassment, resolve allegations of sexual harassment promptly and accurately under a predictable, fair grievance process that provides due process protections to alleged victims and alleged perpetrators of sexual harassment, and effectively implement remedies for victims. The 2 final regulations also clarify and modify Title IX regulatory requirements regarding remedies the Department may impose on recipients for Title IX violations, the intersection between Title IX, Constitutional protections, and other laws, the designation by each recipient of a Title IX Coordinator to address sex discrimination including sexual harassment, the dissemination of a recipient’s non-discrimination policy and contact information for a Title IX Coordinator, the adoption by recipients of grievance procedures and a grievance process, how a recipient may claim a religious exemption, and prohibition of retaliation for exercise of rights under Title IX.*

DATES: These regulations are effective August 14, 2020

For more information related to all revisions please refer to the Federal Register.

34 CFR Part 106

Docket ID ED-2018-OCR-0064

RIN 1870-AA14

NON-DISCRIMINATION AND HARASSMENT POLICY & PROCEDURES

Cape Fear Community College, its faculty and staff, and the Board of Trustees are fully committed to the principles and practice of equal employment and educational opportunities. The College does not discriminate against applicants, students, or employees in any programs and activities provided on the basis of race, color, national origin, sex (including pregnancy and sexual orientation), gender (including gender identity and status as a transgender or transsexual individual), disability, religion, age, genetic information, veteran status or any other protected status as required by Title IX of the Educational Amendments of 1972, Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964 and any other applicable statutes and CFCC policies.

This statement applies to all students and employees at Cape Fear Community College. The Dean of Student Affairs serves as CFCC's Title IX Coordinator and has primary responsibility for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of the College, as well as any other protected status as delineated above and retaliation for the purpose of interfering with any right or privilege.

CFCC Board of Trustees, Approved, July 30, 2020

DEFINITIONS

The following definitions shall apply to this procedure and shall be collectively referred to herein as "Discrimination". The definitions are not intended to operate as speech codes, promote content and viewpoint discrimination or suppress individual viewpoints in the academic setting. Indeed, just because a student's or employee's speech or expression is deemed offensive by others, it does not mean it constitutes discrimination or harassment. In applying these definitions, College administrators shall view the speech or expression in its context and totality.

Discrimination: any act or failure to act that unreasonably differentiates treatment of others based solely on their protected status and is sufficiently serious, based on the perspective of a reasonable person, to unreasonably interfere with or limit the ability of that individual to participate in, access or benefit from the College's programs and activities. Discrimination may be intentional or unintentional.

Harassment: a type of discrimination that happens when verbal, physical, electronic or other behavior based on a person's protected status interferes with a person's participation in the College's programs and activities and it either creates an environment that a reasonable person would find hostile, intimidated or abusive or where submitting to or rejecting the conduct is used as the basis for decisions that affect the person's participation in the College's programs and activities. Harassment may include, but is not limited to: threatening or intimidating conduct directed at another because of the individual's protected status; ethnic slurs, negative stereotypes and hostile acts based on an individual's protected status.

Protected Status: race, color, national origin, sex, religion, pregnancy, disability, genetic information, age, political affiliation or veterans' status.

Standard of Evidence - the College uses the "preponderance of evidence standard", or "more likely than not", as the standard for proof of whether a violation occurred. In the student due process hearing and employee grievance process, legal terms like "guilt," "innocence" and "burden of proof" are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The College will find the alleged perpetrator, or respondent, either "responsible" or "not responsible" for violating College policies and procedures.

If the aforementioned conduct is viewed by a reasonable person and/or complainant to be so "**severe, pervasive, and objectively offensive**" that it effectively denies a person equal access to CFCC's educational programs or activities, it will then be determined by the Title IX Coordinator whether the behavior constitutes "Sexual Harassment".

For formal complaints related to allegations of sexual harassment, including *quid pro quo*, sexual assault, dating violence, domestic violence, and/or stalking, please refer to "**CFCC's Sexual Harassment Policy and Procedures**".

STATEMENTS OF PROHIBITION

Prohibition of Retaliation.

The College strictly prohibits punishing students or employees for asserting their rights to be free from Discrimination. Retaliation against any person participating in connection with a complaint of Discrimination is strictly prohibited. Reports of retaliation will be addressed through this procedure and/or other applicable College procedures. Retaliation includes, but is not limited to, any form of intimidation, punitive actions from authority figures or peers, reprisal (acts of vengeance) or harassment. Retaliation is a serious violation and should be reported immediately. The College will take appropriate disciplinary action against any employee or student found to have retaliated against another.

Prohibition of Providing False Information.

Any individual who knowingly files a false report or complaint, who knowingly provides false information to College officials, or who intentionally misleads College officials involved in the investigation or resolution of a complaint may be subject to disciplinary action including, but not limited to expulsion or employment termination. The College recognizes that an allegation made in good faith will not be considered false when the evidence does not confirm the allegation(s) of Discrimination.

REQUESTING ACCOMMODATIONS

Students and employees with disabilities wishing to make a request for reasonable accommodations, auxiliary communication aids or services, or materials in alternative accessible formats should contact the College's Disability Support Services or Human Resources. Information provided by individuals is voluntary and strict confidentiality is maintained. All requests for accommodations will be considered following the appropriate state and federal laws. The College will also provide reasonable accommodation of an individual's religious beliefs/practices provided such expression/practice does not create a hostile environment for other students and employees and/or the accommodation does not cause an undue hardship for the College.

REPORTING OPTIONS

Any student wishing to make a report relating to Discrimination may do so by reporting the concern to the Dean of Student Affairs. For Discrimination incidents between students and employees, the Dean of Student Affairs will work in partnership with the Executive Director of Human Resources, or designee, to investigate and resolve the allegations.

Any employee wishing to make a report relating to Discrimination may do so by reporting the concern to CFCC Human Resources.

INITIAL INVESTIGATION

As these Procedures apply to both students and employees as either the Complainant or the Respondent, the administrator receiving the incident report will determine if the case should be handled by: 1) the Dean of Student Affairs, or designee (student/student); 2) the Executive Director of Human Resources, or designee (employee/employee); or 3) both (student/employee). For incidents involving students and employees, the College will utilize due process and grievance procedures as applicable.

- Individuals ("Complainants") are urged to do so in writing as soon as possible, but no later than thirty (30) days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the thirty (30) day period will still be investigated, however, Complainants should recognize that delays in reporting may significantly impair the ability of College officials to investigate and respond to such complaints. As stated any complaint involving a student and employee, the Dean of Student Affairs will collaborate with the College's Executive Director of

Human Resources, or designee. During the course of the investigation, consultation may be required with other relevant College administrators and the College attorney, if appropriate.

- During the investigation, and if applicable to the complaint, the Dean of Student Affairs and/or the Executive Director of Human Resources, shall meet with the Complainant and the alleged Respondent separately and give each party an equal opportunity to provide evidence, including potential witnesses. Both parties will be given access to any information provided by the other in accordance with any state or federal confidentiality laws.
- During the investigation process, the Dean of Student Affairs and/or the Executive Director of Human Resources, may implement temporary measures in order to facilitate an efficient and thorough investigation process as well as to protect the rights of all parties involved. The temporary actions or supportive measures include, but are not limited to: reassignment of class schedules or work assignments; temporary removal from campus; “no contact” agreements; if such action is the best interest of the College and parties involved.
- As appropriate, a confidential file regarding the complaint shall be maintained by the Dean of Student Affairs and/or the Executive Director of Human Resources. To the extent possible, the College will keep all information relating to the complaint and investigations confidential; however, to maintain compliance with the Clery Act, both parties will be informed of the outcome of any institutional proceedings under these procedures.
- The Dean of Student Affairs and/or the Executive Director of Human Resources shall make every effort to conclude the investigation as soon as possible, but no later than thirty (30) calendar days. If the nature of the investigation requires additional time, all parties involved will be notified of this extension.
- Complainants will be notified of available counseling services and other interim supportive or protective as needed.

RECOMMENDATION AND APPEAL

After the investigation is complete, the Dean of Student Affairs and/or the Executive Director of Human Resources, will put forward a recommendation of finding, based on the standard of evidence, and sanction(s) to both the Complainant and Respondent. If the recommendation is accepted by both parties involved, the recommendation and sanction(s) will become effective. The Dean of Student Affairs and/or the Executive Director of Human Resources will submit to each party a final outcome letter that will include, but not limited to, the following:

- A. Determination if the respondent is responsible, or not responsible, for violating these Policies and Procedures;
- B. Sanction(s) if appropriate;
- C. Monitoring of academic or work schedules if needed between the involved;
- D. Short-term College counseling services available to each party.

If the Dean of Student Affairs and/or the Executive Director of Human Resources recommendations are not accepted by either the Complainant or the Respondent, both may appeal and request a formal hearing. If the Dean of Student Affairs and/or the Executive Director of Human Resources recommends sanctions that s/he cannot impose (i.e., suspension, expulsion/termination), the matter shall automatically be set for a hearing. The Complainant and the Respondent are allowed to be accompanied by an advocate. The

advocate may not present on behalf of either party unless otherwise instructed to do so by the hearing officer. If the Complainant or the Respondent chooses to have an advocate who is an attorney, notification must be provided to the hearing officer at least three (3) College business days prior to the hearing date. In this case, the College Attorney will also be present.

SANCTIONS

The following sanctions may be imposed for those who have violated these Policy and Procedures herein.

For Students:

Conduct Warning (verbal or written)
Conduct Probation
Administrative withdrawal / Interim Conduct Suspension
Required Counseling
“No Contact Agreement”
Conduct Suspension
Expulsion
Other consequences as deemed appropriate

For Employees:

Verbal or Written Warning
Performance Improvement Plan
Required Counseling
Required Training or Education
Demotion
Suspend with or without Pay
Termination
Other consequences as deemed appropriate

Any student complaint or inquiries concerning discrimination or harassment may be reported to the Dean of Student Affairs. For more information, please refer to the CFCC Student Handbook, *Student Expectations, Rights and Responsibilities*.

Any employee complaint or inquiries concerning discrimination or harassment may be reported to CFCC Human Resources. For more information, please refer to the CFCC Faculty and Staff Handbook, *5.11, Disciplinary and Grievance Policies and Procedures*.

TITLE IX SEXUAL HARASSMENT POLICY & PROCEDURES

INFORMATION

Cape Fear Community College (CFCC) is committed to providing a safe learning and working environment that promotes respect, responsibility, and accountability that is free of sexual misconduct, including discrimination, harassment, and/or sexual harassment. All forms violate an individual’s fundamental right to CFCC’s educational programs and activities.

In compliance with, and as required by Title IX of the Education Amendments Act of 1972: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Under Title IX, “sexual harassment” includes *quid pro quo* harassment; sexual assault, dating or domestic violence; and stalking (collectively referred to as "sexual harassment"). If the unwelcome conduct is viewed by a reasonable person and/or complainant to be so “severe, pervasive, and objectively offensive” that it effectively denies a person equal access to CFCC’s educational programs or activities, then it will be determined by the Title IX Coordinator whether the behavior constitutes as “Sexual Harassment” under CFCC’s Sexual Harassment Policy and Procedures. The College’s Title IX Coordinator has oversight responsibility for handling sexual harassment complaints and for identifying and addressing any patterns and/or systemic problems involving sexual discrimination or harassment.

CFCC considers discrimination and sexual harassment in all its forms to be a serious offense (Title 20 U.S.C. Sections 1681-1688). CFCC has a responsibility to ensure compliance by demonstrating that our educational programs and other activities are operated in a manner consistent with Title IX mandates, regulations and provisions. In response, Cape Fear Community College offers training on awareness and prevention efforts on an annual basis to its student body, and employees alike, to ensure proper guidance and ultimately to provide a safe and healthy learning and working environment.

All allegations involving sexual harassment should be directed to the College’s Title IX Coordinator and addressed under these procedures. For complaints related to allegations of discrimination and harassment, not related to sexual harassment, please refer to CFCC’s **Non-Discrimination and Harassment Policy and Procedures**.

I. DEFINITIONS

The following definitions shall apply to this procedure. The definitions are not intended to operate as speech codes, promote content and viewpoint discrimination or suppress individual viewpoints in the academic setting. Indeed, just because a student’s speech or expression is deemed offensive by others does not mean it constitutes discrimination or harassment. In applying these definitions, College administrators shall view the speech or expression in its context and totality. In the student due process hearing and employee grievance process, legal terms like “guilt,” “innocence” and “burden of proof” are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. Under these proceedings, the college will adjudicate and resolve complaints either through informal resolution, or determine and initiate a formal complaint. The College will find the alleged perpetrator, or respondent, either “responsible” or “not responsible” for violating College policies and procedures. The College will apply the “preponderance of evidence standard”, or “more likely than not”, as the standard for proof of whether a violation occurred.

- A. **Actual Knowledge** - “notice” of sexual harassment or allegations of sexual harassment to the CFCC Title IX Coordinator. Actual knowledge, or notice, is not met or satisfied, when only the individual with actual knowledge is the Respondent.
- B. **Advisor** - a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- C. **Complainant** - an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

- D. Consent** - explicit approval to engage in sexual activity demonstrated by clear actions or words. This decision must be made freely and actively by all participants. Non-verbal communication, silence, passivity or lack of active resistance does not imply consent. In addition, previous participation in sexual activity does not indicate current consent to participate and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent has not been obtained in situations where the individual: i) is forced, pressured, manipulated or has reasonable fear that they will be injured if they do not submit to the act; ii) is incapable of giving consent or is prevented from resisting due to physical or mental incapacity (including being under the influence of drugs or alcohol); or iii) has a mental or physical disability which inhibits his/her ability to give consent to sexual activity.
- E. Dating Violence** - as defined in 34 U.S.C. § 12291(a)(10): violence committed by a person—(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship;
- F. Day** - a business day, unless otherwise specified.
- G. Decision-maker (Hearing Officer)** - those who have decision-making and sanctioning authority within the College’s formal grievance process.
- H. Domestic Violence** - as defined in 34 U.S.C. § 12291(a)(8): felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction; or
- I. Education Program or Activity** - for purposes of these Policy and Procedures, this means any locations, events, or circumstances over which the College exercised substantial control over both the Respondent(s) and the context in which the alleged sexual harassment occurs. It also means any building owned or controlled by a student organization that is officially recognized by the College.
- J. FERPA** - is the Family Educational Rights and Privacy Act, a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 C.F.R. § 99. FERPA protects the privacy of student Education Records. FERPA grants to eligible students the right to access, inspect, and review Education Records, the right to challenge the content of Education Records, and the right to consent to the disclosure of Education Records. “Education Record” has the meaning assigned to it under FERPA.
- K. Formal Complaint** - a written document filed by a Complainant, or signed by the Title IX Coordinator, alleging sexual harassment against a Respondent and requesting the College to investigate the allegation(s). A formal complaint initiates a formal grievance process in which parties are entitled to due process protections.
- L. Informal Resolution** – a resolution reached regarding an allegation of sexual discrimination or harassment without the filing of a Formal Complaint, or when the Title IX Coordinator determines

that the alleged complaint would not constitute as Sexual Harassment as defined in this Policy and/or Title IX. Informal Resolution may include mediation, dialogue, counseling, restorative justice, or other models of alternative dispute resolution. Informal Resolution cannot be used for a student's allegation of sexual harassment against a College employee.

- M. Investigator** - the person, or persons, charged by the College with gathering facts about an alleged violation of this policy, assessing relevance and credibility, reviewing the corroborating evidence, and compiling this information into an investigation report.
- N. Notice** - an employee, student, or third-party whom informs (see "Reporting to College Officials") the Title IX Coordinator of an alleged occurrence of discrimination or sexual harassment as defined herein.
- O. Respondent** - an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- P. Retaliation** - to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.
- Q. Sexual Assault** - as defined in 20 U.S.C. § 1092(f)(6)(A)(v): an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (FBI) or an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system.
- R. Sexual Harassment** - *quid pro quo* harassment; sexual assault, dating violence, domestic violence, or stalking; unwelcome conduct that a reasonable person would find so "severe, pervasive, and objectively offensive" that it effectively denies a person equal access to the College's education program or activity, including conduct based on sex stereotyping; or any instance of sexual assault, dating violence, domestic violence, or stalking. "Quid pro quo" harassment is a person having power or authority over another and conditioning an educational or employment benefit or service or access to receiving the educational or employment benefit or service upon a person's participation in unwelcome sexual conduct.
- S. Stalking** - as defined in 34 U.S.C. § 12291(a)(30): engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.
- T. Standard of Evidence** - the college will apply the "preponderance of evidence standard", or "more likely than not", as the standard for proof of whether a violation of this policy has occurred. In the student due process hearing and employee grievance process, legal terms like "guilt", "innocence" and "burden of proof" are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The College will find the Respondent either "responsible" or "not responsible" for violating these Procedures.
- U. Supportive Measures** - individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party that are designed to ensure equal educational access, protect safety, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual "no contact agreements"

between the involved parties, leaves of absences, increased security and monitoring of certain areas of the College, and other actions deemed appropriate by the Title IX Coordinator.

- V. **Title IX Coordinator** - for purposes of these procedures, the Title IX Coordinator is the CFCC Dean of Student Affairs. The Title IX Coordinator will oversee and coordinate the College's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and sexual harassment prohibited under this policy. The Title IX Coordinator acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures.

II. SCOPE AND APPLICABILITY

This policy and procedures only apply to allegations of sexual harassment made by a student, employee (currently employed) or third party that currently participates in CFCC educational programs or activities located within the United States, and of which the College has actual knowledge. A "student" is defined as an individual that is admitted, registered and/or enrolled and who maintains an ongoing relationship with the College. CFCC will adjudicate all other allegations or inappropriate conduct that do not meet the Title IX definition of sexual harassment, through its appropriate College disciplinary and/or grievance proceedings.

III. REPORTING

A. Reporting to Local Law Enforcement

Individuals may report sexual harassment directly to local law enforcement agencies by dialing 911. Individuals who make a criminal allegation may also choose to pursue the College's grievance procedure simultaneously. A criminal investigation into the matter does not release the College from its obligation to conduct its own investigation (nor is a criminal investigation determinative of whether sexual harassment has occurred). However, the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the College must make available supportive measures when necessary to protect the alleged Complainant and/or the College community.

Individuals may choose not to report alleged sexual harassment to law enforcement authorities. The College respects and supports individuals' decisions regarding reporting; nevertheless, the College may notify appropriate law enforcement authorities if legally required or warranted by the nature of the allegations.

B. Reporting to College Officials

The College's Title IX Coordinator oversees compliance with these Procedures and Title IX regulations. Questions about these Procedures should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to sexual harassment may do so by reporting the concern to the College's Title IX Coordinator in person, by mail, by telephone, by email, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report of alleged sexual harassment.

CFCC also provides Online Reporting at the following link:

https://cm.maxient.com/reportingform.php?CapeFearCC&layout_id=0

C. Time Limits on Reporting

There is no time limitation on reporting complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the College's jurisdiction and/or a significant time period has passed, the ability to investigate, respond, and provide resolution may be limited.

D. Emergency Removal / Administrative Leave

The College may remove a respondent from its education program or activities on an emergency basis when the health and safety of the college community is threatened. This decision will be determined by the Title IX Coordinator, in conjunction with the Behavioral Intervention Team (BIT), and utilized when appropriate and justified. The respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal, and when applicable, in accordance with the Individuals with Disabilities act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. Any violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination of employment.

IV. GRIEVANCE PROCEDURES

A. Scope

1. Use of these grievance procedures applies to reports alleging sexual harassment carried out by employees, students, or third parties.
2. All reports of sexual harassment are taken seriously. At the same time, those accused of sexual harassment are presumed "not responsible" throughout this grievance procedure.

B. Initial Response, Determination and/or Dismissal

1. After receiving a report of sexual harassment, the Title IX Coordinator takes immediate and appropriate steps to:
 - a. Communicate with the individual who reported the alleged conduct;
 - b. Implement supportive measures to eliminate and prevent the recurrence of sex harassment, deter retaliation, remedy the effects of sex harassment, and provide due process rights during a College investigation;
 - c. Provide the individual with a copy of this Policy and Procedure; and
 - d. Determine whether the alleged conduct, as described by the reporting party, falls within the scope of this policy and if so, initiate the investigation and resolution procedures outlined below.
2. The Title IX Coordinator must administratively close, or dismiss, a formal complaint of sexual harassment if after an initial assessment:
 - a. The allegations as stated do not constitute a violation of this policy and procedure, even if proven; or

- b. The alleged sexual harassment did not occur in the College's Education Program or Activity, or did not occur in the United States.
 - c. The Title IX Coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate College office or department to resolve the report or complaint. All parties may appeal the Title IX Coordinator's dismissal of a Formal Complaint under this section by using the appeal procedures below.
- 3. The Title IX Coordinator may administratively close, or dismiss, a report or complaint of sexual harassment if:
 - a. The Complainant, at any time, requests withdrawal of the report or complaint;
 - b. The Respondent is no longer enrolled or employed by the College; or
 - c. The College is prevented from gathering evidence sufficient to reach a determination of responsibility.
 - d. The Title IX Coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate College office or department to resolve the report or complaint. All parties may appeal the Title IX Coordinator's dismissal of a Formal Complaint under this section by using the appeal procedures below.
- 4. Regardless of when alleged sexual harassment is reported, a Complainant must be participating in or attempting to participate in CFCC's educational programs or activities for a Formal Complaint to be filed.

C. Informal Resolution

- 1. Any party may request the College facilitate an informal resolution to a sexual harassment complaint at any time after the filing of a Formal Complaint. The Title IX Coordinator may offer the parties the opportunity for informal resolution, too.
 - a. Upon a request for informal resolution, the Title IX Coordinator determines whether informal resolution is appropriate based on the facts and circumstances of the case. The Title IX Coordinator ensures that any proposed informal resolution is consistent with the College's obligations to prevent and redress sexual harassment.
 - b. A student's allegations of sexual harassment against a College employee are not eligible for informal resolution.
 - c. The Title IX Coordinator provides the parties with written notice of proceeding with an informal resolution, including the allegations of sexual harassment, the requirements of the informal resolution process, and potential outcomes resulting from participating in the informal resolution process.

- d. The Title IX Coordinator also designates an independent, neutral person to facilitate the informal resolution.
2. Informal resolution is voluntary.
 - a. The Complainant and Respondent must provide written consent for informal resolution to take place.
 - b. Any party has a right to end the informal resolution process at any time prior to agreeing to a resolution and begin or continue the formal investigation and grievance process.
 3. Informal resolution concludes the matter only when all parties have signed a written agreement that confirms resolution of the allegations.
 - a. The resolution agreement must include a waiver of the parties' right to have a formal hearing on the allegations that have been informally resolved.
 - b. Parties are prohibited from revoking or appealing a resolution agreement. Should the Respondent violate the terms of an informal resolution agreement, such violation will subject the Respondent to an investigation and the formal grievance process contained in this procedure.
 4. If a resolution agreement is not reached, the College will continue with a formal investigation.

D. Investigations

1. The goal of a formal investigation is to reach a determination as to whether a Respondent has violated one or more College policies prohibiting sexual harassment and if so, remedy the effects of a violation.
 - a. The Title IX Coordinator may include possible violations of other College policies that contributed to, arose from, or are otherwise related to alleged violations of this Policy and Procedure in the scope of an investigation.
 - b. The Title IX Coordinator gives written notice to the Complainant and Respondent of the investigation, providing sufficient details to allow the parties to respond and prepare for initial interviews, including the identity of the parties involved (if known), the conduct alleged to be sexual harassment, the date and location of alleged incidents (if known), a statement that the Respondent is presumed not responsible and a determination of responsibility is made at the conclusion of the process, information regarding the parties' right to an advisor and the right to review evidence, and notice that the College prohibits knowingly making false statements or submitting false information during the grievance process.
 - c. The Title IX Coordinator designates an investigator to investigate the allegations of sexual harassment.

2. Parties to an investigation can expect a prompt, thorough, and equitable investigation of complaints, including the opportunity for parties to ask questions, present witnesses and provide information regarding the allegations.
3. Parties and witnesses should cooperate in the investigation process to the extent required by law and this policy.
4. The college will use the “preponderance of evidence standard”, or “more likely than not”, as the standard for proof during its investigation and to whether a violation of this policy has occurred. It is the College’s responsibility to establish the standard of proof and gather evidence during investigations.
5. The College aims to bring all investigations to a resolution within thirty (30) business days from the date the Title IX Coordinator determines an investigation will commence.
 - a. Extensions of timeframe for good cause are allowed, so long as written notice and the reason for the delay is provided to the parties. Good cause includes:
 - i. The complexity and/or number of the allegations;
 - ii. The severity and extent of the alleged misconduct;
 - iii. The number of parties, witnesses, and other types of evidence involved;
 - iv. The availability of the parties, witnesses, and evidence;
 - v. A request by a party to delay an investigation;
 - vi. The effect of a concurrent criminal investigation or proceeding;
 - vii. Intervening holidays, College breaks, or other closures;
 - viii. Good faith efforts to reach a resolution; or
 - ix. Other unforeseen circumstances.
 - b. Investigations typically include interviews with the Complainant, the Respondent, and any witnesses, and the objective evaluation of any physical, documentary, or other evidence as appropriate and available. The College will give the Complainant and the Respondent written notice of any interview, meeting, or hearing at which a party is invited or expected to participate.
 - c. The Title IX Coordinator will inform the Complainant and Respondent at regular intervals of the status of its investigation.
 - d. The College may suspend or place on administrative leave a student or employee, pending the completion of an investigation and resolution, when the College performs an individualized safety and risk analysis and determines the person poses an immediate threat to the physical health or safety of any member(s) of the College community.
 - i. The Title IX Coordinator may recommend to the appropriate College official to implement or stay an interim suspension of a student or employee and the conditions and duration of such suspension or leave.

- ii. In all cases in which an interim suspension or administrative leave is imposed, the student or employee shall be given notice and an opportunity to challenge the removal decision immediately following the removal.
 - iii. Violation of an interim suspension under this Procedure is grounds for expulsion or termination.
- 6. Interviews conducted as part of an investigation under this Procedure may be recorded by the College. Recordings not authorized by the College are prohibited.
- 7. The Complainant and Respondent have the right to be accompanied by an advisor of their choosing during all stages of an investigation.
 - a. A party may elect to change advisors during the process.
 - b. All advisors are subject to the same rules:
 - i. During the investigation, the advisor's role is limited to providing advice, guidance, and support to the Complainant or Respondent. An advisor is not permitted to act as a participant or advocate during the investigative process.
 - ii. Advisors are expected to maintain the privacy of the records shared with them.
 - iii. Advisors are expected to refrain from interfering with investigations.
 - iv. Any advisor who oversteps their role or interferes during an investigation process will be warned once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave. The Title IX Coordinator determines whether the advisor may return or should be replaced by a different advisor.
- 8. Prior to finalizing a report, the investigator provides all parties an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the College does not intend to rely.
 - a. The Complainant and Respondent may submit a written response to the evidence within ten days after receipt of the evidence.
 - i. Responses must be submitted to the investigator via email, mail, or hand delivery by 5:00 p.m. eastern standard time on the date responses are due.
 - ii. Responses may not exceed 10 double-spaced pages on 8.5x11 paper with one-inch margins and 12-point font.
 - b. The investigator considers any responses received from the parties and conducts any further investigation necessary or appropriate.
- 9. Following an investigation and at least 10 days prior to a grievance hearing, the investigator submits an investigative report to the parties that fairly summarizes

relevant evidence. The report includes a summary of the allegations; a summary of the response; a summary of the investigative steps taken to verify the allegations and response; and a summary of the evidence relevant to a determination of responsibility.

V. GRIEVANCE HEARINGS

At least 10 days after the issuance of an investigation report, the College must hold a live hearing in front of a decision-maker (hearing officer) to determine responsibility of a Respondent. The decision-maker may not be the Title IX Coordinator or the investigator(s). A "live hearing" means either in person or virtually. The following hearing rules apply:

- A. All parties must be able to see and hear the questioning of parties and witnesses.
- B. Any party may request a virtual hearing. If requested, the College will provide a virtual hearing.
- C. All parties have an equal opportunity to present witnesses, including fact and expert witnesses.
- D. The parties' advisors are permitted to cross-examine the parties and any witnesses.
 - 1. The parties are prohibited from directly conducting cross-examination. Cross-examination must be conducted by a party's advisor.
 - 2. The decision-maker determines whether questions asked during cross-examination are relevant to the determination of responsibility. If the decision-maker disallows a question, they will explain the basis for their decision at the hearing. Parties and advisors may not challenge a decision-maker's relevancy determinations during the hearing.
 - 3. Evidence or questions that inquire about the Complainant's sexual predisposition or prior sexual history are prohibited (i.e. rape-shield protections) unless such questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
 - 4. The decision-maker may not consider statements of individuals who do not submit to cross-examination in reaching a determination of responsibility
 - 5. Records with a legally recognized privilege, such as medical treatment records, may not be used unless the individual or entity who holds the privilege waives the privilege. Any waiver must be written and made in advance of a hearing.
 - 6. If a party does not have an advisor, the College will provide an advisor at no cost to the party. The advisor may, or may not, be an attorney.
 - 7. Other standard Rules of Evidence do not apply in grievance hearings under these Procedures.

- E. The College will provide either an audio recording, audiovisual recording, or transcript of the hearing to all parties.
- F. The decision-maker evaluates all relevant evidence and reaches a determination regarding responsibility. The decision-maker issues their final written determination to all parties within ten (10) days of the hearing. The final written determination includes a summary of the allegations; a description of the procedural steps taken by the College to investigate and reach a determination of responsibility; findings of fact supporting the determination; conclusions regarding the application of College policies to the facts; a statement of and rationale for the result as to each allegation, including a determination of responsibility; any disciplinary sanctions the College recommends or imposes; whether remedies designed to restore or preserve equal access to an education program or activity will be provided to the Complainant; and the College's appeal procedures.
- G. The following sanctions may be imposed for those who have violated these Procedures:
 - 1. Students
 - a. Conduct Warning (Verbal or Written)
 - b. Conduct Probation
 - c. Administrative withdrawal / Interim Conduct Suspension
 - d. Required Counseling
 - e. "No Contact Agreement" Directive
 - f. Conduct Suspension
 - g. Expulsion
 - h. Other consequences deemed appropriate
 - 2. Employees
 - a. Verbal or Written Warning
 - b. Performance Improvement Plan
 - c. Required Counseling
 - d. Required Training or Education
 - e. Recommendation of Demotion
 - f. Recommendation to Suspend with, or without Pay
 - g. Recommendation of Dismissal and/or Termination
 - h. Other consequences deemed appropriate to the specific violation

If the decision-maker is required to make a recommendation for student expulsion or employee suspension, demotion or dismissal/termination, such recommendation will be made to the appropriate College official after the time for appeal has expired. If the decision-maker recommends the Respondent be expelled, suspended, demoted, or dismissed/terminated, during the time in which either party has to appeal, the Respondent shall remain on suspension unless otherwise determined by the decision-maker.

VI. APPEALS

After the decision-maker submits their determination of responsibility to the Complainant and Respondent, all parties are given an equal opportunity to appeal the determination. Appeals may be based only on these grounds:

- A. Procedural irregularity that affected the outcome;

- B. New evidence that was not reasonably available at the time of the hearing that could affect the outcome; and/or
- C. The Title IX Coordinator, investigator, or decision-maker had a bias or conflict of interest that affected the outcome.

Parties must submit any appeal to the President of the College by 5:00 p.m. eastern standard time via email or mail, within ten (10) days of receiving the decision-maker's written determination of responsibility. Appeals may not exceed ten (10) double-spaced pages on 8.5x11 paper with one-inch margins and 12-point font.

The College notifies all parties when an appeal is filed and provides all parties a copy of the appeal and a chance to submit a written statement supporting or challenging the outcome. Parties must submit written statements supporting or challenging the outcome to the President of the College by 5:00 p.m. eastern standard time via email or mail, within two (2) days of receiving a copy of an appeal.

The President shall conduct a review of the record, including the appeal(s) received, any written statements supporting or challenging the outcome, the investigation report, the decision-maker's written determination of responsibility, and any accompanying evidence prior to issuing a written decision to the Complainant and Respondent that describes the result of the appeal and the rationale for the result. The President's written decision is final.

VII. RETALIATION

The college strictly prohibits retaliation against any person for reporting, testifying, assisting or participating, in any manner, in any investigation or proceeding involving allegations of discrimination or sexual harassment. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or expulsion if they are a student. Retaliation is any action by any person that is perceived as: intimidating, hostile, harassing, a form of retribution, or violence that occurs in connection to reporting an incident and/or participating in the adjudication process. The College will not in any way retaliate against an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these procedures. Retaliation is a violation of College policy regardless of whether the underlying allegations are ultimately found to have merit. Reports of retaliation are treated separately from reports or complaints of sexual harassment.

VIII. PROVIDING FALSE INFORMATION

Any individual who knowingly files a false report or complaint, who knowingly provides false information to College officials or who knowingly misleads College officials involved in the investigation or resolution of a complaint may be subject to disciplinary action, including but not limited to expulsion or employment termination. The College recognizes a determination regarding responsibility alone is not sufficient to conclude a false report or complaint was made.

IX. LIMITED IMMUNITY

The College community encourages the reporting of misconduct and crimes. Sometimes, complainants or witnesses are hesitant to report to College officials or participate in resolution processes because they fear they themselves may be accused of various policy violations. It is in the best interest of this College that as many complainants as possible choose to report to College officials and that witnesses come forward to share what they know. To encourage reporting, the College offers sexual harassment complainants and witnesses amnesty from minor policy violations.

X. AMNESTY

CFCC considers the reporting and adjudication of Sexual Harassment to be of utmost importance. CFCC does not condone underage drinking or the use of illegal drugs; however, CFCC may extend amnesty to complainants, respondents, witnesses, and others involved in a grievance process from punitive sanctioning for illegal use of drugs and/or alcohol when evidence of such use is discovered or submitted in the course of a grievance process. Similarly, CFCC may, in its discretion, provide amnesty for other conduct code violations that are discovered in the course of a grievance process.

XI. FERPA (Family Educational Rights and Privacy Act)

A student's personally identifiable information found in a student's education records will be shared only with College employees who need to know to assist with the College's response to sexual harassment.

A student's personally identifiable information found in a student's education records will not be disclosed to third parties unaffiliated with the College unless:

- A. The student gives consent;
- B. The College must respond to a lawfully issued subpoena or court order; or
- C. The College is otherwise required by law to disclose.

XII. SUSPENDING PROCEDURES

In cases of emergency or serious misconduct, the College reserves the right to suspend this process and may enact appropriate action for the welfare and safety of the College community.

XIII. STUDENT AND EMPLOYEE EDUCATION AND ANNUAL TRAINING

CFCC offers training and educational opportunities to all current students and employees to create a safe learning environment and workplace free from sex discrimination and/or harassment. All new students and all current employees will be offered SafeColleges primary prevention and awareness programs that may safeguard against acts of sex discrimination or harassment. These programs will be held annually at the beginning of each semester.

CFCC has partnered with SafeColleges for general Title IX and Sex Discrimination and Harassment Training. SafeColleges is a federally registered trademark of Vector Solutions, and all training material is copyrighted. For inquiries or access to training materials, please contact support@safecolleges.com.

In addition, the Title IX Coordinator and those individuals involved in resolving Title IX related complaints participate in additional extensive training specifically for Title IX.

Additional training(s) provided by: Association of Title IX Administrators (ATIXA):

<https://atixa.org/2020-regulations-requirement-posting-of-training-materials/>

XIV. RECORDS

All informal resolutions will not be included in the respondent's permanent educational record or noted on an official transcript, or included in an employee's personnel record, however, if appropriate, may be kept on file as a student code of conduct incident. The College will retain a record of Title IX formal resolutions and outcomes for no less than seven years.

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the Title IX Discrimination and Sexual Harassment Policy update as presented. Motion carried unanimously.

Behavioral Intervention Team (BIT) Procedure Update

Behavioral Intervention Team (BIT) Procedure

Overview & Purpose

Cape Fear Community College is committed to providing the best possible learning and working environment that is free of discrimination, harassment and/or sexual violence. By establishing a Behavioral Intervention Team (BIT) at CFCC, formal lines of communication will be clear and efforts will be strengthened during heightened security threats at all college campuses and sites. The BIT will provide a college-wide, integrated approach to addressing extraordinary discipline and/or safety issues on campus. The ongoing development and coordination of a team of CFCC administrators to address crisis intervention situations will ultimately reinforce the college's overall safety and security infrastructure.

Composition of Team Members

- Campus Safety Coordinator
- Dean of Enrollment Management
- Dean of Student Affairs
- Executive Director of Human Resources
- ~~NHCSO Lieutenant / College Resource Officer (Supervisor) see CALEA directive per Campus Safety~~
- Vice President of Academic Affairs
- Vice President of Continuing Education
- Vice President of Student Services & Enrollment Management

Other staff or faculty members, may be consulted as specific situations warrant. If a conflict of interest occurs, or the appearance of a conflict of interest arises for any of the team members, the member will recuse themselves.

Functions

- Assess level of risk and concern
- Identify early warning signs
- Offer recommendations
- Support - Intervene - Advise

- Track patterns and trends
- Prevent reoccurrence
- Promote safety to prevent campus violence
- Provide appropriate updates to the individuals involved in threats under assessment

BIT Notification (Convening)

The BIT team will meet quarterly to discuss ongoing issues, trends, or specific cases that require additional monitoring or action. For any threatening behavior from a student, faculty, staff and/or community member that may constitute a clear and present danger to the physical and emotional well-being of any individual, the team will convene to discuss the threat in its entirety and determine measures to deescalate the threat. Any member of the BIT team may convene this meeting if he or she feels there is a “High Risk” or “Active Threat” as defined below. If the threat is determined to pose an immediate risk to any individual, the person posing the threat will be escorted off campus. The team will then proceed with a formal investigation of the circumstances of the threat.

Assessment of Risk (see NaBita Threat Assessment Tool)

Low Risk

Person/situation does not appear to pose a threat of violence or self-harm at this time, nor is there evidence of significant disruption to the college community. The case may warrant some intervention and monitoring (i.e. referral, mental health evaluation, counseling, and/or external resources) to minimize escalation. The BIT should document appropriate steps that are taken to mitigate, and ensure the individual is taking reasonable steps to rectify the specific concern or safety risk. This category also includes students or employees who are no longer affiliated with the college (*Inactive Status*), and thus cannot be monitored. The team can close the case without a management or assessment plan, following appropriate documentation. Individuals placed on *Inactive Status* will remain on record and can be moved back to active status if warranted.

High Risk

Person/situation appears to pose a threat of self-harm or physical violence. This requires the BIT to develop and implement an immediate management plan. Each case will warrant intervention and/or external assessment. The BIT will ensure the appropriate steps are taken to help mitigate the situation and document all actions taken. The BIT should develop a monitoring plan to ensure the individual is taking reasonable steps to rectify the specific concern or safety risk.

Active Threat

Person/situation appears to pose a clear and immediate threat of serious violence toward self or others. The BIT should immediately notify law enforcement to take appropriate action. Once such emergency actions have taken place, the BIT shall then develop and implement a management plan in anticipation of the person’s release or potential return to campus.

Classification / Risk factors may include:

- Violent behavior;
- Health or safety risk that negatively affects a community member (student, employee, or visitor);
- Ominous obsession with violent themes;

- Excessive damage to College property or premises;
- Allusions to violence against self or others;
- Aggression, intimidation, or hostile behavior;
- Persistent inappropriate anger or conflict;
- Threat or Possession of firearms or other weapons on college property, or at college-sponsored events;
- Intent to inflict serious injury or harm to oneself or others;
- Assault and/or combative behavior;
- Severe inappropriate behavior that negates a positive teaching and learning environment;

Recommendations by the BIT

Once the BIT has concluded its investigation, the team will prepare a written summary report that outlines its findings. These findings may include (and are not limited to):

- An opinion as to whether the threat under investigation posed or poses a credible danger to the safety and welfare of any individuals; threats determined by the team to represent credible dangers will be reported to law enforcement by the Dean of Student Affairs and/or the Campus Safety Coordinator.
- A BIT Action Plan, if recommended, that may include, but is not limited to the following: 1) anger management counseling 2) psychological counseling 3) professional psychological evaluation/assessment 4) waiver from the student allowing the release of the student's school records to local mental health authorities and/or law enforcement 5) establishing a regular reporting/check-in system with the Dean of Student Affairs 6) suspension or expulsion, and 7) campus ban and/or No Trespass Order.

A copy of the BIT summary report with recommendations shall be included in the student's permanent record or the employee's personnel file. To the extent appropriate to the situation, the team will notify the individuals who were subject to the threat under investigation of the steps being taken to mitigate the threat.

Reporting

Members of the campus community should immediately contact local law enforcement (911) in the event of any emergency. All reports of potential threatening behavior shall be immediately forwarded to the Campus Security Coordinator, or their designee. Any members of the campus community that are aware of conduct that may constitute threatening behavior, or pose a threat to the college community, should notify any of the following or may submit an Incident Report online at [CFCC Incident Report](https://cm.maxient.com/reportingform.php?CapeFearCC&layout_id=0) at https://cm.maxient.com/reportingform.php?CapeFearCC&layout_id=0

- Campus Safety Coordinator;
- Law Enforcement;
- Security Officer;
- Dean of Student Affairs;
- Any member of the College's Human Resources staff;
- Any member of the BIT;
- Any CFCC Responsible Employee.

The Behavioral Intervention Team (BIT) and Threat Assessment Policy applies to all students, employees and visitors of Cape Fear Community College. As college policies and procedures may not apply to non-college affiliated persons outside of college property, the threat protocols can be used to assess the threat of non-college persons with appropriate criminal and/or “no trespass” sanctions applied. It is the responsibility of all students and employees to familiarize themselves and to comply with this policy and its procedures and any related policies and procedures herein. Related policies and procedures include, but are not limited to, the CFCC Emergency Management and Safety Plan, the Student Code of Conduct, or the applicable policy and procedure within the CFCC Employee Handbook.

Due to certain implications with appropriate local, state, and federal law, Department of Education (Title IX, FERPA, etc.) and certain privacy laws, circumstances or situations on campus that involve conduct or behavior that constitutes as an “imminent threat” may not be disclosed due to confidentiality considerations.

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the Behavioral Intervention Team (BIT) Policy update as presented. Motion carried unanimously.

FERPA REVISION

STUDENT EXPECTATIONS, RIGHTS, & RESPONSIBILITIES

Student Records

CAPE FEAR COMMUNITY COLLEGE RESPONSIBILITIES UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (THE BUCKLEY AMENDMENT)

Under the Family Educational Rights and Privacy Act of 1974, the rights of the student and the responsibilities of the institution concerning the various types of student records maintained by the institution are established. Consistent with this legislation, Cape Fear Community College establishes the following policy to ensure compliance. Failure to comply with standards prescribed in the Act could jeopardize federal funding received by the institution and its students.

Rights of Students

In compliance with the law, an individual becomes a student when he/she registers at the College. Upon reaching age 18 or attending an institution beyond the high school level, the student has the right to view his/her own school or college records. These records include the academic transcript of the College, post-secondary transcripts, high school transcripts, and other documents maintained as part of the students permanent file with the exception of confidential letters of recommendation. All permanent academic records are housed and maintained by the Registrar.

CFCC requires written authorization from the student prior to release of academic records. A minimum of 48 working hours will be required by the College to access the requested academic information. The student may inspect, copy, and review his/her records in the Registrar's Office. There may be a charge for copies.

Rights of Parents

Parents of a child who is under the age of 18 and has never attended an educational institution beyond high school level have the right to inspect and review that child's academic records. After a student reaches the age of 18 or enters a post-secondary institution, the parent will be denied access to the student's academic record unless the student gives written consent to the Registrar's Office. The College assumes that all students are independent adults attending an institution designed for adult education. Parents do have the right to review the academic records of their child if they are claiming the child as an income tax deduction; however, they must show proof of the claim.

Rights of Faculty

The faculty of the College has a legitimate educational interest in a student's academic records. Therefore, access to those records is authorized by the institution. Along with this access comes certain obligations and responsibilities.

A faculty member shall not access educational records of any student for which he/she does not have a direct advisory responsibility. Those with direct advisory responsibility include the current instructors of the student, the student's faculty advisor, and the appropriate department head and division chair. A faculty member not professionally associated with a student shall not access educational records of the student without the written consent of the student.

A faculty member shall not disclose any information from a student's record to a third party (i.e., other students, other faculty members, employers, etc.) without the written consent of the student. Parents of the student do not have special access rights and should not be given information without the student's written consent.

A faculty member shall be responsible for the security of all academic information in his/her possession. These records must not be accessible to students and unauthorized personnel.

A faculty member shall refrain from disclosing academic information by phone without the expressed written consent of the student.

Rights of Administration

Student Services and Enrollment Management and specifically the Registrar's Office, has the responsibility of maintaining and safeguarding the academic records of all students of the College. Consistent with this responsibility, the personnel of Student Services and Enrollment Management will access student records as needed. However, these individuals bear the responsibility for ensuring that no unauthorized disclosure of student academic information occurs without the expressed written consent of that student.

The president, vice presidents and deans of the College may access student records when needed to facilitate the student's educational pursuit. College administrators may disclose a student's

educational records to appropriate parties in connection with a health or safety emergency. Furthermore, College administrators have the right to contact parents of any student under the age of 21 that has violated a federal, state, or local law, or any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance.

Educational records of a student will not be accessed for employment decisions without the expressed written consent of the student. Information from student academic records may be shared in aggregate for educational research purposes.

Directory Information

Directory information includes name, major field of study, full time/part time enrollment, the most recent college attended, dates of enrollment, degrees and awards received, and the College assigned email address.

Students have the right to withhold disclosure of any directory information by completing a request for non-disclosure in the Registrar's Office. Requests for non-disclosure must be filed annually. The College assumes that a student's failure to file a request for non-disclosure indicates approval for disclosure.

Under the Family Education Rights and Privacy Act of 1974, commonly referred to as the Buckley Amendment, students are granted a certain level of privacy with respect to their educational records. The complete text of The Buckley Amendment is available for review in the Registrar's Office.

The request for student directory information from third party individuals or companies must be submitted through the college's Public Information Request form online. Directory information will only be disclosed at the discretion of the Registrar. Requests that could potentially violate college policies, considered harmful to the students, or without specific purpose, may be denied. If the request is denied, the Registrar will respond in writing.

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the FERPA update as presented. Motion carried unanimously.

Right to Deny Admission

The College reserves the right to refuse admission or readmission to any applicant during any period of time that the student is suspended or expelled from any other educational entity. 23 SBCCC 02C.0301 (d).

The College reserves the right to refuse admission to any applicant if it is necessary to protect the safety of the applicant or other individuals. 23 SBCCC 02C.0301 (e) and (f).

Applicants who are refused admission have the right to an appeal. To initiate such an appeal, the applicant must submit a written appeal to the Vice President for Student Services and Enrollment Management within five (5) calendar days after being notified of the refusal to admit. The Vice President for Student Services and Enrollment Management will present the appeal to the Judicial Board within (5) calendar days of receipt of the written appeal. If the student wishes to appear before the Judicial Board, the request must be included in the written appeal. The Vice President

for Student Services and Enrollment Management will notify the applicant of the Judicial Board's decision. The decision of the Judicial Board shall be final with no further appeals.

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the Right to Deny Admission Policy as presented. Motion carried unanimously.

President's Evaluation Policy

CAPE FEAR COMMUNITY COLLEGE

Board of Trustees Evaluation Policy

SUBJECT: President/CEO Performance Evaluation

DEVELOPED BY: Board of Trustees

ISSUED: May 1995

MOST RECENT REVISION: March 2021

POLICY:

It is the policy of Cape Fear Community College (CFCC) to utilize a formal performance evaluation process for the President. The purpose of this policy is to maximize the effectiveness of the President to support the CFCC mission, and institutional goals and objectives, and to promote an effective working relationship with the Board of Trustees, faculty, staff and students.

GUIDELINES:

A. Performance Evaluation Period

The evaluation period shall be twelve months corresponding with CFCC's fiscal year. The preparation of the annual performance review shall commence as of each May and shall be completed no later than June 30th.

B. Performance Evaluation Committee

The Administrative and Personnel Committee shall serve as the Performance Evaluation Committee.

The Committee shall utilize a performance evaluation procedure that is based on the President's job description and a specific set of goals for the evaluation period developed jointly by the President and the Board of Trustees.

C. Performance Evaluation Procedure

The procedure to be used in evaluating the performance of the President is as follows:

1. The President shall present his/her annual goals to the Administrative and Personnel Committee for the coming fiscal year no later than May. The Administrative and Personnel Committee shall present the set of goals for approval at the next Board of Trustees meeting.

2. Formal Performance Evaluation Tool and Process:

The formal performance evaluation tool, developed by the Performance Evaluation Committee and approved by the Board of Trustees, will be completed by each member of the Board of Trustees.

The President will prepare a self-evaluation of performance, particularly as it pertains to his/her annual goals, and present it to the Board of Trustees for their use in completing the evaluation process. The results of the evaluation by board members will be consolidated by the Performance Evaluation Committee, reviewed with the full Board, and reviewed with the President.

3. Employment Contract:

The President's employment contract will be reviewed and, where necessary, revised annually by the Board of Trustees.

4. Job Description:

The President and Board of Trustees will review and revise as necessary the President's job description on an annual basis.

5. Policy Review:

This policy shall be reviewed annually by the Administrative and Personnel Committee and recommendations for changes, as necessary, shall be submitted to the Board of Trustees for approval.

APPROVED BY:

Chair, Board of Trustees

Date

A MOTION from the Administrative and Personnel Committee recommends approval by the Board of Trustees of the President's Evaluation Policy updates as presented. Motion Carried unanimously.

SGA REPORT

Ms. Eby presented the following report.

- I. General Assemblies:
 - A. Thursday, February 4
 1. Sandra McClammy spoke on Black History Month
 2. Great attendance, kicked off the year well
 - B. Thursday, March 4
 1. Yuna Shin spoke on Women's History Month
 2. Again, great attendance, many enjoyed our speaker
 - C. Next meeting: Thursday, April 1
 1. Meeting topic will be "Academic Success"
- II. Scholarship Workshop
 - A. Thursday, February 24
 - B. Amazing turnout, very engaged students
 - C. Speakers: John Metzger and Logan Thompson
- III. Valentine's Day Distribution
 - A. February 8-9
 - B. Over two-hundred bags handed out to students
 - C. Budgeted around X and spent X
- IV. Upcoming Events
 - A. Drive-in Movie on April 16
 1. Black Panther
 - B. Earth Day distribution on April 22
 1. Environmentally friendly take home "earth day" bags
 2. Over fifteen companies/individuals already interested in donating supplies
 - C. Student Signing Day on May 4
 1. An event to celebrate the academic success of students in the same way we celebrate student athletes
 2. Sign-up sheet will be going out at the end of this month

FACULTY ASSOCIATION REPORT

Dr. Brandon presented the following report.

The Faculty Association held its first and second regular meetings of the Spring 2021 semester on February 4 and March 17. Dr. Jason Chaffin, Vice President of Academic Affairs, was a guest speaker at the March 17 meeting. Dr. Chaffin spoke primarily on two topics: textbook cost initiatives and the Fall 2021 course schedules, and he answered questions from faculty members on both topics.

The nomination and election process for the Faculty Association President and the Faculty Association Representatives was also discussed at the March 17 meeting. This process will be completed by the end of the Spring 2021 semester.

These were virtual meetings. More than twenty faculty members were in attendance at each meeting. The Faculty Association will continue with its last meeting of the Spring semester on April 22.

On February 12, the Faculty Association Officers continued the regularly scheduled meetings with the CFCC Executive Team. The primary topic of that meeting was part-time pay rates.

Due to a low participation rate, the difficult decision to not use and not share the results of the 2020 Faculty Climate Survey was announced on February 26.

Ms. Chardon Murray resigned as the Faculty Association Secretary. I thank her for her service to the Faculty Association, including her work as a member of the Constitution and Bylaws Committee in Spring 2020, her regular duties as Faculty Association Secretary, and her extensive work on the 2020 Faculty Climate Survey.

FOUNDATION REPORT

Mr. Fernando presented the following report

- This year's YTD revenue is 192% ahead of last year's YTD funds – with revenue of \$1,536,438.33 (FY 21) over \$798,710.43 (FY 20). We have surpassed last year's entire revenue at this point by \$616,227.40, and have surpassed this year's overall fundraising goal by \$261,438.30. (as of 25 March 2021)
- Even with current fundraising success, there is much more work to do to meet the growing needs of our students at this difficult time. We continue to assess our current programs and remain vigilant to develop new ways to meet student needs.
- We are adjusting our scholarship cycles from two applications, to a single application for both the Fall and Spring semesters. I believe this will offer better customer service to our students and eliminate a redundancy in application processes.
- The Step up for Soldiers organization has donated \$70,000 to the Veterans Scholarship Fund.
- Dr. Ed and Bonnie Ricciardelli have donated \$52,500 to create a new general endowed scholarship to support students in need.
- The Foundation and Wilson Center are in the process of preparing for the federal grant administered by the Small Business Administration, The Shuttered Venue Operators Grant. It has the potential to provide up to \$2-2.5million in support to reopen the venue. We anticipate the application to open in April and have prepared the data that we know that we need at this point.
- We are in the process of re-designing our web presence to become more student and donor friendly and plan to have that process completed by summer.

- Planning continues for the outreach/fundraising event planned on Saturday, September 18, 2021 for the Burgaw programs.

ANNOUNCEMENTS

DATE OF NEXT MEETING – MAY 27, 2021

Meeting adjourned at 5:50 pm.

James P. Morton President/Secretary

Michelle S. Lee, Recording Secretary

/ml