



# **COLLEGE OF DUPAGE**

## **Policy Manual of the Board of Trustees**

Adopted: March 19, 2009

**Last Updated: May 22, 2015**



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## **COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

### **Introduction**

#### **Preamble to Policy Manual**

#### **Preamble to Board of Trustees Policy Manual**

The following policies are intended to provide overall guidance for the administration of the College of DuPage.

To the extent, if any, that any particular policy or part of a policy conflicts with Illinois or Federal law, the applicable law shall take precedence. To the extent that any particular policy conflicts with a collective bargaining agreement provision to which the Board of Trustees is a party, the agreement shall take precedence.



## **Mission and Vision**

The Mission of College of DuPage is to be a center for excellence in teaching, learning, and cultural experiences by providing accessible, affordable, and comprehensive education.

College of DuPage will be the primary college district residents choose for high quality education.

## **Values**

### *Integrity*

We expect the highest standard of moral character and ethical behavior.

### *Honesty*

We expect truthfulness and trustworthiness.

### *Respect*

We expect courtesy and dignity in all interpersonal interactions.

### *Responsibility*

We expect fulfillment of obligations and accountability.

## **Philosophy**

- College of DuPage believes in the power of teaching and learning. We endorse the right of each person to accessible and affordable opportunities to learn and affirm the innate value of the pursuit of knowledge and its application to life. Our primary commitment is to facilitate and support student success in learning.
- College of DuPage is committed to excellence. We seek quality in all that we do. To ensure quality, we are committed to continual assessment and self-evaluation.
- College of DuPage values diversity. We seek to reflect and meet the educational needs of the residents of our large, multicultural district. We recognize the importance of embracing individual differences and cultures and value the contributions made to the College by people of all ethnic and cultural backgrounds. We affirm our role as a catalyst for promoting dialogue and tolerance on issues supporting the common good.
- College of DuPage promotes participation in planning and decision making. We support participatory governance and the involvement of the College community in the development of a shared vision. We believe that all students, staff, and residents can make meaningful contributions within a respectful environment that encourages meaningful discourse. We strive to build an organizational climate in which freedom of expression is defended and civility is affirmed.
- College of DuPage will be a benefit to students and community. The needs of our students and community are central to all we do.

Adopted: 3/19/09

Reviewed: 5/23/11

Amended: 6/22/10  
6/23/12



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## COLLEGE OF DUPAGE

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**The Board of Trustees - Governance**

**Policy No. 5-5**

### **The College Governing Board**

The Board of Trustees of Community College District No. 502 has the legal authority and responsibility to govern the College in accordance with the *Illinois Public Community College Act*, and other applicable law. The Board will appoint a president to organize and manage the institution within Board policy, and at the Board's direction.

The Board will encourage the President to seek the input of employees and the community in the development and updating of the College's Strategic Long Range Plan. Such Plan will be approved annually by the Board, and may be modified at any time by the Board.

Adopted: 3/19/09

Reviewed: 4/30/15

Amended: 5/21/15



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Governance**

**Policy No. 5-10**

### **Authority for Operations**

The Board of Trustees derives its authority to govern from the *Illinois Public Community College Act*, 110 ILCS 805/1-1 *et seq.* (as amended) and other applicable state and federal law.

Adopted: 3/19/09

Reviewed: 4/30/15

Amended: 5/21/15



**Responsibilities of the Board**

As the governing body of Community College District No. 502, the Board of Trustees' responsibilities include, but are not limited to, the following:

1. Appoint the President, who will be the chief administrative officer of the College and the executive officer in dealing with the Board.
2. Direct the President to develop, implement and modify procedures to carry out the Board's policies, rules and actions.
3. Evaluate, at least annually, the President's overall and specific performance.
4. Exercise, as an exclusive right, approval authority over all duties and powers authorized by the Illinois Community College Act.
5. Judiciously review matters as recommended by the President or others and cause appropriate action to be taken.
6. Ensure ongoing long-range planning through direction to, participation in, and annual approval of a strategic long range plan.
7. Review periodically the organizational structure and the operation of major components of the College.
8. Exercise, as an exclusive right, requisite and proper authority for the efficient and effective development, operation and maintenance of the College.
9. Review and evaluate progress toward accomplishment of the College's mission and goals.
10. Formulate and revise policies and procedures as necessary.
11. Review the financial management of the College and cause an audit to be made, at least annually.
12. Ensure the quality of education provided by the College.
13. Review and approve the College's annual budget, and perform (at least quarterly) budget variation and performance reviews.

The Board of Trustees will not delegate or relinquish its overall responsibility for results, nor any portion of its accountability.

Adopted: 3/19/09	Reviewed: 4/30/15	Amended: 8/20/09, 5/21/15
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**COLLEGE OF DUPAGE**

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**The Board of Trustees - Governance**

**Policy No. 5-20**

### **Authority of Members of the Board**

Trustees have authority for official Board action only when acting in concert as a Board of Trustees legally in session. No individual member of the Board has the power to speak out or act in the name of the Board unless authorized to do so by the Board in legal session or by these policies.

Nothing in this policy shall be construed to limit any Trustee's right to speak freely, or to offer his or her opinions – whether in public or in private – in his or her personal capacity regarding the affairs of the Board or the College.

Adopted: 3/19/09

Reviewed: 4/30/15

Amended: 5/21/15





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Governance**

**Policy No. 5-25**

**Conflicts of Interest**

Each member of the Board of Trustee shall avoid actual or apparent conflicts of interests which could impair the Trustee's ability to make impartial decisions. Each Trustee will further observe and adhere to the College's Ethics Policy and Ethics Ordinance as set forth in Board Policy 5-30.

Adopted: 3/19/09

Reviewed:

Amended:



## **Ethics Policy**

Each member of the Board of Trustees will conduct themselves in accordance with all local, state, and federal statutes, as well as, all College of DuPage policies, procedures, regulations, and ordinances. The Board adopts in its totality the "Ethics Ordinance" prescribed by the *Illinois Employee Ethics Act*, 5 ILCS 430, as part of its policies.

In compliance with the *Illinois Employee Ethics Act*, the following is applicable:

### **Gift Ban**

No trustee or employee and no spouse of, or immediate family member living with, any trustee or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates the Gift Ban.

Exceptions: This Gift Ban is not applicable to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the trustee or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any contribution that is lawfully made under the Election Code; or any activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, aunt, uncle, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether, to the actual knowledge of the recipient, the individual who gave the gift personally paid for the gift or sought a tax deduction or business

reimbursement for the gift; and (iii) whether, to the actual knowledge of the recipient, the individual who gave the gift also at the same time gave the same or similar gifts to other trustees or employees or their spouses or immediate family members.

- (8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared, or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a trustee or employee), if the benefits have not been offered or enhanced because of the official position or employment of the trustee or employee, and are customarily provided to others in similar circumstances.
- (10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to a trustee or employee from another trustee or employee, and "inter-governmental gift" means any gift given to a trustee or employee by a trustee or employee of another governmental entity.
- (11) Bequests, inheritances, and other transfers at death.
- (12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed above are mutually exclusive and independent of every other.

Disposition of gifts: A trustee or employee, his or her spouse, or an immediate family member living with the trustee or employee does not violate this Gift Ban if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

Pursuant to this Policy, Trustees and employees shall not engage in the following conduct or activities:

- (a) No trustee or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No trustee or employee shall intentionally use any property or resources of College of DuPage in connection with any prohibited political activity.
- (b) At no time shall any trustee or employee intentionally require any other trustee or employee to perform any prohibited political activity (i) as part of that trustee's or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
- (c) No trustee or employee shall be required at any time to participate in any prohibited political activity in consideration for that trustee or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any trustee or

employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

- (d) Nothing in this Section prohibits activities that are permissible for a trustee or an employee to engage in as part of his or her official duties, or activities that are undertaken by a trustee or employee on a voluntary basis which are not prohibited by the College's Ethics Ordinance.
- (e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or a trustee of a political committee, of a political party, or of a political organization or club.

### Prohibited Political Activities

For purposes of this Policy, "prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office, or on behalf of a political organization for political purposes, or for or against any referendum question.
- (6) Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office, or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization, or for or against any referendum question, or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.

- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any Election.

### Penalties

A Trustee or employee who violates any provision of the Ethics Ordinance, may be subject to the following punishment in accordance with the *Illinois Employee Ethics Act*, 5 ILCS 430/50-5:

- (a) A person who intentionally engages in a prohibited political activity may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- (b) A person who intentionally violates the Gift Ban is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.
- (c) Any person who intentionally makes a false report alleging a violation of any provision the Ethics Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- (d) A violation of any prohibited political activity shall be prosecuted as a criminal offense by an attorney for College of DuPage by filing in the circuit court an information, or a sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt. A violation the Gift Ban may be prosecuted as a quasi-criminal offense by an attorney for College of DuPage or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.
- (e) In addition to any other penalty that may be applicable, whether criminal or civil, a trustee or employee who intentionally violates the Ethics Ordinance, is subject to discipline or discharge.

A complete statement of the "Ethics Ordinance" prescribed by the *Illinois Employee Ethics Act* appears in Appendix A of this Board Policy Manual.

Note: Board Policy 15-27, Confidential Reporting of Wrongdoing, will be used to administer discloses of allegations of non-compliance with this Ethics Policy.

Adopted: March 19, 2009 Rescinded: April 16, 2009	Reviewed:	Amended: July 16, 2009
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Composition**

**Policy No. 5-35**

### **Trustee Number, Election, and Qualifications**

The Board of Trustees is comprised of seven (7) qualified voting members elected at-large by the District electorate and one (1) non-voting member elected by the student body in accordance with Section 3-7 of the *Illinois Public Community College Act*, 110 ILCS 805/3-7, the *Illinois Election Code* 10 ILCS 5/1-1 *et seq.*, and other applicable statutes.

Board trustee elections are conducted biannually in accordance with Sections 3-7 through 3-7.13 (as amended) of the *Illinois Public Community College Act*. Voting trustees are elected for staggered terms of six (6) years.

Each voting Trustee shall on the date of the Trustee's election be a citizen of the United States, of the age of 18 years or over, and a resident of the state of Illinois and District 502 for at least one (1) year preceding his/her election.

Adopted: 3/19/09

Reviewed:

Amended:

**COLLEGE OF DUPAGE***Policy Manual of the Board of Trustees***The Board of Trustees - Composition****Policy No. 5-40****Residency**

Each voting member of the Board of Trustees must be a resident of the State of Illinois and the territory included in Community College District No. 502 during his/her term.

The following towns are included in Community College District No. 502:

• Addison	• Keeneyville
• Argonne Labs	• La Grange
• Aurora*	• La Grange Park
• Bartlett*	• Lemont
• Bensenville	• Lisle
• Bloomingdale	• Lombard
• Bolingbrook*	• Mc Cook
• Brookfield*	• Medinah
• Burr Ridge	• Naperville
• Carol Stream*	• Northwood
• Clarendon Hills	• Oakbrook
• Countryside	• Oakbrook Terrace
• Darien	• Plainfield*
• Downers Grove	• Roselle
• Elk Grove	• Villa Park
• Elmhurst	• Warrenville
• Eola	• West Chicago*
• Fermilab	• Western Springs
• Flowerfield	• Westmont
• Glen Ellyn	• Wheaton
• Glendale Heights	• Willow Springs*
• Hanover Park*	• Winfield
• Hinsdale	• Wood Dale
• Hodgkins	• Woodridge
• Indian Head Park	
• Itasca	

\*Only portions of these towns are within Community College District No. 502.

Community College District 502 also includes the unincorporated areas of DuPage County.

Adopted: 3/19/09	Reviewed:	Amended:
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## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

### The Board of Trustees - Composition

**Policy No. 5-45**

#### **Student Trustee**

The Board of Trustees will have one (1) non-voting member who is a student enrolled in the College as provided by Section 3-7.24 of the *Illinois Public Community College Act*, 110 ILCS 805/3-7.24.

The student trustee will be elected by the student body to a one-year term beginning April 15 of each year, as provided by the law. The student assumes all the rights and responsibilities of a district-elected Board member with the exception of non-voting status. The student trustee has the right to make and second motions, to attend all sessions of the Board, receive all materials district-elected Board members do, and has an advisory vote.

Adopted: 3/19/09

Reviewed:

Amended:





## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

### The Board of Trustees - Composition

**Policy No. 5-50**

#### **Vacancies**

Vacancies on the Board of Trustees shall be filled by the Board through appointment in accordance with Section 3-7 (f) of the *Illinois Public Community College Act*, 110 ILCS 805/3-7 (f). All Trustees shall be involved in the selection process for voting members.

The selection process for filling a vacancy in the student trustee position shall involve the Student Leadership Council. The Director of Student Activities, in conjunction with the Student Leadership Council, will develop the procedure for such appointment. The Student Leadership Council will make the appointment.

Adopted: 3/19/09

Reviewed:

Amended:



**Election of Officers**

The Board of Trustees will annually elect or appoint a Chair, Vice-Chair, Secretary, and Treasurer at its annual organizational meeting. The Board will elect from its membership a Chair and Vice chair.

The Board may elect from its membership, as needed, a Co-Vice Chair.

The Board will either elect a Secretary from the membership of the Board or appoint a Secretary who is not a member of the Board. The Board will appoint a Treasurer who is not a member of the Board in accordance with Section 3-18 of the *Illinois Public Community College Act* 110 ILCS 805/3-18.

All officers will be elected by a majority vote of the Board.

Adopted: 3/19/09

Reviewed: 5/7/13

Amended: 6/20/13/



**Duties of the Chair**

The duties of the Chair of the Board of Trustees shall include, but not be limited to, the following:

1. Preside at all Board meetings.
2. Preside, or designate another Trustee to preside, over the Committee of the Whole.
3. Make all Board standing committee appointments with the advice and consent of the Board.
4. Appoint and dissolve special ad hoc committees.
5. Call special meetings.
6. Direct the preparation of the meeting agenda.
7. Serve as an ex-officio member of all Board committees.
8. Represent the interests of the Board on a day-to-day basis.
9. Perform such other duties as prescribed by Board policy, law or by Board action.
10. Act or designate another person to act, as spokesperson for the Board in communication to the public. The Chair or designated spokesperson will notify all individual Trustees as promptly as possible of his/her actions as the Board's representative.

Adopted: 3/19/09	Reviewed:	Amended:
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**Duties of the Vice Chair**

The duties of the Vice Chair of the Board of Trustees shall include the following:

1. Serve as Chair in the Chair's absence.
2. Perform such other duties as prescribed by law or by Board action.

**Duties of the Vice Chair**

The duties of the Co-Vice Chair of the Board of Trustees shall include the following:

1. Perform duties assigned by the Chair.
2. Perform such other duties as prescribed by law or by Board action.



**Duties of the Secretary**

Where the Secretary is appointed from the membership of the Board of Trustees, the duties of the Secretary of the Board shall include the following:

1. Record call to order and adjournment; motions, seconds and voting; attendance, absences, late arrival, and early departure of members; and other occurrences as necessary for an accurate record of Board proceedings.
2. Provide for the custody of all records, proceedings, and documents of the Board including making them available for public use.
3. Direct the official signing of all official legal documents of the Board.
4. Direct the preparation of legal notices in all official newspapers designated by the Board.
5. Direct that a duplicate set of official College records be stored in a secure facility.
6. Perform such other duties as prescribed by Board policy, law or by Board action.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Composition**

**Policy No. 5-75**

**Term of Office (Board Member Officers)**

All officers of the Board of Trustees who are elected from the membership at an annual organizational meeting of the Board will serve until the next succeeding annual organizational meeting unless an officer is unable to serve due to death, incapacity, resignation, or removal from office. Removal of an officer before the next succeeding annual organizational meeting will be by majority vote of the entire Board of Trustees and will be based on a finding by the Board that the removal is in the best interests of the Board.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Composition**

**Policy No. 5-80**

### **Trustee Emeritus Program**

A trustee who leaves the Board of Trustees after serving the College for six (6) or more years will be considered for Trustee Emeritus status upon the request of the Chair of the Board or a majority of Trustees. The Board will determine whether to confer Trustee Emeritus status based on the former Trustee's service and contributions to the College.

Adopted: 3/19/09

Reviewed:

Amended:

**Formulation of Board Policy**

The authority and responsibility to enact College policy rests with the Board of Trustees. The Board will continually monitor existing policies of the College to ensure their currency and applicability to existing conditions and will update as necessary and appropriate.

If the Board or President proposes new or modified policies, the President will notify the Shared Governance Council (or its successor) of impending changes to existing policy, or proposed new policy, and where appropriate, seek input from stakeholders. A policy will require two readings by the Board prior to adopting. The readings will be agenda items at meetings of the Board.

Adopted: 3/19/09	Reviewed: 4/30/15	Amended: 2/24/11, 5/21/15
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**Formulation of Administrative Procedures**

The Board delegates to the President the responsibility (and the President is required) to develop, implement, propose and modify procedures as necessary to carry out the Board's policies, rules, and actions. However, all procedures shall be subject to final Board approval, and the Board may modify or revoke any procedures at any time.

The President may seek input from stakeholders in the formulation of Administrative Procedures.



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees – Operation of the Board**

**Policy No. 5-95**

### **Naming Policy**

The Board of Trustees will have sole authority to recognize, in enduring ways, those who have distinguished themselves by helping to advance the mission and vision of the college. The Board will consider recommendations for a naming opportunity submitted by the College of DuPage Foundation Board of Trustees.

Recognition may be predicated on financial contribution or evidence of exceptional service to the College.

Adopted: 3/19/09

Reviewed:

Amended: 8/20/09

**Committees of the Board of Trustees**

The Board Chair, or a majority of the Board, may appoint committees as are deemed necessary by the Board. Such committees will report recommendations for appropriate action to the Board and will be dissolved by: (i) the Board's acceptance of the report; (ii) the Board Chair, if the committee was appointed by the Chair; or (iii) by a vote of the Board, if the committee was appointed by the Board.

Any committee of three or more Board members may be deemed a public body and shall comply with the notice and other requirements of the *Illinois Open Meetings Act, 5 ILCS 120/1 et seq.*

Adopted: 3/19/09	Reviewed:	Amended: 8/20/09
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## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

### The Board of Trustees - Meetings

**Policy No. 5-105**

#### **Public Meetings - Quorum**

Any meeting involving a majority of the voting members of the Board of Trustees will constitute a quorum for the transaction of business. Board action requires a majority of a quorum of the voting members of the Board. All Board meetings will be held consistent with the requirements of the *Illinois Open Meetings Act, 5ILCS 110/1 et seq.*

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Meetings**

**Policy No. 5-110**

**Annual Organizational Meeting**

On an annual basis, and within the time limits prescribed by the *Illinois Public Community College Act*, 110 ILCS 805/1 *et seq.*, the Board Chair will call and conduct an organizational meeting, notice of which meeting shall be given in advance as prescribed by the *Illinois Open Meetings Act*, 5 ILCS 120/1 *et seq.*, and other applicable laws.

Adopted: 3/19/09

Reviewed:

Amended:



## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

### The Board of Trustees - Meetings

**Policy No. 5-115**

#### **Regular Meetings**

At least once per month, the Board of Trustees will hold an open meeting for the purpose of conducting College business, including but not limited to, the review of operations, programs, personnel, and plans for the continued development of the College. Notice of such meetings will be made as required by the *Illinois Open Meetings Act*, 5 ILCS 120/1 *et seq.*, and other applicable law.

The Board may at its sole discretion hold regular meetings more frequently than once per month.

Adopted: 3/19/09

Reviewed:

Amended:



## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

### The Board of Trustees - Meetings

**Policy No. 5-120**

#### **Special Meetings**

On occasion it may prove necessary for the Board of Trustees to conduct special meetings to enable the timely consideration of a particular issue or issues. Special meetings shall be held consistent with the *Illinois Open Meetings Act*, 5 ILCS 120/1 *et seq.*

Adopted: 3/19/09

Reviewed:

Amended:



**Emergency Meetings**

In the event of an emergency requiring Board action with less than 24 hours notice prior to meeting, the meeting shall be held consistent with the law.

Notice of the meeting will be given by telephone, fax, e-mail, or other available means to the registered news media, as soon as practicable but, in any event, prior to the holding of such meeting.

Adopted: 3/19/09

Reviewed:

Amended:





## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

### The Board of Trustees - Meetings

**Policy No. 5-130**

#### **Agenda**

The Board Chair, with the advice and counsel of the Vice Chair shall prepare an agenda for each meeting of the Board of Trustees. The agenda for each regular meeting of the Board and Committee of the Whole will be published and presented to the full Board at least 48 hours prior to such meetings to ensure there is adequate time for Board members to review and prepare for the business to be conducted. This policy supersedes any conflicting language contained in any other Board policies.

Agendas for each committee meeting will be prepared by the chairperson of the applicable committee.

Nothing in this policy should be construed as limiting the Board Chair's ability to seek advice and input from the President, faculty, staff, students, other Trustees, or members of the public on appropriate agenda items.

Adopted: 3/19/09

Reviewed: 4/30/15

Amended: 5/21/15



**Video or Audio Conference Attendance for Board or Committee Meetings**

Board members may attend Board or Committee Meetings via a video or audio conference call whenever it is not possible for the member to attend because of:

1. Personal illness or disability;
2. Employment purposes or the business of the public body; or
3. A family or other emergency

Board member attendance via video or audio conference may be allowed provided the following conditions are satisfied:

1. A quorum of the members of the Board or committee must be physically present at the location of the meeting;
2. If a member wishes to attend a meeting by conference, the member must notify the Board Chairman or Board Secretary before the meeting unless advance notice is impractical;
3. The voice of the conferencing member must be broadcast at the meeting so that the voice is audible to the entire audience; and
4. The member utilizing the privilege of conferencing must be present on the telephone line for substantially the entire meeting.

Electronic attendance shall be allowed for all qualifying reasons.

(Source: P.A. 94-1058, effective 01/01/07)

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees – Meeting Procedures**

**Policy No. 5-145**

**Public Comment at Board Meetings**

At each regular and special meeting which is open to the public, members of the public and employees of Community College District No. 502 will be encouraged and afforded time to comment or ask questions, subject to reasonable limitations to ensure efficient meetings of the Board of Trustees.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees – Meeting Procedures**

**Policy No. 5-150**

### **Meeting Procedures**

For Board meetings and Board committee meetings, the Board will set and follow such procedures as the Board deems necessary for the efficient conduct of the public's business.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees – Meeting Procedures**

**Policy No. 5-155**

**Resolutions of Support**

The Board of Trustees may, from time to time, issue resolutions which pertain to or affect the College.

Adopted: 3/19/09

Reviewed:

Amended: 8/20/09



**Closed Session**

At any meeting for which proper notice has been given, the Board may close all or part of the meeting by a majority vote of a quorum present for any of the reasons listed below or otherwise permitted by law, Illinois Compiled Statutes 5 ILCS 120/1 et seq. The specific authorized reason must be stated in the motion, recorded in the minutes, and approved by a roll call vote.

A single vote may be taken to close a series of meetings provided they are scheduled to be held within three months of the vote and all involve the same matter. The following subjects may be discussed at executive sessions:

1. Collective bargaining matters;
2. Information regarding the appointment, employment, compensation, discipline, performance, or dismissal of an employee including testimony on a complaint lodged against an employee;
3. Appointment of a member to fill a vacancy on the Board;
4. Acquisition, purchase or lease of real property;
5. The setting of a price for sale or lease of property owned;
6. The sale or purchase of securities, investments, or investment contract; and
7. Campus security measures to respond to actual danger to the safety of employees, student, staff or public property.

Adopted: 3/19/09

Reviewed:

Amended:



**Recording of Closed Meetings**

1. A verbatim record shall be kept of all meetings of the Board of Trustees or any subsidiary “public body” (as defined by the *Illinois Open Meetings Act* 5ILCS 120 et seq.) of the College which are closed to the public. The verbatim record shall be in the form of an audio or video recording. In addition, minutes shall be kept of all closed meetings in the manner required by the *Illinois Open Meetings Act*. Minutes of closed meetings shall be placed before the Board or the subsidiary body, as the case may be, for approval as to form and content as soon as practicable following the closed meeting. The Secretary of the Board shall maintain the verbatim recordings and minutes of all closed meetings of the Board and all subsidiary public bodies of the College. The Secretary may not delegate this duty to any other person, except to another Board member in the event of the Secretary’s absence. The Chair shall promulgate such procedures as may be necessary to maintain the confidentiality of such verbatim recordings and minutes.
2. The verbatim record of closed meetings shall not be open for public inspection or subject to discovery, except as provided by law. The verbatim recording shall be maintained by the Secretary for not less than two years.



**Selection of Resource Services**

To assist the Board of Trustees in the efficient conduct of its business, various resource services are necessary.

Consistent with this Policy, the Board may appoint a secretary as a resource person who is not a trustee to perform the functions of the Board Secretary as set forth in Policy 5-55.

Consistent with this Policy and the *Illinois Public Community College Act*, the Board will appoint a treasurer who is not a trustee to perform the functions of the Board Treasurer as set forth in Policy 5-55 and in accordance with 110 ILCS 805/3-18.

Consistent with this Policy, the Board, in conjunction with the President may also appoint an internal auditor as a resource person to perform audit functions as prescribed by the Board and the President. Such audit functions would not be intended to be duplicative of the audit functions set forth in Policy 5-175.

The Board and/or the President may determine the timing of and specifications for seeking proposals necessary in selecting appropriate resource services by a vote of the Board at any Board meeting. All such resource service professionals shall report directly to the President and/or the Board.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees – Resource Services**

**Policy No. 5-171**

**Provision of Office Space and Related Resources for the Board**

To assist the Board of Trustees in the efficient conduct of its business, the College shall provide the Board with suitable secure office space located on the College's campus. The College shall also provide the Board with dedicated clerical support and sufficient office equipment and furnishings. The Board, in its sole discretion, shall determine whether the office space, clerical support and office equipment are sufficient for the Board's purposes.

Adopted: 5/21/15

Reviewed:

Amended:



**Appointment of an Audit Firm**

In accordance with Section 3-22.1 of the *Illinois Public Community College Act*, 110 ILCS 805/3-22.1, the Board of Trustees will cause an audit to be made at the end of each fiscal year by an accountant licensed to practice public accounting in Illinois.

In addition, the Board will employ only independent auditors having a professional staff of over 100. The independent auditor will be engaged by the Board and report directly to the Board. The report will include a statement of the scope and findings of the audit and include a management letter listing recommendations regarding internal controls and accounting practices.

The Board will not limit the scope of the examination to the extent that the effect of such limitation will result in the qualification of the auditor's professional opinion.

The appointment will be made at, or before, the April meeting of the Board.

The auditor must perform the audit in accordance with generally accepted auditing standards and regulations prescribed by the Illinois Community College Board (ICCB).

The audit must include a verification of student enrollments and any other basis on which claims are filed with the ICCB, as well as a statement of the scope and findings of the audit and a professional opinion signed by the auditor. The procedures for payment for the expenses of the audit shall be in accordance with seq. 9 of the *Governmental Account Audit Act*, 50 ILCS 310.01, et seq. Copies of the audit report must be filed with the auditor general and the Illinois Board of Higher Education (IBHE). 110 JILCS 805/3-22.1; 23 Ill.Admin.Code 1501.503

The Audit Committee of the Board will meet with the auditors and review the audit report and management letter before these are forwarded to the full Board for consideration at their regular Board Meeting.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees – Resource Services**

**Policy No. 5-180**

### **Legal Counsel**

The Board of Trustees may employ the services of legal counsel by direction of the Board or its designee. Such legal counsel serves at the pleasure of the Board.

The Board may provide legal counsel for any Board member, administrator, employee, or student who may be requested to testify before any executive, legislative, or judicial body when such testimony concerns activities of the College or is in the interest of the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Communications**

**Policy No. 5-190**

### **Freedom of Information Policy**

The Board of Trustees recognizes the right of members of the public to have access to public records in accordance with the provisions of the *Illinois Freedom of Information Act 5 ILCS 140/1 et seq.* ("FOIA" or the "Act"), and affirms that it is the policy of the College to comply with the Act.

The College President shall designate one or more officials or employees of the College to serve as its Freedom of Information Officer(s), and shall develop and implement administrative procedures to effect compliance with the Act.

Adopted: 3/19/09

Reviewed:

Amended: 3/18/10

**Trustee Education and Attendance at Conferences**

All members of the Board of Trustees are encouraged to educate themselves on issues that will benefit the College. If Trustees seek to do so by participating in professional conferences, institutes, or activities, whenever possible, Trustees should participate in such events locally (or online) to avoid the expense associated with travel.

Approval of the Board Chair is required in advance of attending professional conferences. Trustees are to schedule participation in conferences in a way that avoids impairing Board business. The Board in providing approval to attend a conference will consider the ability of the Board to continue to conduct business.

No Trustee shall be reimbursed for travel, lodging or any other charges relating to such self-education activities in an amount exceeding \$335.00 in any fiscal year, without advance approval by the Board at a public meeting.

Adopted: 3/19/09	Reviewed: 4/30/15	Amended: 5/21/15
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Miscellaneous  
Policy No. 5-200**

### **Reimbursement for Expenses**

Subject to approval by the Board Chair, (or in the case of the Chair, the Vice Chair), Trustees are to be reimbursed upon application for travel, sustenance, lodging, and other direct reasonable expenses incurred in conducting the Board's business, and in attending professional conferences in accordance with Policy 5-195.

Adopted: 3/19/09

Reviewed:

Amended:

**Provision of Equipment to Board Members**

It is desirable that members of the Board of Trustees have access to various types of equipment, such as lap-top computers, facsimile machines, etc., to enable them to more readily access information relative to the performance of their duties as Trustees. In order to facilitate such access, Board Members may be provided such equipment during their tenure as Trustees subject to the following conditions:

1. The Board member does not currently have access to such equipment, or the provision of such equipment will ensure confidentiality of College business.
2. Such equipment will be used exclusively for College business.
3. Use, to the extent applicable, shall be in accordance with the *Electronic Communications Guidelines* promulgated by the Board.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Miscellaneous**

**Policy No. 5-210**

### **Protection from Civil Suit**

The Board of Trustees will defend, indemnify, and hold harmless members of the Board of Trustees, administrators, employees, and agents against any and all suits, claims and demands for damages or requests for other relief arising from a deprivation of constitutional right, civil right, statutory right, negligent or wrongful acts resulting in death, bodily injury, or property damage while performing such duties as defined by state law or as authorized by the Board of Trustees and its agents. This Policy will be administered consistent with Section 3-29 of the *Illinois Public Community College Act*, 110 ILCS 805/3-29.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**The Board of Trustees - Miscellaneous**

**Policy No. 5-215**

### **Institutional Affiliations**

The College recognizes its responsibility to participate in appropriate regional, state, and national associations in order to contribute insight and experience into these larger fellowships, and to receive the benefits of conference participation, consultation, and publication services from these associations.

Adopted: 3/19/09

Reviewed:

Amended:



## **COLLEGE OF DUPAGE** Index of Policies

*Policy Manual of the Board of Trustees*

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**Financial Plan of Operation**

The Board of Trustees shall exercise its statutory authority to provide for the revenue necessary to maintain the College consistent with Section 3-23 of the *Illinois Public Community College Act*, 110 ILCS 805/3-23. The Board may make a determination within the operating budget for the distribution of base operating grants and certain other revenues among the operating funds.

For the purpose of carrying out the entire educational program of the College District, the Board, in accordance with the Illinois Community College Board (ICCB), has established the following funds for operation:

1. Educational Fund
2. Operations and Maintenance Fund
3. Operations and Maintenance Fund (Restricted)
4. Bond and Interest Fund
5. Auxiliary Services Fund
6. Restricted Purposes Fund
7. Working Cash Fund
8. General Fixed Assets Account Group
9. General Long Term Debt Account Group
10. Trust and Agency Fund
11. Liability, Protection and Settlement Fund

Adopted: 3/19/09	Reviewed:	Amended:
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## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

College Operations - Fiscal

**Policy No. 10-10**

### **Fiscal Year**

The fiscal year for the College shall begin on July 1 of each year and end on June 30 of the following year.

Adopted: 3/19/09

Reviewed:

Amended:

**Financial Reports**

The President or his/her designee will provide appropriate monthly and annual financial reports and supporting data to the Board of Trustees consistent with accepted accounting practices and will contain such content as directed by the Board to permit the Board to perform its statutory duty to provide for the revenue necessary to maintain the College consistent with Section 3-23 of the *Illinois Public Community College Act*, 110 ILCS 805/3-23.

The monthly financial reports shall be provided to the Trustees 48 hours in advance of the Board's regular monthly meeting.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - Fiscal**

**Policy No. 10-20**

### **Basis of Accounting**

The accounting procedures and financial records of the College will be established and maintained on a basis consistent with the requirements of the *Illinois Community College Board Fiscal Management Manual* and Governmental Accounting Standards Board (GASB).

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - Fiscal  
Policy No. 10-25**

**Preparation of an Annual Audit**

The Board of Trustees will, as of the end of each fiscal year, direct an audit to be made by an accountant licensed to practice public accounting in Illinois and appointed by the Board pursuant to Policy 5-175.

Adopted: 3/19/09

Reviewed:

Amended:



**Annual Budget**

The Board will ensure the preparation of a tentative budget for the College for each fiscal year and the President will present the tentative budget to the Board of Trustees for approval. The Board will make the tentative budget available for public inspection at least thirty (30) days prior to the Board's final action on the budget.

The Board will vote on the approval of the annual budget within the first quarter of each fiscal year in accordance with Section 3-20.1 of the *Illinois Public Community College Act*, 110 ILCS 805/3-20.1.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - Fiscal  
Policy No. 10-35**

**Publication of an Annual Financial Statement**

College personnel will publish an annual financial statement in a newspaper of general circulation in the College District as prescribed by statute, *Illinois Public Community College Act*, ILCS 805/3-22.2.

Adopted: 3/19/09

Reviewed:

Amended: 8/20/09

**Unrestricted Fund Balance**

The College will strive to maintain an on-going unrestricted fund balance in the combined General, Working Cash and Auxiliary Funds in an amount equivalent to fifty percent (50%) of the College's total annual revenues in the General Fund (comprised of the Education Fund and the Operation and Maintenance Fund), using the previous fiscal year's external audit.

The Board of Trustees may approve expenditures and/or reservations in the unrestricted fund balance causing it to drop below the targeted fifty percent (50%) of the College's General Fund revenues, as presented in the previous year's external audit.

**COLLEGE OF DUPAGE***Policy Manual of the Board of Trustees***College Operations - Fiscal****Policy No. 10-45****Budget Transfers**

Subsequent to the adoption of the budget for a particular fiscal year, it may be necessary to permit transfers of budget amounts between object and functional designations within a fund.

All budget transfers must be fully documented as to need and adhere to the following approval level:

<b>Category</b>	<b>Approval Required</b>	<b>Approval Date</b>
<u>Taxing funds</u> <sup>1</sup> Contingency Amounts of \$10,000 and over All other	Board of Trustees President Controller	Quarterly Quarterly As received from cabinet officer
Operations & Maintenance Fund (Restricted) (Construction Fund)	Board of Trustees (Budgets recorded are estimates only until project is approved by the board.)	Project initialization
Agency funds	None	Allowed to expend only funds that are available
All other funds	Controller	As received from cabinet officer

1. Only intra-fund budget transfers are permitted within the Taxing Funds, (Educational Fund, Operations and Maintenance Fund, Audit Fund Liability, and Protection and Settlement Fund).

Adopted: 3/19/09	Reviewed:	Amended:
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## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

College Operations - Fiscal

**Policy No. 10-50**

### **Inter-Fund Transfers**

The Board of Trustees may authorize inter-fund loans from any fund maintained by the Board to any other fund maintained by the Board of Trustees. All such inter-fund loans must be repaid and retransferred to the appropriate fund within one (1) year of the transfer in accordance with Section 3-34 of the *Illinois Public Community College Act*, 110 ILCS 805/3-34.

Adopted: 3/19/09

Reviewed:

Amended:



## **Investment of College Funds**

### **Introduction**

College of DuPage ("College") has adopted this Investment Policy Statement (the "Policy") to provide a clear understanding for and amongst College Trustees, outside investment managers and advisors and other interested parties concerning the investment of College funds. This Policy will be used to evaluate the performance of the investment portfolio and investment providers.

The College shall invest public funds in a manner that:

- Seeks to preserve capital while earning a market rate of return relative to the acceptable level of risk undertaken as defined in this Policy,
- Meets the cash flow needs of the College, and
- Satisfies all applicable governing laws, including, but not limited to, the Illinois Compiled Statutes, specifically 30 ILCS 235, the Public Funds Investment Act (the "Act"), and other state laws governing the investment of public funds, as amended from time to time.

### **Scope**

As required by the Public Funds Investment Act, this Policy shall apply to all operating funds, special funds, interest and sinking funds, and other funds belonging to or in the custody of the College. These funds are accounted for in the College's Comprehensive Annual Financial Report ("CAFR") and generally include:

- i. Local property taxes received from the County Treasurers' in DuPage, Cook and Will Counties;
- ii. Monies received from the State of Illinois for Base Operating and other grants or other funds received from any political or corporate subdivision;
- iii. All monies belonging to the College in its corporate capacity.

Upon approval and upon future amendment, if any, copies of this Policy will be delivered to:

- i. The Board of Trustees and Treasurer or other officer(s) of the College;
- ii. All depositories or fiduciaries of public funds of the College; and
- iii. Any investment advisers or managers used by the College.

The investment of bond funds or sinking funds shall comply with this Policy and the requirements of any applicable bond resolution.

This Policy does not apply to the College's 403(b) and 457 Deferred Compensation Plans, as well as funds managed separately and subject to the Investment Policy Statement of the Foundation.

## Objectives of the Policy

The College's investment objectives, in order of priority, include:

- **Safety:** Safety and preservation of principal in the overall portfolio is the foremost investment objective.
- **Liquidity:** Portfolio must have sufficient liquidity to meet all projected cash flow needs of the College.
- **Return:** Maintain the purchasing power of the investable assets by producing positive real rates of return in excess of inflation. Maximize returns within reasonable and prudent levels of risk, as defined by this Policy and applicable law and Board policies.

The College's investment portfolio will be reviewed annually as to its effectiveness in meeting the College's needs for safety, liquidity, return, diversification, and its overall general performance.

## Delegation of Authority

The Board of Trustees has ultimate fiduciary responsibility for the investment of College funds. To execute these responsibilities, the Board of Trustees approves the Policy and delegates responsibility to the Treasurer for implementation and ongoing monitoring and oversight of the investment portfolio. The Treasurer may delegate the day-to-day responsibility for the investment of College funds to the Assistant Vice President, Finance and Controller. The College may hire external investment managers to manage portfolios for the College within the stated investment policy guidelines of this Policy

## Standard of Care

The standard of care to be used in the investment of College funds shall be the "prudent person" standard and shall be applied in the context of managing the overall investment portfolio. The prudent person standard states:

***"Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."***

Officers acting in accordance with this Policy and exercising due diligence shall be relieved of personal responsibility for an individual investment's credit or market risk, provided that deviations from expectations are reported in a timely manner and appropriate action is taken to minimize adverse developments.

Investments shall be made seeking the highest returns consistent with: (1) preservation of capital; (2) the College's anticipated cash flow needs; (3) prudent investment principles and (4) restrictions contained in applicable law and this Policy.

The adoption of this standard of care by the Board of Trustees does not grant any authority to invest College funds in any investments that are not specifically authorized by this Policy and the Act.

## Ethics and Conflicts of Interest

Board members, officers and employees involved in the investment process will refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Further, all College employees involved in the investment of College funds, shall adhere to the standards prescribed in the Code of Professional Ethics for the Government Finance Officers Association of the United States and Canada ("GFOA"). This Code is attached to this Policy as Exhibit A.

#### Authorized Financial Institutions and Intermediaries

The Treasurer, with the assistance of staff, will limit investments to authorized depository financial institutions authorized to deposit College funds or provide investment services. These financial institutions may include depositories, investment advisors, broker/dealers and local government investment pools, such as banks, savings and loans, credit unions and Illinois Funds. Prior to initiating any transactions depositing or investing College funds, the financial institution must provide certification to the Treasurer of having read and understood this Policy, agree to comply with this Policy and ensure that all investments will conform to this Policy. Financial institutions selected to engage in transactions with the College shall be at the sole discretion of the College. Consideration for working with any financial institution will include financial condition, level and breadth of service, competitive pricing and experience working with other higher education institutions.

All depositories shall be insured by the Federal Deposit Insurance Corporation ("FDIC") or the National Credit Union Administration ("NCUA") and may consist of banks, savings and loan associations and credit unions that meet the following requirements:

- Minimum Capital, as defined by the FDIC, as Tier 1 Risk-Based Capital Ratio, at a level to be considered to be "Well Capitalized."
- Have been in operation for at least five years
- Have a Community Reinvestment Act rating of "Outstanding" or "Satisfactory"

All financial institutions serving as a depository for College funds shall supply the following information to the Treasurer:

- Depository contract
- Collateral Agreement
- Audited financial statements
- Statement of Condition (the "Call Report")
- Community Reinvestment Act report
- Certification as to having read and agreeing to comply with this Policy

All investment managers shall be registered under the SEC Investment Advisors Act of 1940.

All security broker/dealers desiring to provide investment transactions for the College must meet the following minimum requirements:

- Minimum Net Capital Requirements in compliance with SEC Rule 15c3-1
- Have been in operation for at least five years
- Maintains blanket SIPC insurance coverage

All security broker/dealers must also supply the following, as appropriate:

- Trading resolution
- Custodial Agreement



- Audited financial statements
- Proof of Financial Industry Regulatory Authority (FINRA) certification and compliance
- Certification as to having read and agreeing to comply with this Policy

The College is committed to developing its investment activities with minority-owned and local financial institutions that offer deposit or investment services that are competitively priced and provide high quality service and performance.

### Authorized Investments

Funds shall be invested in such securities as authorized by the Act, as amended from time to time. The following investments will be permitted under this Policy, but may be further restricted at the discretion of the Treasurer for portfolio management purposes.

1. Funds may be deposited in Certificates of Deposit, Money Market Accounts, Time Deposits, or Savings Accounts, only with banks, savings banks, credit unions and savings and loan associations which are insured by the FDIC (Bank Insurance Fund or Savings Association Insurance Fund) or NCUSIF. The deposits must be collateralized or insured at levels acceptable to the College in excess of the current maximum limit provided by the FDIC or NCUSIF (See Section 9 - Collateralization).
2. Investments may be made in bonds, notes, certificates of indebtedness, treasury bills or other securities which are guaranteed by the full faith and credit of the United States of America as to principal and interest. Investments may be made in short term discount obligations such as the Federal National Mortgage Association, and other US Agency obligations as described in paragraph 2(b) and 2(c) of the Act with a maturity date not to exceed 5 years. All investment transactions by the College will be conducted on a delivery-versus-payment (DVP) basis. No more than 25% of the College's total investment portfolio may be invested in callable securities.
3. Local government investment pools (such as Illinois Funds or Illinois School District Asset Fund) provided that the pool is rated at the time of investment in one of the two highest rating categories by at least two of the three nationally recognized rating agencies. No more than 5% of the College's investment portfolio can be invested in any single fund.
4. Collateralized repurchase agreements which conform to the requirements stated in paragraph 2(g) or 2(h) of the Act.
5. Commercial paper meeting the following requirements:
  - a. The corporation must be organized in the United States.
  - b. The investment must be rated at the time of purchase in the top tier of the three highest classifications established by at least two nationally recognized rating services.
  - c. The obligations cannot have a maturity longer than 270 days.
  - d. Not more than 20% of the College's operating investment portfolio can be invested in commercial paper at any time.
  - e. The total investment in any one corporation cannot exceed 5% of the corporation's total liabilities.
6. Money market mutual funds registered under the Investment Company Act of 1940 that invest in investment grade short term bonds. Such mutual funds must have assets of at least \$250 million, must be AA rated as established by a nationally recognized rating service. No more than 5% of the College's operating investment portfolio can be invested in

such funds. The 5% restriction does not apply to the investment of the College's outstanding bond proceeds, which are segregated from the College's operating portfolio.

7. The College may invest in money market mutual funds that invest primarily in U.S. Treasury securities or agencies backed by the full faith and credit of the United States of America as to principal and interest (i.e. Federated Treasury Obligations Fund or the Treasury Fund). The total investment in any one fund cannot exceed 5% of the total assets in the fund.
8. The College may invest in the Illinois Institutional Investors Trust. No more than 25% of the total investment portfolio can be invested in this fund.
9. The College may invest in the PFM/Prime Series Fund. No more than 25% of the total investment portfolio can be invested in this fund.

The College may contract with a bank or broker to manage a portfolio of investments subject to the provisions of this Policy.

The College may invest in tax-exempt and taxable municipal securities, including any issued by the College. The bonds shall be rated within the four highest rating classifications established by a nationally recognized rating service.

#### Prohibited Investments

The College strictly prohibits investing directly in the following financial instruments:

- Any derivatives such as forwards, swaps or futures contracts
- Private placements
- Unregistered stock

#### Collateralization

In recognition of the GFOA recommended practice on Collateralization of Public Deposits, it is the policy of the College to require that time deposits in excess of FDIC and NCUSIF insurable limits must be secured by collateral or AAA-rated private insurance at time of purchase to protect public deposits in a single financial institution if it were to default.

1. Financial institutions must collateralize all deposits in excess of the maximum limit provided by the FDIC and NCUA limits to 102% of market value. The ratio of market value of collateral to the amount of funds on deposit shall be reviewed on a monthly basis. Additional collateral will be required should the ratio fall below the minimum required level.
2. Acceptable collateral includes the following:
  - a. Bonds, notes, certificates of indebtedness, treasury bills, or other securities now or hereafter issued which are guaranteed by the full faith and credit of the United States of America as to principal and interest;
  - b. Bonds, notes or other securities constituting the direct and general obligations of any agency or instrumentality of the United States, the interest and principal of which is guaranteed by the United States;
  - c. Bonds issued by the College;
  - d. Obligations of United States Government Agencies; and
  - e. Certain surety bonds or letters of credit as approved by the Treasurer.

3. Safekeeping of Collateral. An executed collateral agreement must be on file with the College. Third party safekeeping is required for all collateral. To accomplish this, the securities must be held at one or more of the following locations:
  - a. At a Federal Reserve Bank or its branch office;
  - b. At another custodial facility in a trust or safekeeping department through book-entry at the Federal Reserve;
  - c. By a custodial agent of the pledging institution; or
  - d. By the trust department of the issuing bank.

#### Diversification

The College will diversify its investment portfolio to eliminate the risk of loss resulting in an over concentration in a specific maturity, issuer, financial institution, broker dealer, or class of securities. Diversification can be by type of investment, number of institutions invested in, and maturity. Diversification strategies shall be periodically reviewed and adjusted by the Treasurer.

#### Internal Control

The Treasurer is responsible for establishing and maintaining an internal control structure designed to insure that the assets of the entity are protected from loss, theft or misuse. The internal control structure will be designed to provide reasonable assurance that these objectives are met.

#### Performance Standards

This investment portfolio will be managed in accordance with the parameters specified within this Policy. The portfolio should earn a comparable rate of return during a market/economic environment of stable interest rates. Portfolio performance should be compared to benchmarks with similar maturity, liquidity and credit quality as the portfolio. The benchmarks used will be nationally recognized Treasury indexes of duration appropriate for the portfolio, Illinois Funds and the Prudent Man Index.

#### Reporting Requirements

The Treasurer will prepare a monthly investment report to summarize investment activities of the investment portfolio and report portfolio performance via rate of return. On at least a quarterly basis, the Treasurer shall provide the Board of Trustees a report on overall portfolio performance and shall include information on the investments in the portfolio by type, issuer, interest rate, maturity, book value, income earned, current market value as of the report date and comparison to any applicable benchmarks. This report will be reviewed by the Board.

#### Investment Policy Adoption

The Policy will be adopted by the Board. This Policy is available for public inspection at the Office of the Board Secretary, 425 Fawell Blvd., Glen Ellyn, IL. The Policy will be reviewed periodically by the Treasurer and any modifications made thereto must be approved by the Board.

Adopted: 3/19/09	Reviewed:: 2/21/13	Amended: 031913:
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**Exhibit A**

## **GOVERNMENT FINANCE OFFICERS ASSOCIATION**

### **Code of Professional Ethics**

The Government Finance Officers Association of the United States and Canada is a professional organization of public officials united to enhance and promote the professional management of governmental financial resources by identifying, developing and advancing fiscal strategies, policies, and practices for the public benefit.

To further these objectives, all government finance officers are enjoined to adhere to legal, moral, and professional standards of conduct in the fulfillment of their professional responsibilities. Standards of professional conduct as set forth in this code are promulgated in order to enhance the performance of all persons engaged in public finance.

#### **I. Personal Standards**

Government finance officers shall demonstrate and be dedicated to the highest ideals of honor and integrity in all public and personal relationships to merit the respect, trust, and confidence of governing officials, other public officials, employees, and of the public.

- They shall devote their time, skills, and energies to their office both independently and in cooperation with other professionals.
- They shall abide by approved professional practices and recommended standards.

#### **II. Responsibility as Public Officials**

Government finance officers shall recognize and be accountable for their responsibilities as officials in the public sector.

- They shall be sensitive and responsive to the rights of the public and its changing needs.
- They shall strive to provide the highest quality of performance and counsel.
- They shall exercise prudence and integrity in the management of funds in their custody and in all financial transactions.
- They shall uphold both the letter and the spirit of the constitution, legislation, and regulations governing their actions and report violations of the law to the appropriate authorities.

#### **III. Professional Development**

Government finance officers shall be responsible for maintaining their own competence, for enhancing the competence of their colleagues, and for providing encouragement to those seeking to enter the field of government finance. Finance officers shall promote excellence in the public service.

#### **IV. Professional Integrity - Information**

Government finance officers shall demonstrate professional integrity in the issuance and

management of information.

- They shall not knowingly sign, subscribe to, or permit the issuance of any statement or report which contains any misstatement or which omits any material fact.
- They shall prepare and present statements and financial information pursuant to applicable law and generally accepted practices and guidelines.
- They shall respect and protect privileged information to which they have access by virtue of their office.
- They shall be sensitive and responsive to inquiries from the public and the media, within the framework of state or local government policy.

## **V. Professional Integrity - Relationships**

Government finance officers shall act with honor, integrity, and virtue in all professional relationships.

- They shall exhibit loyalty and trust in the affairs and interests of the government they serve, within the confines of this Code of Ethics.
- They shall not knowingly be a party to or condone any illegal or improper activity.
- They shall respect the rights, responsibilities, and integrity of their colleagues and other public officials with whom they work and associate.
- They shall manage all matters of personnel within the scope of their authority so that fairness and impartiality govern their decisions.
- They shall promote equal employment opportunities, and in doing so, oppose any discrimination, harassment, or other unfair practices.

## **VI. Conflict of Interest**

Government finance officers shall actively avoid the appearance of or the fact of conflicting interests.

- They shall discharge their duties without favor and shall refrain from engaging in any outside matters of financial or personal interest incompatible with the impartial and objective performance of their duties.
- They shall not, directly or indirectly, seek or accept personal gain which would influence, or appear to influence, the conduct of their official duties.
- They shall not use public property or resources for personal or political gain.



## **Purchasing**

### **Competitive Bidding**

All contracts will be let in accordance with Illinois law and regulations:

1. The College will operate in accordance with the bid limit established by Illinois law for all contracts.
2. Illinois law requires a minimum of ten (10) days advertising for bids in a local newspaper. Accordingly, the College will require a minimum of ten (10) calendar days advertising prior to the opening of any bids. An extension of the initial bid opening date has been granted provided that each bidder receives at least three (3) days notice of the time and place of the extended bid opening.

### **Purchasing Authority**

The Board of Trustees delegates to the Purchasing Department authority to enter into all contracts, in accordance with administrative procedures, that either do not exceed the statutory bid limit, or meet the requirements of joint purchases with governmental units or are contracts procured from another governmental agency. In addition, construction related contracts not exceeding statutory limits shall be processed at the discretion of the Purchasing Department in accordance with administrative procedures. Other contracts for supplies, materials, or work exceeding the statutory bid limit shall be submitted for approval by the Board of Trustees.

### **Centralized Purchasing Function**

A centralized purchasing function will be maintained by the College. Purchase orders are authorized by the Purchasing Department only.

### **Emergency Expenditures**

Expenditures and contracts for supplies, materials and/or services in excess of the bid limit shall be allowed without public bid where funds are expended in an emergency and such emergency expenditure is approved by three-fourths ( $\frac{3}{4}$ ) of the members of the Board.

### **Prevailing Wage**

The following statement will appear on all bid sheets and be used as a criterion in the evaluation of the lowest responsible bidder:

**Our company certifies that it is eligible for bidding on public contracts and has complied with section 11a of the Prevailing Wage Act, 820 ILCS 130.01-12.**

**\_\_\_ YES    \_\_\_ NO**

Bid Rigging / Bid Rotating

The following statement will appear on all bid sheets and be used as a criterion in the evaluation of the lowest responsible bidder:

**Our company certifies that it is eligible for bidding on public contracts and is not in violation of either paragraph 33E-3 or 33E-4 of Public Act 86-150, 720 ILCS 5.**

Equal Employment Opportunity

The following statement will appear on all bid sheets and be used as a criterion in the evaluation of the lowest responsible bidder:

**Our company has an Equal Employment Opportunity and Affirmative Action Program which complies with Executive Order 11246, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and the Rehabilitation Act of 1973.**

☐ YES    ☐ NO

**LET IT BE KNOWN TO ALL BIDDERS THAT THE ABOVE INFORMATION WILL BE USED AS A CRITERION IN THE EVALUATION OF VENDORS.**

Adopted: 3/19/09	Reviewed:	Amended:
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**Vendor Payment**

The Board of Trustees shall exercise its authority with respect to the payment of the orders and bills consistent with Section 3-27 of the *Illinois Public Community College Act*, 110 ILCS 805/3- 27. Consistent with this authority, the Board may establish revolving funds by resolution authorizing the Treasurer of the College (appropriately bonded) to make payments to vendors prior to approval of the Board, subject to the following conditions and limitations:

1. Checks for items not previously approved by the Board shall require individual approval by the Board of Trustees for amounts of \$15,000 and over.
2. Payment may be made only for items delineated in a category of the College's budget, or otherwise approved by the Board.
3. No payment shall be made under the terms of this Policy unless there is documentation that the services and goods have been received and that the invoice is consistent with the transaction.
4. No payment shall be made in an amount in excess of the dollar amount established by the Board in its resolution.

Adopted: 3/19/09

Reviewed:

Amended:



**Insurance**

The Board of Trustees will provide for a program of risk management for the College consistent with all of the legal requirements pertaining thereto and consistent with the financial ability of the College. The Board will purchase with College funds the type and amount of insurance necessary or will set aside adequate reserves to self-insure in order to protect itself as a corporate body, its individual members, its appointed officers, and its employees from financial loss arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in accidental injury to any person or in property damage within or without the College buildings while the above names insured are acting in the discharge of their duties within the scope of their employment and/or under the direction of the Board.

Furthermore, within its program of risk management, the Board will provide from College funds the type and amount of insurance coverage to insure and/or self-insure all real and personal property of the College, to insure and/or self-insure the College from losses due to employee dishonesty, injury or death, and to provide a program of health and welfare benefits for employees to the limits established from time to time by the Board.

Further, within its program of risk management the Board will purchase from College funds the type and amount of insurance coverage to insure Board members and College employees against financial loss, including attorney's fees and court costs, arising out of any demand, claim, suit or judgment by reason of an alleged wrongful act or omission causing the damages, when acting in the discharge of his duties and within the scope of employment.

Within the scope of this policy, the Board will direct the development and maintenance of rules and regulations necessary for carrying out all aspects of this policy, including the designation of the College employees responsible for administration and supervision of the risk management program. Said rules, regulations, and employee administration will be subject to approval by the Board.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - Fiscal**

**Policy No. 10-75**

**College Use of Checking Accounts**

The College shall establish and utilize the minimum number of checking accounts necessary to comply with sound business and fiscal practices as determined by the Chair of the Board, the President, and the auditors of the College. Every effort shall be made to ensure that checking accounts which consistently have substantial daily balances earn interest consistent with current bank practices.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - Fiscal**

**Policy No. 10-80**

### **Credit Cards**

The Board of Trustees may authorize the use of credit cards by appropriate College personnel for the efficient procurement of goods and services.

The President or his/her designee shall have authority to issue credit cards and be responsible for developing procedures to implement this Policy which are in accordance with generally accepted accounting practices.

Adopted: 3/19/09

Reviewed:

Amended:

**Sale or Disposal of College Property**

College property certified by the Vice President of Administrative Affairs to be obsolete or worn out, and approved by the Board of Trustees, may be disposed of or sold. The Administration will determine the disposal methodology most beneficial to the College consistent with Illinois Law.

All hazardous materials or items containing hazardous materials must be disposed of per State and Federal regulations. Disposal must be approved by the College of DuPage Coordinator of Hazardous Materials.

The Board of Trustees will be provided an annual report of the disposition of all College property.

Adopted: 3/19/09	Reviewed:	Amended: 7/22/10
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**Construction Contracts**

All contracts for construction related services will be made in accordance with Illinois law and regulations. Construction related contracts shall include contracts for building repair, maintenance, remodeling, renovation, or construction and professional services related thereto.

Emergency expenditures in excess of the bid limit shall be allowed without public bid where funds are expended in an emergency and such emergency expenditure is approved by three-fourths ( $\frac{3}{4}$ ) of the members of the Board of Trustees.

Adopted: 3/19/09

Reviewed:

Amended:



**Auxiliary Fund Professional Service Contracts**

The Board of Trustees will annually approve the Arts Center, Business and Professional Institute, and Conference and Events comprehensive budgets. Within the limitations of those budgets, the administration is authorized to contract for speakers, productions, training, equipment rental, and other professional service contracts as follows:

1. Arts Center productions and speakers;
2. Business and Professional Institute training contracts; and
3. Conference and Events equipment rentals.

Adopted: 3/19/09

Reviewed:

Amended:

**The Solicitation and Acceptance of Contributions (Gifts) and Exchange Transactions**

The College may identify financial needs for special projects, program development, and other educational endeavors that cannot be met through available funding sources. The College may seek external resources to meet identified needs. In addition, the Board of Trustees may accept contributions to the College and agree to exchange transactions to meet financial needs.

Adopted: 3/19/09	Reviewed:	Amended:
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**Facilities Usage**

The primary purpose of the College facilities is to accommodate its educational programs. First priority for the use of all College facilities, (which will take precedence over the use of college facilities by non-college entities) will be accorded to College classes and scheduled College activities.

At the same time, the College, acting in a manner consistent with its role as a public community college, will make its facilities available for use by various groups and constituencies of the College and the community at large, provided that:

1. The use does not interfere or conflict with the normal operation or educational programs of the College.
2. The use is consistent with College mission and vision, and in accordance with state and local laws or ordinances.
3. The use conforms to the general procedures and conditions governing the use of facilities for the College.
4. Agreements for use will be limited in time and scope. Any agreements for use for more than one year must be approved by the Board of Trustees.

Access to the College's facilities is a privilege granted by the College to all provided that reasonable rules and regulations of the College are followed. The Board and/or its authorized representative may revoke the privilege of any patron who uses the College's facilities in violation of the rules and regulations, including the power to require the user to leave any campus premises.

The College may establish a usage fee for non-college use of its facilities consistent with this Policy.

Procedures to facilitate application for use of College facilities will be promulgated consistent with this Policy. Detailed use of College facilities and associated procedures can be found in the Facilities Coordination Manual.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - General**

**Policy No. 10-106**

## **Historical Preservation**

College of DuPage has served the people of Community College District #502 since 1967, and cherishes its past shared by employees, students, and community members. To that end and to the fullest extent possible, the College will strive to preserve and make accessible its rich history through multiple vehicles designed to recognize people and their contributions throughout the years.

Adopted: 5/22/14	Reviewed:	Amended:
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**Assemblage on College Facilities**

Members of the academic community may peaceably assemble on College facilities as long as they assemble in accordance with the following provisions:

1. All participants in an assemblage are expected to conduct themselves as responsible members of the academic community and to strictly abide by the rules and regulations governing use of College facilities.
2. The rights of free speech and lawful assembly do not confer upon those who exercise these rights a license to limit, interfere with, or infringe upon the equal rights of others.

Acting in the College's best interests, the President reserves the right to invite, acknowledge, or deny requests for assemblage as well as the right to control the time, place and manner of the assemblages.

Adopted: 4/16/09  
Rescinded: 5/4/09  
Adopted: 11/19/09

Reviewed:

Amended: 2/24/11



### **Outside Speakers and Programs**

The purpose of outside speakers or programs is to contribute to the overall mission and vision of the College. Guest speakers will strictly abide by the rules and regulations governing the use of College facilities.

The President and/or his authorized representative reserves the right to invite, acknowledge or deny requests for outside speakers or programs as well as the right to control the time, place, and manner of the speaker or the program to be presented.

Specifically, College of DuPage students, faculty and staff have the right to speak, to assemble, to listen to a speaker or to attend a program sponsored by the College. This right does not extend beyond the members of the academic community and their guests.

The College, by extending an invitation, neither approves nor disapproves any point of view expressed by any speaker or program. No person shall be required to listen to a speaker or participate in a program that he/she finds objectionable.

The scheduling of outside speakers and programs must be initiated by a member of the recognized College community including officially registered clubs and organization. Programs include, but are not limited to films, tapes, art exhibits and plays.

The President may deny a particular speaker or program on campus if it reasonably appears that such speaker or program would advocate:

1. Violent overthrow of the government of the United States, the State of Illinois or any political subdivision thereof;
2. Willful destruction or seizure of the institution's buildings or other property;
3. Disruption or impairment, by force, of the institution's regularly scheduled classes or other educational functions;
4. Physical harm, coercion, intimidation or other invasion of lawful rights of the institution's officials, faculty members or students;
5. Other campus disruptions of a violent nature;
6. Violation of any federal, state or local laws.

The sponsoring individual/group will be held responsible for managing the program.

Any expense incurred as the result of scheduling a speaker or program on campus will be the responsibility of the sponsoring individual/group. All expenditures must be approved by the proper administrator.

This Policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 4/16/09 Rescinded: 5/04/09 Adopted: 12/10/09	Reviewed:	Amended:
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**Political Events on Campus**

Illinois law expressly prohibits the use of public funds to urge electors to vote for or against any candidate or public question. *Election Code*, 10 ILCS 5/9-25.1. Candidates for public office and individuals who support or oppose propositions before the electorate must be advised by the sponsoring College groups that:

1. A speech or appearance on College premises does not constitute an endorsement by the College of a candidate or the advocacy by the College of a position on a public question;
2. No direct solicitation of funds or distribution of campaign fund raising literature is permitted on College premises; and
3. No campaign materials which state or imply that the College supports or opposes a candidate or a public proposition may be distributed on College premises or elsewhere.

This Policy will be construed consistent with Policy 5-30, and the Board's adoption of the Model Ethics Ordinance, Appendix A.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - General**

**Policy No. 10-125**

**Distribution of Printed Material**

Individuals and/or organizations of the College or community at-large may distribute printed material on the campus of College of DuPage, subject to the provisions set forth in Policy 10-120. Such material will not be contrary to local, state, or federal laws.

Posting and display of materials on campus shall be governed by the procedures and regulations established by the Office of Student Activities and published in the Student Handbook.

Adopted: 4/16/09  
Rescinded: 5/4/09  
Adopted: 11/19/09

Reviewed:

Amended:



### **Electronic Communications**

Access to the College's information technology resources (including network, PC's, servers, computer applications, phone systems, etc.) is a privilege granted to faculty, staff, students, the College community and its business partners. The use of this technology is intended to support the mission of the College and is to be used for College related activities for which they were intended.

The College reserves the right to extend, limit, restrict or deny information technology privileges and access to its information resources to any faculty, staff, student, community member or business partner.

Any person using the College's technology resources is responsible for understanding Board Policy, administrative procedure and the *Electronic Communications Guidelines*. These documents define the appropriate access, use, privacy, security, responsibilities and limitations in the use of information technology resources at the College.

Adopted: 2/18/10

Reviewed:

Amended:



## **Identity Protection**

College of DuPage intends to comply with the provisions of the *Identity Protection Act* (5ILCS 179/1 *et seq.*) to protect social security numbers from unauthorized disclosure.

### **Requirements**

1. All employees that have access to social security numbers in the course of performing their duties will be trained to protect the confidentiality of social security numbers. Training will include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information.
2. Only employees who are required to use or handle information or documents that contain social security numbers will have access to such information or documents.
3. Social security numbers requested from an individual will be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
4. When collecting a social security number, or upon request by the individual, a statement of the purpose or purposes for which the social security number is being collected and used will be provided.

### **Prohibited Activities**

1. No employee may do any of the following:
  - A. Publicly post or publicly display in any manner an individual's social security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.
  - B. Print an individual's social security number on any card required for the individual to access products or services.
  - C. Encode or embed an individual's social security number in or on any cards or documents, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology.
  - D. Require an individual to transmit his or her social security number over the internet, unless the connection is secure or the social security number is encrypted.
  - E. Print an individual's social security number on any materials that are mailed to the individual, through the US Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this Section to the contrary, social security numbers may be included in applications and forms sent by mail including, but not limited to, any material mailed in connection with the administration of the *Unemployment Insurance Act*, any material mailed in connection with any tax administered by the Internal Revenue Service or Illinois Department of Revenue, and documents sent as

part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this Section will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

F. Collect, use, or disclose a social security number from an individual, unless:

- 1) Required to do so under state or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities;
- 2) The need and purpose for the social security number is documented before collection of the social security number; and
- 3) The social security number collected is relevant to the documented need and purpose.

G. Require an individual to use his or her social security number to access an internet website.

H. Use the social security number for any purpose other than the purpose for which it was collected.

2. The prohibitions listed immediately above do not apply in the following circumstances:

- A. The disclosure of social security numbers pursuant to a court order, warrant, or subpoena.
- B. The collection, use, or disclosure of social security numbers in order to ensure the safety of other employees.
- C. The collection, use, or disclosure of social security numbers for internal verification or administrative purposes.
- D. The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal *Fair Credit Reporting Act*, to undertake any permissible purpose that is enumerated under the federal *Gramm Leach Bliley Act*, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

### **Public Inspection and Copying of Documents**

Notwithstanding any other provision of this policy to the contrary, all employees must comply with the provisions of any other state law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. This includes requests for information or documents under the *Illinois Freedom of Information Act*. Employees must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

### **Public Availability**

A copy of this policy shall be made available to the public upon request.

### **Applicability**

This policy does not apply to the collection, use, or disclosure of a social security number as required by state or federal law, rule, or regulation.



**Violation**

Any person who intentionally violates the prohibitions in this policy may be guilty of a Class B misdemeanor (5 ILCS 179/45). The College may also take disciplinary action up to and including termination against any employee who intentionally, or through gross negligence, violates this policy regardless of whether criminal or civil penalties are imposed.

Adopted: 2/24/11	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - General**

**Policy No. 10-130**

**Access to College Facilities by Non-Enrolled or Non-Employed Individuals**

The President and/or his authorized representative reserves the right to restrict access to College facilities by individuals either not enrolled or not employed by the College in the interest of safety and sound educational practices.

Access and use of College facilities must comply with Board Policy and Administrative Procedures 10-105, Facilities Usage.

Adopted: 3/19/09

Reviewed:

Amended:



**Emergency, Disaster and Evacuation Plan**

The Board of Trustees and/or its authorized representative will direct the development of a campus emergency operations plan in compliance with the *Campus Security Act*, 110 ILCS 12. All employees of the College will be informed of the plan and are expected to abide by it.

The Board and the College administration will:

1. Conduct periodic planning/training to minimize the danger to life, health and property from emergencies or disasters.
2. Cooperate with other public bodies and agencies charged with disaster control.
3. Take necessary and prudent steps to assure continuity of operations and restoration of services as quickly as possible following an emergency or disaster.

The College will promulgate and maintain procedures detailing its emergency, disaster and evacuation plan.

Adopted: 3/19/09

Reviewed:

Amended: 8/20/09



**Environmental Health and Safety**

The Board of Trustees is committed to protecting the health and safety of our employees, students, and community. Meeting this commitment is a primary management objective and the individual and collective responsibility of all College employees. Accordingly, College students, employees and visitors are entitled to:

1. Work under safe conditions, free from recognized hazards.
2. Wear and use personal protective clothing and equipment.
3. Have basic, and when necessary, specific health and safety training.

Procedures to facilitate the Board's objectives on environmental health and safety issues will be promulgated consistent with this Policy. These procedures shall be made available to all College employees, students and visitors.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - General**

**Policy No. 10-145**

**Campus Security Enhancement Act Policy**

The Board of Trustees will comply with the provisions of the *Campus Safety Act*, 110 ILCS 12 *et seq.* The College will require criminal background investigations prior to the employment of individuals in security-sensitive positions.

Procedures to facilitate compliance with the *Campus Safety Act* will be promulgated consistent with this Policy.

Adopted: 3/19/09

Reviewed:

Amended:



**Reporting Criminal Acts and Emergencies**

The Board of Trustees is committed to providing a safe and secure campus environment.

On the Glen Ellyn Campus emergencies requiring immediate police assistance should be reported from the nearest phone by calling (630) 942-2000, the College Public Safety Police Department.

When off Glen Ellyn campus locations, where authorized instructional or co-curricular activities are being conducted, emergencies requiring immediate police assistance should be reported from the nearest phone by calling 911.

Reports of any suspicion of, or actual occurrence of, criminal activities that do not require immediate police emergency assistance should be reported to the College's Public Safety Police Department at (630) 942-2000.

Victims are urged to report the occurrence immediately and preserve any evidence which may be necessary to prove criminal conduct.

Adopted: 3/19/09

Reviewed:

Amended:



**Sex Offender and Sexual Predator Registration**

The Board of Trustees will comply with the provisions of the Illinois Sex Offender Registration Act, 730 ILCS 150/3. The College will require sex offenders and sexual predators enrolled or employed at the College to register with the College Police Department.

Procedures to facilitate compliance with the Illinois Sex Offender Registration Act will be promulgated consistent with this Policy.

Adopted: 10/15/12

Reviewed:

Amended:

**Traffic, Parking Control and Offense Fines**

The Board of Trustees adopts the *State of Illinois Vehicle Code* Chapter 625 ILCS for the governing of traffic movement on College property.

The President and/or his authorized representative may enact traffic and parking regulations, including towing, to provide for a safe and orderly College campus. In accordance with Illinois law, the President may establish a schedule of fines and penalties for violation of traffic and parking regulations and other policy violations on College property. College students, employees, visitors and guests may appeal a citation in accordance with the procedures established consistent with this Policy. Fines and penalties collected under this Policy will be deposited into the Operations, Building and Maintenance Fund and used for expenditures legally charged to that fund.

Adopted: 3/19/09	Reviewed:	Amended: 8/20/09
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**Tobacco-Free Campus Policy**

Use of tobacco and tobacco-related products (including electronic cigarettes) is prohibited on all College of DuPage premises, in all indoor College facilities and in all College vehicles.

“College of DuPage Premises” includes all land, building, facilities and other property leased or rented by the College, whether on a short-term or long-term basis; owned by the College (including adjacent streets and sidewalks); subject to the control of the College but not leased, rented, or owned; and where an official College activity is held and where students, faculty, or staff are present or are participants in the official College activity.

Tobacco use is permitted inside private vehicles. The improper disposal of tobacco and tobacco-related products from a vehicle while on College of DuPage premises is prohibited. Improper disposal includes, but is not limited to, spitting smokeless tobacco product, littering, and anything that creates fire hazards.

It is the responsibility of all faculty, staff, students and visitors to comply with this policy. Refusal to comply with this policy may result in citations issued by Campus Police and/or disciplinary action by the appropriate administrative office.

The effective date of this policy is August 6, 2012.

Adopted: 3/19/09

Reviewed: 2/16/12

Amended: 4/19/12



**Children on Campus**

No child less than 16 years of age is permitted on campus unattended by a parent/guardian, except when such a child is attending classes or receiving services offered by the College for children.

No child less than 16 years of age is permitted into a classroom or a laboratory environment solely for the purpose of allowing a parent/guardian to provide direct supervision of such a child.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - General**

**Policy No. 10-170**

### **Animals on Campus**

No animals are permitted on the College of DuPage campus except service animals, animals which have received prior approval from the Public Safety Department, and those authorized by laboratory faculty or Deans for laboratory use, in accordance with College procedures.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - General**

**Policy No. 10-175**

**Business Enterprise Program**

The College will maintain the “Business Enterprise Program” to encourage participation by local vendors, minority and women-owned vendors, and other disadvantaged vendors in the College’s bid and procurement processes.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**College Operations - General**

**Policy No. 10-180**

**Privatization of College Services**

The Board of Trustees and/or its designated authorized representative reserves the right to privatize College services consistent with the *Illinois Public Community College Act*, 110 ILCS 805/1 *et seq.*

Adopted: 3/19/09

Reviewed:

Amended:



**Reimbursable Expenses for Non-Employees**

Reimbursements of reasonable expenses incurred by certain non-employees such as consultants, speakers, performers, etc. who perform services for the College will be made based solely upon a written agreement executed before the commencement of such services.

All such reimbursements will be approved by the appropriate authorized signator before payment will be made. Such approval indicates that the reimbursement is within limitations of the budget and Board policy.

Reimbursement to prospective employees is covered under Policy 15-55.

Adopted: 3/19/09

Reviewed:

Amended:



**Part III: Human Resources**

General

- 15-5: Equal Employment Opportunity and Affirmative Action
- 15-10: Prohibition of Discrimination and Harassment
- 15-11: Prohibition of Sexual Discrimination, Harassment and Misconduct
- 15-15: Communicable Diseases, Employees
- 15-20: HIPAA Compliance Policy
- 15-25: Employee Code of Ethics
- 15-26: Related Party Transaction
- 15-27: Confidential Reporting of Wrongdoing
- 15-30: Drug and Alcohol Free College
- 15-35: Employment of Related Parties
- 15-40: Possession or Use of Weapons
- 15-41: Concealed Carry
- 15-45: Background Screening Policy
- 15-50: Medical Examination for Current and Prospective Employees
- 15-55: Reimbursement of Travel Expenses for Prospective Candidates
- 15-60: Reimbursement of Moving Expenses for New Employees
- 15-65: Definition of Workweek
- 15-70: Pay Periods
- 15-75: Shift Differential, Non-Exempt Employees
- 15-80: Remuneration of Overtime
- 15-85: Health Insurance for College Employees
- 15-90: Life Insurance for College Employees
- 15-95: Employment Outside of the College
- 15-105: Sick Leave Days
- 15-106: Civic Duty Leave
- 15-110: Personal Leave of Absence
- 15-111: Worker's Compensation
- 15-115: Voting Time Off
- 15-120: Disability Benefits
- 15-125: Unpaid Family and Medical Leave of Absence
- 15-130: Military Leave of Absence
- 15-135: Tax Sheltered/Deferred Income Plans
- 15-140: Tuition Assistance
- 15-141: Professional Development
- 15-145: Employee Assistance Program
- 15-150: Access to Personnel Records
- 15-155: Employment Verification
- 15-160: Employees Engaged in Federally Funded Programs
- 15-165: Institutional Exchanges

### General (continued)

- 15-170: Causes for Termination of College Personnel
- 15-175: Reduction in Force Based on Financial Exigency
- 15-180: Separation of Employment
- 15-185: Employee Recall
- 15-190: Protection of Copyrighted Materials
- 15-195: Intellectual Property Rights
- 15-200: Marketing of Instructional Materials
- 15-201: General Employment Classifications (non-faculty)

### Administrative

- 15-205: President
- 15-210: President's Evaluation
- 15-220: Advisory Committees
- 15-225: Vice President Evaluation
- 15-230: Vice President's Compensation
- 15-235: Administrative Personnel
- 15-240: Administrative Assignment
- 15-245: Duties and Responsibilities of Administrators
- 15-250: Administrator Evaluation
- 15-251: Administrator Appeal Process
- 15-255: Administrator Compensation
- 15-256: Compensation for Newly Hired Administrators
- 15-260: Vacation and Paid Holidays for Administrators
- 15-261: Personal Leave Days for Administrators
- 15-265: Developmental Leave for Administrators
- 15-270: Employment Outside of the College
- 15-275: Administrator Separation
- 15-280: Administrator Emeritus

### Full-Time Faculty

- 15-285: Full-Time Faculty
- 15-290: Collective Bargaining, Full-Time Faculty
- 15-295: Full-Time Faculty Guidebook
- 15-300: Spoken English Proficiency for Faculty
- 15-305: Recruitment and Selection of Faculty
- 15-310: Duties and Responsibilities of Faculty
- 15-315: Faculty Evaluation
- 15-320: Initial Salary Placement of Faculty
- 15-325: Benefits, Full-Time Faculty
- 15-330: Tenure, Full-Time Faculty
- 15-335: Academic Freedom/Instructional Material, Full-Time Faculty
- 15-340: Faculty Administrative Review Board (FARB)
- 15-345: Professor Emeritus
- 15-350: Substitute Assignments, Full-Time and Part-Time Faculty Members
- 15-351: Employment Outside of the College, Full-Time Faculty



### Part-Time Faculty

- 15-355: Part-Time Faculty
- 15-360: Collective Bargaining, Part-Time Faculty
- 15-365: Information Guide
- 15-370: Part-Time Faculty Assignments and Pay Rates
- 15-375: Benefits, Part-Time Faculty Members
- 15-380: Academic Freedom/Instructional Material, Part-Time Faculty
- 15-381: Appeal Process, Part-Time Faculty

### Classified Staff

- 15-385: Definition of Classified Employment
- 15-390: Classified Employee Guidebook
- 15-395: Assignment of Classified Employees
- 15-400: Classified Employee Evaluation
- 15-405: Compensation for Classified Employees
- 15-410: Vacations and Paid Holidays, Classified Employees
- 15-415: Retirement Benefits, Classified Employees
- 15-420: Reclassification and Reduction In Force, Classified Employees
- 15-425: Separation of Employment, Classified Employees
- 15-430: Appeal Process, Classified Employees
- 15-435: Amendment or Appeal of Grievance Procedures for Classified Employees

### Other Employees

- 15-440: Collective Bargaining, College of DuPage Police
- 15-445: Police Department Employee Drug and Alcohol Testing Program
- 15-450: Collective Bargaining, Operating Engineers
- 15-455: Externally Grant Funded Employees
- 15-460: CDL Employee Drug Testing Program
- 15-465: Independent Contractors



**Equal Employment Opportunity and Affirmative Action**

Consistent with federal and state law, the Board of Trustees will facilitate through the Affirmative Action Officer equal employment opportunities to all persons regardless of their race, color, religion or creed, sex, national origin, ancestry, age, marital status, sexual orientation, gender identity and expression, arrest record, military status or unfavorable discharge from military service, citizenship status, use of lawful products while not at work, physical or mental handicap or disability (if otherwise able to perform the essential functions of the job with reasonable accommodation), or other factors which cannot lawfully be the basis for an employment decision.

The term "employment opportunities" includes hiring, promotion, termination, wages, benefits, and all other privileges, terms, and conditions of employment.

In accordance with federal law, the College will maintain a written Affirmative Action Program to implement and maintain the policy of equal opportunity through positive efforts.

Adopted: 3/19/09

Reviewed: 3/10/14

Amended: 8/20/09, 4/17/14



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-10**

### **Prohibition of Discrimination and Harassment**

No student, employee, Board member, or visitor will discriminate against or harass a student, employee or visitor on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity and expression or any other unlawful basis. The College will not tolerate discrimination or harassment.

Individuals found to have violated this policy will be subject to disciplinary action up to and including termination and/or expulsion from the College as determined by such administrative or Board action as is required by Illinois law or by Board policy. Individuals who retaliate against any employee for filing a complaint or participating in a harassment investigation shall be subject to disciplinary action.

The College will maintain and publish a complaint process consistent with this Policy.

Refer to Board Policy 15-11 (Prohibition of Sexual Discrimination, Harassment and Misconduct); Board Policy 20-5 (Non-Discrimination Policy); and Board Policy 20-35 (Code of Student Conduct).

Adopted: 4/16/09  
Rescinded: 5/04/09  
Adopted: 12/10/09

Reviewed: 3/10/14

Amended: 4/17/14, 2/19/15



## **Prohibition of Sexual Discrimination, Harassment and Misconduct**

### **I. Purpose**

The College of DuPage is committed to maintaining a safe and healthy educational and employment environment that is free from discrimination, harassment and misconduct on the basis of sex, which includes sexual orientation or gender-related identity.

Sex discrimination includes sexual harassment, sexual misconduct and sexual violence. It is the policy of the College that no staff member, student or other members of the College community shall be subject to sexual discrimination, harassment or misconduct.

Individuals found to have violated this policy will be subject to disciplinary action up to and including termination and/or expulsion from the College as determined by such administrative or Board action as is required by law, Board policy and procedure, and/or collective bargaining agreement.

### **II. Jurisdiction**

This policy applies to students, faculty, staff, appointees, or third parties, regardless of sexual orientation or gender-identity, whenever the misconduct occurs:

A. On College property; or

B. Off College property, if:

1. The conduct was in connection with a College or College-recognized program or activity; or
2. The conduct may have the effect of creating a hostile environment for a member of the College community.

### **III. Title IX Coordinator**

The College has designated the Dean of Students as the Title IX Coordinator.

### **IV. Retaliation Prohibited**

Any form of retaliation, including intimidation, threats, harassment and other adverse action taken or threatened against any complainant or person reporting or filing a complaint alleging sexual discrimination, harassment or misconduct or any person cooperation in the investigation of such

allegations, (including testifying, assisting or participating in any manner in an investigation) is strictly prohibited.

#### V. Implementing Procedures

The College will maintain and publish procedures implementing this policy which set forth:

- Definitions of prohibited conduct;
- Responsibilities of and contact information for the College's Title IX Coordinator and Department of Human Resources;
- Options for assistance following an incident of sexual discrimination, harassment and/or misconduct;
- Procedures for reporting and confidentially disclosing sexual discrimination, harassment and/or misconduct;
- Complaint investigation and appeal procedures;
- Prevention and education programming provided to College students and employees; and
- Training and education provided to the Title IX Coordinator, Department of Human Resources, College Police, Responsible Employees, victim advocates, and anyone else involved in responding to, investigating or adjudication sexual discrimination, harassment and misconduct incidents.

Refer to Board Policy 15-10 (Prohibition of Discrimination and Harassment), Board Policy 20-5 (Non-Discrimination Policy); and Board Policy 20-35 (Code of Student Conduct).

Adopted: 3/19/09	Reviewed:	Amended: 2/19/15
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**Communicable Diseases, Employees**

The Board of Trustees places a high priority on the need to protect students and employees from the spread of communicable disease on campus. The Board does not intend to exclude personnel with a communicable disease if there is no significant risk of transmission. Employees are to notify the Office of Risk Management if they have or are a carrier of a reportable communicable disease.

For purposes of this Policy, communicable diseases are those defined by the Illinois Department of Public Health (IDPH).

Procedures establishing systematic approaches to prevent and control the risks associated with communicable diseases will be promulgated consistent with this Policy.

Adopted: 3/19/09	Reviewed: 03/21/11	Amended: 12/10/09 05/23/11
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**Health Insurance Portability and Accountability Act (HIPAA) Compliance Policy**

The College complies with the *Health Insurance Portability and Accountability Act of 1996* (HIPAA) as both a health plan, based on the College's flexible benefits spending plan, and as a plan sponsor, based on the College's other health plans.

An employee's health information will not be used or disclosed for employment-related actions or decisions affecting the benefits of an individual employee.

The College's Human Resources Department (the "Department") is designated as the sole healthcare component of a hybrid entity in accordance with HIPAA relative to the College's flexible benefits spending plan. The Department shall comply with all HIPAA obligations applicable to a health plan. The remainder of the College is designated as a non-healthcare component of a hybrid entity, and as such, is not subject to the requirements of a health plan as defined under HIPAA.

Procedures necessary to comply with the obligations of the hybrid entity status of the Department, as well as the College's general obligations as a health plan sponsor will be promulgated consistent with HIPAA and this Policy.

Adopted: 3/19/09

Reviewed:

Amended:



**Employee Code of Ethics**

All employees of the College should exercise sound judgment and perform their duties in the best interests of the College to present a proper and ethical image to the community and to avoid even the appearance of impropriety.

All employees shall adhere to reasonable ethical standards while working, including the following principles:

1. No officer or employee of the College shall use or permit to be used College equipment, materials, services, or other property for personal benefit or profit.
2. No officer or employee shall influence or seek to influence or participate in the purchase of products, services, letting of contracts, or other transactions of the College when such influence or participation may result in personal gain.
3. No volunteer, officer or employee shall engage in dishonest, unethical, or unprofessional behavior in the workplace.
4. No officer or employee shall fraudulently influence, coerce, manipulate, or mislead an engaged auditor in the performance of an audit for the purpose of rendering the financial statements of the College materially misleading.

This policy will be administered consistent with Policy 5-30.

Further, nothing in this Policy shall in any way restrict the application of or take precedence over any state statute or common law provision with respect to conflict of interest, malfeasance, misfeasance, or nonfeasance in the office.

Adopted: 4/16/09 Rescinded: 5/4/09 Adopted: 10/15/09	Reviewed:	Amended:
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### **Related Party Transactions**

All transactions with related parties are to be carried out on an arms-length basis. Arms-length transactions are those in which a business transaction is open, above board, and does not result from inside manipulation.

The College shall adhere to the *Illinois Corrupt Practices Act* and the College of DuPage Ethics Ordinance.

A related party transaction is defined as any transaction involving a exchange of goods, services, or money between the College and a related party. A related party will be considered as any member of the immediate family<sup>1</sup> of a member of the Board of Trustees or an employee. Additionally, a related party will be any entity, organization or unit of government which would be required to be identified on the Statement of Economic interests filed annually with the County Clerk by a particular Board member or employee.

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<sup>1</sup> For this policy, a related party will include members of the same family including child, spouse, mother, father, brother, sister, stepchild, stepparent, or grandparent (including the spouse of each of the foregoing) or people living in the same residence.<sup>2</sup>

<sup>2</sup> People living in the same residence are individuals residing at the same US postal standardized address.

Adopted: 3/19/09	Reviewed:	Amended:
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### **Confidential Reporting of Wrongdoing**

College of DuPage is committed to the highest ethical standards and conducting its operations in compliance with federal laws and regulations. To ensure that this standard of performance is achieved and maintained, a mechanism for confidential anonymous reporting of perceived wrongdoing, using an external, independent party, is provided either via telephone or the internet. This Policy encourages persons to disclose allegations of internal wrongdoing.

Wrongdoing may include, but is not limited to:

- Crimes, or violations of the law or governmental regulations
- Fraud or financial irregularity
- Improper use of College funds, property or assets
- Corruption, bribery or blackmail
- Endangering the health or safety of an individual
- Harming College property
- Abuse of students, staff, patrons, College guests, or visitors
- Other unethical conduct

The College will not tolerate any harassment or victimization of reporters and will take appropriate action to protect reporters, including their anonymity (if name is known), who raise concerns in good faith.

Alleged wrongdoer's name may be disclosed only upon completion of the investigation and if found guilty. If wrongdoer is found guilty, appropriate legal and/or personnel action will be taken.

The President will designate a senior administrator who will have overall responsibility for the maintenance and operation of this policy. Where the complaint involves the senior administrator with this oversight responsibility or his/her immediate staff, the reporter may instead submit a report to the President.

The senior administrator will maintain a record of raised concerns and related outcomes. At a minimum, the President will provide the Board with a quarterly update of any complaint received and action taken, although the Board may ask for reports at any time. Should a complaint involve the President, the senior administrator will notify the Chair of the Board immediately upon receipt of the same. Complaints involving a Board member will be brought to the Board's attention by the President upon receipt of the same.

If any substantial changes are made to implementing procedures related to this policy, the Board will be notified.

Adopted: 3/19/09	Reviewed:	Amended:
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## **Drug and Alcohol Free College**

The College will provide a drug and alcohol free environment and workplace as defined by the *Drug Free Workplace Act of 1988*, 41 U.S.C. §701 *et seq.*, and the *Safe and Drug Free Schools and Communities Act of 1994*, 20 U.S.C. §7101 *et seq.*

### **1. General Policy**

The College prohibits the unlawful possession, use, distribution, dispensing, and manufacture of illicit drugs and alcohol by students and employees on its property or as part of any College activity.

Any employee or student who violates this policy may be subject to disciplinary action, up to and including termination or expulsion, respectively, from the institution.

### **2. Delivery of Alcoholic Beverages**

The Board will regulate the delivery of alcoholic beverages in all College centers or conference facilities in connection with cultural, political or educational activities. This Policy is pursuant to Section 5/6-15 of the *Liquor Control Act*, 235 ILCS 5/1-1 *et seq.*

As a general policy, alcoholic beverages are not to be served on College premises. Upon specific authorization by the College President, pursuant to exceptions to the general policy may be made.

The College President or his designee will maintain this Policy pursuant to any special procedures. The procedures will be delineated in the employee guidebooks, the Student Handbook, and other appropriate publications.

Adopted: 3/19/09	Reviewed:	Amended:
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### **Employment of Related Parties**

The Board of Trustees is committed to ensuring the hiring and retaining of the most qualified persons for all positions and preventing nepotism at the College. In order to avoid both the reality and the appearance of nepotism in employment, related parties of employees or Trustees of the College of DuPage may be employed, or hired as independent contractors, only under the following conditions:

No employment decision may be made in regard to an employee, applicant, or independent contractor by a college employee or Trustee related to the employee, applicant, or independent contractor. This includes but is not limited to references, interviewing, hiring, any supervisory activity, evaluation, recommendation, compensation, other benefits, and termination.

For this policy, related party will include members of the same family including child, spouse, mother, father, brother, sister, stepchild, stepparent, or grandparent (including the spouse of the foregoing) of people living in the same residence. People living in the same residence are individuals residing at the same US postal standardized address.

If an employee becomes a related party of a subordinate, the individuals involved will be offered an opportunity for alternate employment. If neither person volunteers for alternate employment, the employee with the least seniority in the institution will be transferred to an assignment at an equivalent level of pay.

The written approval of the President will be necessary in making exceptions to this Policy.

This Policy includes employment of full time, part time, temporary employees, and independent contractors.

Adopted: 3/19/09	Reviewed:	Amended:
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### **Possession or Use of Weapons**

The possession and/or use of weapons is strictly prohibited on College of DuPage premises unless possession or use is by an authorized current or retired law enforcement officer or officers engaged in official duties, and/or possession is authorized in conjunction with the Suburban Law Enforcement Academy (SLEA) operations.

“College of DuPage Premises” includes all land, buildings, facilities and other property as follows:

1. Leased or rented by the College, whether on a short-term or long-term basis;
2. Owned by the College (including adjacent streets and sidewalks);
3. Subject to the control of the College but not leased, rented, or owned; and
4. Where an official College activity is held and where students, faculty or staff are present or are participants in the official College activity.

A “weapon” is defined as enumerated in Section 24 of the *Criminal Code of 1961*, 720 ILCS 5/4- 1 *et seq.*, and includes firearms, any explosive device of any description including, but not limited to, a pistol, revolver, rifle, shotgun, switchblade, knife, bomb, compressed air guns, pellet guns, BB guns, noxious or dangerous chemicals or any item used in a threatening manner toward another individual. The College reserves the right to further determine the definition of a “weapon” and may prohibit other devices on an individual basis, such as unusual walking canes that may be more of a club, flashlights that may be used as a club, air horns, fluid discharge devices, etc. A “weapon” does not include mace or pepper spray type products designed and carried solely for the purpose of defense.

A person in possession of an instrument which could be considered a weapon, but which is currently being used by the individual in a class or course of study or work, shall not be in violation of the policy. In these instances, prior approval of the appropriate Vice President is necessary.

Any employee or student not authorized by the President to possess a weapon while on College of DuPage premises may face disciplinary action, up to and including termination or expulsion, consistent with College policy and College collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:



## **Concealed Carry**

### **1. Statement of Purpose**

The College of DuPage, Community College District No. 502 ("College") hereby establishes this Concealed Carry Policy (hereafter referred to as the "Policy") pursuant to the 2013 Illinois Firearm Concealed Carry Act, 430 ILCS 66/5 et seq. (the "Act"). The College is committed to providing a safe and secure environment for the College community and its guests. In support of this commitment, the College establishes restrictions on the ability to carry firearms or weapons on the College campus in accordance with the College's authority to promulgate rules and regulations under the Act.

### **2. Persons Covered by this Policy**

This Policy applies to all employees, students, persons conducting business or individuals visiting the College campus, as the term "campus" is defined in this Policy. Visitors include, but are not limited to, prospective students, former students and their representatives.

### **3. Prohibited Activities**

#### **A. Weapons or Firearms**

The College maintains a weapons and firearms-free Campus. "Campus" means the College's campus at 425 Fawell Blvd., Glen Ellyn, Illinois and includes all sites, whether owned, leased or controlled by the College where College programs, activities and classes are held. No person covered by this Policy, unless authorized by law or specifically exempted by federal or state law or College regulation, is authorized to possess a weapon or firearm while engaged in College-related business or activities. The term "campus" also means the satellite campuses at 301 S. Swift Road, Addison, Illinois, at 500 N. Kuhn Road, Carol Stream, Illinois, at 2525 Cabot Drive, Suite 201, Lisle, Illinois, at 1223 Rickert Drive, Naperville, Illinois, at 650 Pasquinnelli Drive, Westmont, Illinois, and at any other locations that may hereafter be established.

It is the Policy of the College to prohibit:

- (1) Any person covered by this Policy from possessing a weapon or firearm on property owned, leased or controlled by the College, even if that person has a valid federal or state license to possess a weapon or firearm. Property owned, leased or controlled by the College includes any, building, classroom, laboratory, medical clinic, hospital, artistic venue, or entertainment venue whether owned, leased or operated by the College, and any real property, including parking areas, sidewalks and common areas under the control of the College. It also includes all College-related organization property whether leased or owned by the College and all College-officially-recognized organization property whether leased or owned by the College.
- (2) Any person covered by this Policy from displaying, brandishing, discharging or otherwise using any and all weapons or firearms, including concealed weapons or firearms on property owned, leased or controlled by the College as specified above.

#### **B. Exceptions**

The provisions of this Policy do not apply to the possession of weapons or firearms in College vehicles, College buildings, on College grounds, or at any College-sponsored activity if the possession of weapons or firearms is related to one of the following exceptions:

- (1) The weapon or firearm is used in connection with a weapons safety course, weapons education course, military science or law enforcement training course offered by the College and/or approved and authorized by the College.
- (2) The weapon or firearm is carried by a full-time law enforcement officer required to carry a weapon or firearm as a condition of his or her employment; the weapon or firearm is carried by an enforcement officer from an external agency conducting official business at the College; or for any other exception deemed necessary as determined by the Chief of the College Police.
- (3) The weapon or firearm is used in connection with officially sanctioned classes, athletics, or recreational sports practices, games, matches, tournaments or events on Campus when the activity requires the use of such weapons or firearms (e.g., fencing, starter pistols and archery).
- (4) The use of simulated weapons or firearms in connection with College-related theatrical productions

4. Signage that Concealed Firearms are Prohibited

The College's Facilities Department in consultation with the College's Police Department shall determine placement of clearly and conspicuously posted signs stating that concealed firearms are prohibited. Signs shall be in accordance with the design approved by the Illinois Department of State Police and shall be posted in accordance with any other signage regulations as may be promulgated from time to time by the Illinois Department of State Police.

The College's Facilities Department in consultation with the College's Police Department shall be responsible for the placement and maintenance of signage.

5. Parking and Firearm Storage

Certain parking areas on Campus may be designated as areas where weapons and firearms are not permitted. This condition applies to Sapling drive and the parking lot immediately south of the Early Childhood Center. A firearm may be transported by a concealed carry license-holder into an unrestricted parking area within a vehicle if the weapon or firearm and its ammunition remain stored and concealed in a case within the locked vehicle or locked container out of plain view within the vehicle in the parking area. "Case" is defined as a glove compartment or console that completely encases the firearm and its ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box or other container. The firearm may only be removed from a vehicle for the limited purpose of storage or retrieval from within the trunk of the vehicle. A firearm must first be unloaded before removal from the vehicle.

6. Firearms in Rights of Way

Notwithstanding any other provision in this Concealed Carry Policy, a person licensed to carry concealed firearms may carry concealed firearms while he or she is traveling along a public right of way that touches or crosses the College's Campus if the concealed firearm is carried on the person of the licensee in accordance with the provisions of the Act or is being transported in a vehicle by the licensee in accordance with the Act and all other applicable provisions of law.

7. Enforcement

Any individual visiting or conducting business on the property of the College found to be carrying or have carried a weapon or firearm onto the property of the College knowingly in

violation of the Act and/or this Policy, or under circumstances in which the person should have known that he or she was in possession of a weapon or firearm, may be banned from the College Campus.

Any student found to be carrying or have carried a weapon or firearm onto the property of the College knowingly in violation of the Act and/or this Policy, or found to be carrying or have carried a weapon under circumstances in which the student should have known that he or she was in possession of a weapon or firearm, may be subject to discipline up to and including, but not limited to, expulsion from the College.

Any employee found to be carrying or have carried a weapon or firearm onto the property of the College knowingly in violation of the Act and/or this Policy, or be carrying or have carried a weapon or firearm under circumstances in which the employee should have known that he or she was in possession of a weapon or firearm, may be subject to discipline up to and including, but not limited to, immediate termination of employment, subject to such other employment rules or regulations in place.

Any individual found to be carrying or have carried a weapon or firearm onto the property of the College knowingly in violation of the Act and/or this Policy, or found to be carrying or have carried a weapon or firearm under circumstances in which the individual should have known that he or she was in possession of a weapon or firearm, may be subject to administrative action by the College and possible arrest and prosecution. Violations of this Policy may result in referrals to external law enforcement agencies.

## 8. Definitions

A. The term "**firearm**" is defined as a loaded or unloaded handgun. A "handgun" is defined as any device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas that is designed to be held and fired by the use of a single hand.

B. The term "**weapon**" is defined as:

Any device, whether loaded or unloaded, that shoots a bullet, pellet, flare or any other projectile including those powered by CO2. This includes, but is not limited to, machine guns, rifles, shotguns, handguns or other firearm, BB/pellet gun, spring gun, paint ball gun, flare gun, stun gun, taser or dart gun and any ammunition for any such device. Any replica of the foregoing is also prohibited.

Any explosive device including, but not limited to, firecrackers and black powder.

Any device that is designed or traditionally used to inflict harm including, but not limited to, bows and arrows, any knife with a blade longer than three inches, hunting knife, fixed blade knife, throwing knives and daggers.

C. The term "**clear and present danger**" has the same meaning as in Section 105 of the Firearm Concealed Carry Act, as amended. Accordingly "clear and present danger" means:

A person who demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

## 9. College Police Department

The College Police Department, in consultation with the College President shall be responsible for the development and promulgation of procedures and protocols for storage and confiscation of weapons and firearms.

The College Facilities Department, in consultation with the College President shall be



responsible for determining the placement of clear and conspicuous posting of signage, stating that concealed firearms are prohibited, and signs shall be in accordance with the design approved by the Illinois Department of State Police and posting shall comply with any other administrative rules or procedures that may be promulgated from time to time by the Illinois Department of State Police.

**10. College Dean of Student Development**

Pursuant to the Firearm Concealed Carry Act, the College President or designee is required to report to the Illinois Department of State Police when a student is determined to pose a clear and present danger to himself, herself, or to others, within 24 hours of the determination and in accordance with Section 66-100 – 115 of the Firearm Concealed Carry Act and Section 6-103.3 of the Mental Health and Developmental Disabilities Code, 405 ILCS 5/6-103.3. "Clear and present danger" is defined in this Policy.

The Dean of Student Development in consultation with the College Chief of Police shall be the College President's designee responsible for reporting to the Department of State Police any student who is determined to pose a clear and present danger.

**11. Delegation**

The College's Board of Trustees hereby delegates to the President of the College the authority to recommend additional policies to the Board of Trustees. Regulations and procedures related to and consistent with this Policy, the 2013 Illinois Firearm Concealed Carry Act and other relevant laws and regulations shall be approved by the Board of Trustees.

The President of the College shall from time to time report to the College's Board of Trustees any additional policies, regulations or procedures needed and the status of implementation of this Policy.

Adopted: 2/20/2014	Reviewed:	Amended:
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## **Background Screening**

The Board of Trustees seeks to ensure that individuals who join the College of DuPage workforce or are promoted to positions with certain responsibilities within the College are qualified for the positions for which they have applied and have accurately presented their qualifications during the hiring process. This Policy also ensures that the College is exercising reasonable care in selecting its employees to promote a safe and productive educational environment and workplace.

College of DuPage will follow the *Illinois Campus Security Enhancement Act* of 2008 requiring background checks for specific security sensitive positions.

For all positions, the hiring manager or his/her designee is responsible for checking professional references prior to an offer being extended. Any questions regarding whether references are satisfactory should be discussed with Human Resources. All offers of employment (including internal transfers and promotions) may be contingent upon complete and satisfactory findings of all applicable background checks. Background checks may include: social security number search, previous employers, sex offender registry, credit report, criminal records search, verification of academic credentials, driver's license and driving record check, verification of occupational and professional licenses, or a drug/alcohol check.

The results of all applicable background checks should be received and evaluated before an offer of employment is made to an applicant. In urgent situations, requiring a rapid employment action and with the approval of the appropriate Dean or Director, an individual may begin to work contingent upon a pending successful completion of the background checks, provided that professional references have been checked.

Adopted: 3/19/09	Reviewed:	Amended:
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**Medical Examination for Current, Transferred and Prospective Employees**

The College may require post-offer and pre-employment medical examinations and drug screens in circumstances where the nature of the position renders it appropriate or where it is required by law. Medical examinations may also be required to determine a current employee's ability to perform essential functions of his or her employment position if there are legitimate concerns about an employee's performance and/or whether or not an employee poses a direct threat to the employee or others.

Determination of the need for all such examinations will be made by the College's Human Resources Department and will be paid for by the College.

All medical examinations required by the College will be conducted by a Board Certified medical physician, psychiatrist, or equivalent chosen by the College.

Adopted: 3/19/09	Reviewed:	Amended:
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**Reimbursement of Travel Expenses for Prospective Candidates**

The College will provide reimbursement of a prospective candidate's travel expenses.

Requests for reimbursement will be sent to the appropriate Vice President for approval. Requests must contain appropriate detail related to the travel expenses. Reimbursement will be considered only for any reasonable travel expense incurred during the interview process.

Adopted: 3/19/09

Reviewed:

Amended:



**Reimbursement of Moving Expenses for New Employees**

To facilitate the hiring of qualified candidates, the College President will consider recommendations by the Vice President of Human Resources for reimbursement of a portion of expenses incurred by newly hired full-time employees in the following categories:

1. Classified employees in the top three published pay ranges;
2. Full-time tenure track faculty members; and
3. Full-time administrators.

Recommendations for reimbursement will provide appropriate detail related to the specific moving expenses. Reimbursement will be considered only for any reasonable expense incurred for moving household effects.

Reimbursement may not exceed the bid limit established by Illinois law for all contracts.



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – General**

**Policy No. 15-65**

**Definition of Workweek**

The workweek shall begin at 12:01 a.m. on Sunday and end on the following Saturday at midnight.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – General**

**Policy No. 15-70**

### **Pay Periods**

The Board of Trustees shall, upon the recommendation of the President, approve a schedule of pay periods for all College employees at the beginning of each fiscal year.

Adopted: 3/19/09

Reviewed:

Amended:



**Shift Differential, Non-Exempt Employees**

Full-time, non-exempt employees will qualify for differential pay for work performed during the second or third shift, provided the employee works over one-half the normal premium shift hours in a week or where the employee is scheduled for substantially flexible and variable hours.

Changes in the amount of shift differential will be approved by the Board of Trustees as negotiated.

This Policy will be administered consistent with the *Classified Employee Guidebook*, except where superseded by collective bargaining agreements.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – General**

**Policy No. 15-80**

### **Remuneration of Overtime**

Overtime for full-time, non-exempt employees will be paid within applicable state and federal laws.

This Policy will be administered consistent with the *Classified Employee Guidebook*, except where superseded by collective bargaining agreements.

Adopted: 3/19/09

Reviewed:

Amended:

**Health Insurance for College Employees**

The opportunity for coverage under a health insurance plan will be made available to eligible employees. Should an eligible employee choose to participate in the College's health insurance plan, the eligible employee may join either a federally approved Health Maintenance Organization (HMO) authorized by the College or the College's Hospital and Medical Insurance Plan. The College will contribute the same amount towards the eligible employee's premium for either the College's approved HMO or Hospital and Medical Insurance Plan premium. The extent of coverage and ratio of cost sharing between College and employee groups is subject to approval by the Board of Trustees.

The College's health insurance plan will be administered consistent with all provisions of the *Health Insurance Portability and Accountability Act of 1996* (HIPAA), and all other applicable federal and state laws.

This Policy will also be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09	Reviewed:	Amended:
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**Life Insurance for College Employees**

The opportunity for coverage under a group term life insurance policy will be made available to eligible employees. Eligible employees may also have the option to purchase a limited amount of additional life insurance coverage at the employee's expense.

The extent of coverage for each employee group will be determined by the Board of Trustees. The Board reserves the right to modify or change provisions of the group term life insurance policy, consistent with any applicable limitations in collective bargaining agreements covering the College's eligible employees.

This Policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:



## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

Human Resources – General

**Policy No. 15-95**

### **Employment Outside of the College**

Full-time employees are not to engage in a regular business or be regularly employed for remuneration by other agencies during their contractual period of full-time service to the College except with the prior approval of the President of the College. (See companion policy 15-351, applicable to full-time faculty members).

This policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended: 6/22/10  
2/24/11



**Sick Leave Days**

The Board of Trustees will provide all eligible employees with paid sick leave days for recuperation from sickness or injury of the employee.

The number and extent of accumulation of sick leave days for employee groups will be approved by the Board.

The *Faculty Guidebook*, *Classified Employee Guidebook*, and the *Administrator Guidebook* will be used for the administration of this policy for applicable employee groups except where superseded by collective bargaining agreements.

Adopted: 3/19/09	Reviewed:	Amended:
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## **Civic Duty Leave**

A leave of absence may be requested for military duty\*, jury duty or subpoenaed witness duty.

The number of leave days and extent of compensation for employee groups will be approved by the Board of Trustees.

The *Faculty Guidebook*, *Classified Employee Guidebook*, *Administrator Guidebook*, and *Information Guide for Part-time Faculty* will be used for the administration of this policy for applicable employee groups. For collective bargaining units, their bargaining agreements will prevail.

- \* The College will honor the applicable provisions of the *Uniformed Services Employment and Reemployment Rights Act of 1994* (USERRA).

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – General**

**Policy No. 15-110**

### **Personal Leave of Absence**

Subject to approval of the President or his designee, the College may grant an employee a leave of absence without compensation for a period of time up to one (1) year including any time taken towards an unpaid Family/Medical Leave of Absence. The College will run an employee's leave granted under this Policy concurrent with the employee's leave entitlement under the *Federal Family Medical Leave Act of 1993*, 29 U.S.C. 2601 *et seq.*, when applicable. Eligible employees may, at their own expense, continue their benefits during a personal leave of absence subject to the requirements of the College's insurance carriers.

This Policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-111**

### **Worker's Compensation**

All paid employees of the College will be covered under the provisions of the *Illinois Worker's Compensation Act* for all job-related injuries covered by said Act.

The *Administrator Guidebook*, *Faculty Guidebook* and *Classified Employee Guidebook* will be used for the administration of this policy for applicable employee groups except where superseded by collective bargaining agreements.

Adopted: 3/19/09

Reviewed:

Amended:





## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

Human Resources – General

**Policy No. 15-115**

### **Voting Time Off**

The College will allow voting time off as defined by *Illinois Public Act 10 ILCS 5/17-15* (from Chapter 46, paragraph 7-15). Any person entitled to vote shall be entitled to absent himself from work for a period of two hours between the time of opening and closing of the polls. provided that the employee complies with the provisions outlined in Administrative Procedure 15-115.

In such cases, the employee will not be subject to a reduction in compensation.

Adopted: 3/19/09

Reviewed:

Amended: 8/20/09



**Disability Benefits**

Employees who are active State Universities Retirement System (SURS) participants may be eligible for long term disability benefits (LTD) due to illness or accident as provided by SURS.

The SURS Employee Procedures Manual will be used for the administration of this Policy for applicable employee groups.

**Optional Employee-Paid LTD Plan**

The College will offer eligible benefited employees an optional employee-paid LTD Plan which will provide for additional income in the event of employee disability.

This Policy will be administered consistent with employee guidebooks and the College's collective bargaining agreement obligations where applicable.

Adopted: 3/19/09

Reviewed:

Amended:



### **Unpaid Family and Medical Leave of Absence (FMLA)**

The College will comply with the provisions of the *Federal Family and Medical Leave Act of 1993*, 29 U.S.C. 2601 *et seq.*, (the "Act"), as amended, and the regulations promulgated thereunder.

All regular or temporary employees who have worked at the College for at least twelve (12) months and who have worked at least 1,250 hours during the preceding twelve (12) months, may take an unpaid leave of absence for the birth or adoption of the employee's child,<sup>1</sup> to care for a seriously ill spouse, child, or parent (but not parent in-law) with a serious health condition, the employee's own serious health condition, to care for an injured or ill covered servicemember<sup>2</sup> or because of a covered servicemember's active duty or order to active duty. Eligible employees are entitled to a total of twelve (12) workweeks FMLA Leave during a twelve (12) month period for leave taken for any reason other than to care for an injured or ill servicemember. For leave taken to care for an injured or ill servicemember, eligible employees are entitled to a total of twenty-six (26) workweeks of unpaid leave during a twelve (12) month period.

The College may require that employee requests seeking leave due to the employee's serious health condition or to care for a seriously ill family member or servicemember be supported by medical certification from the family member's, servicemember, or the employee's health care provider.

If an eligible employee requests paid accrued leave and the College determines the purpose for the leave is one applicable under this Policy, the College will notify the employee that the paid leave must be utilized prior to any unpaid leave and will be counted against the employee's twelve (12) or twenty-six weeks (26) of leave granted under this Policy. This notice shall be made before the leave begins or before a leave extension is granted, unless the College does not have sufficient information to determine the reason for the leave until after the leave has begun.

The College will maintain the employee's group health plan coverage for the duration of leave taken pursuant to this Policy on the same basis, at the same level and under the same conditions coverage would have been provided had the employee not taken the leave. The College and the employee shall continue to pay their respective applicable shares of the health care premiums during the duration of the leave as if the leave had not been taken. The College may recover its share of health insurance premium payments for any periods of unpaid leave from the employee if the employee fails to return to work after their leave entitlement has been exhausted. The College may also recover any portion of the premium it paid which the employee was obligated to pay.

<sup>1</sup> The entitlement to leave because of birth or placement of a child expires one (1) calendar year after the date of birth or placement.

<sup>2</sup> "Covered Servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, is in outpatient status, or is otherwise on the temporary disability retired list, for a serious illness or injury incurred in the line of duty. The servicemember must be the spouse, son, daughter, parent, or next of kin of the employee requesting leave.

At the end of the leave period taken pursuant to this Policy, the employee will be returned to the position held immediately prior to taking leave. If that position is unavailable, the Board will return the employee to an available position the employee is qualified to hold with equivalent pay and benefits.

Procedures to implement this Policy will be promulgated consistent with the Act, employee guidebooks, and the College's collective bargaining agreement obligations where applicable.

Adopted: 3/19/09	Reviewed:	Amended:
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### **Military Leave of Absence**

Full-time and part-time employees of the College who are members of any reserve component of the United States Armed Services, including the Illinois National Guard or the Illinois State Militia, should advise the College of their military status at the time of hire or on the date they become members of a reserve component, whichever date is earlier.

Consistent with the *Illinois Public Community College Act* (110 ILCS 805/3-26.1) and the *Military Leave of Absence Act* (5 ILCS 325/1), employees who are members of any reserve component as defined above and who are mobilized to active military duty as a result of an order of the President of the United States shall be entitled to continued compensation at the rate of pay provided at the time of mobilization, less the amount the employee receives as base pay for military service, for the duration of their active military service. Such employees who are mobilized for active duty should advise the College before departure for active military service of their current rate of base pay for military service to facilitate proper compensation. In addition, such employees who are mobilized for active military duty will continue to receive the health insurance and other benefits received or accruing at the time of mobilization.

In addition, consistent with the *Military Leave of Absence Act*, all full-time employees who are members of any reserve component will also be granted leave from employment for any period of time actively spent for basic training, special or advance training, regardless if such training is voluntary or involuntary, and annual training. An employee on such military leave will continue to accrue seniority and other benefits, including health insurance. When on annual leave, fulltime employees shall also receive the difference between their College salary and their military pay. When on leave for basic training and up to 60 days of special or advance training, full-time employees shall receive the difference between their College salary and their military pay, if their pay for military service is less than their College salary.

Employees who are members of any reserve component as defined above, upon the completion of active military service, shall be entitled to continued employment rights and reemployment rights consistent with the federal *Uniformed Services Employment and Reemployment Rights Act* (USERRA) (38 U.S.C. §§ 4301-4333). Employees returning from active duty should notify the College of the conclusion of their active duty as soon as possible as consistent with USERRA. Failure to notify the College as required under USERRA may result in a waiver of rights.

Adopted: 3/19/09

Reviewed:

Amended:

**Tax Sheltered/Deferred Income Plans**

All eligible, non-student employees may participate in tax-sheltered annuity and/or deferred compensation programs through payroll deduction in accordance with Section 403(b) (tax sheltered annuities) and 457 (deferred compensation) of the Internal Revenue Code. The Board of Trustees assumes no liability for the investment decisions of any 403(b) or 457(b) vendors.

This Policy will be administered consistent with employee guidebooks and the College's collective bargaining agreement obligations where applicable.

All companies must provide certification that it follows Internal Revenue Service (IRS) guidelines for administering 403(b) and 457 programs.

Adopted: 3/19/09	Reviewed:	Amended: 2/24/11
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## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-140**

### **Tuition Assistance**

The College will reimburse eligible employees for the cost of tuition for the successful completion of prior approved course work or equivalent study, not to exceed the Board approved amount for the fiscal year. Said reimbursement is subject to the approval of the Vice President of Human Resources.

This Policy will be administered consistent with employee guidebooks and the College's collective bargaining agreement obligations where applicable.

Adopted: 3/19/09

Reviewed:

Amended:



**Professional Development**

The Board recognizes the need for and is committed to providing for the professional growth of the staff. Accordingly, the College will reimburse the cost of tuition for the successful completion of prior approved course work or equivalent study, not to exceed the approved amount for the fiscal year for benefited employees.

The annual limit of individual reimbursement is approved by the Board.

The *Faculty Guidebook*, *Classified Employee Guidebook*, and *Administrators' Guidebook* will be used for the administration of this policy for applicable employee groups except where superseded by collective bargaining agreements.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-145**

### **Employee Assistance Program**

The Board of Trustees will provide an Employee Assistance Program (EAP) to assist eligible employees and their immediate families in diagnosis and referral for confidential professional assistance.

The EAP will be administered consistent with employee guidebooks and the College's collective bargaining agreement obligations where applicable.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-150**

**Access to Personnel Records**

All personnel records shall be maintained, inspected and disseminated in accordance with the *Illinois Personnel Record Review Act*, 820 ILCS 40/1 *et seq.*, and the *Illinois Records Act*, 5 ILCS 203 *et seq.*, and other applicable state and federal laws.

This Policy will be administered consistent with employee guidebooks and the College's collective bargaining agreement obligations where applicable.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-155**

**Employment Verification and Reference Check**

The College through the Human Resources Department will provide verbal and/or written confirmation of employment upon request.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-160**

### **Employees Engaged in Federally Funded Programs**

Faculty and staff employed in federally funded programs at the College are required to have no conflicts of interest with the program in which they provide services. Any sub grantees, contractors, or collaborators with College of DuPage or federally funded programs must certify through College of DuPage procedures, that they are in compliance with federal policies designed to avoid conflicts of interest in federally funded programs.

Procedures to facilitate disclosure of interests for such employees will be promulgated to ensure compliance with this Policy.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-165**

### **Institutional Exchanges**

The President's prior approval is necessary for a faculty (or other staff) member to participate in an exchange with a counterpart at a similar educational institution for purposes of furthering the educational mission of the College. An exchange may include having a faculty member visit another community college for a short duration to acquire knowledge and experience helpful to the College.

Service credit, seniority, and benefits will continue to accrue during participation in an exchange. Reasonable expenses incurred by the participant may be reimbursed, subject to approval by the President.

This Policy will be administered consistent with employee guidebooks and the College's collective bargaining agreement obligations where applicable.

Adopted: 3/19/09

Reviewed:

Amended:



**Causes for Termination of College Personnel**

College personnel may be terminated whenever cause exists. Cause for termination includes, but is not limited to:

1. Reduction in force;
2. Physical or mental incapacity;
3. Failure to complete contracted services according to predetermined expectations;
4. Failure to complete essential duties of the position;
5. Failure to perform in a professional manner;
6. Falsification of credentials or employment application; and
7. Conviction of a felony by a court of law for a criminal violation.

This Policy will be administered consistent with the *Illinois Public Community College Act*, 110 ILCS 805/1 *et seq.*, and the College's collective bargaining agreement obligations and employee guidebooks.

Adopted: 4/16/09 Rescinded: 5/4/09 Adopted: 10/15/09	Reviewed:	Amended:
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**Reduction In Force Based on Financial Exigency**

The Board of Trustees may determine, based on financial exigency, to reduce the number of full and part-time employees, including administrators, faculty and classified staff.

1. The President and/or his delegated representative may consult with leaders of the constituent groups about methods of alleviating the financial exigency.
2. Recommendations from consultations with the constituent group leaders will be reviewed by the President. However, the recommendations are advisory and the President shall make the final determination.

Procedures for implementation of Board decisions will be clearly set forth and follow due process as appropriate.

This Policy will be administered consistent with the *Illinois Public Community College Act*, 110 ILCS 805/1 *et seq.*, employee guidebooks and the College's collective bargaining agreement obligations where applicable.

Adopted: 3/19/09	Reviewed:	Amended: 2/24/11
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - General**

**Policy No. 15-180**

### **Separation of Employment**

All employees terminating employment with the College are required to meet with Human Resources personnel or their supervisor prior to their last day of employment with the College for purposes of ensuring the return of College property and to review the employee's rights and benefits as a result of the termination.

Adopted: 3/19/09

Reviewed:

Amended:





**Employee Recall**

A non-exempt employee who has left the workplace and who is recalled to work after that time but before the employee reports for the employee's next regularly assigned workday will receive a minimum of two hours' pay.

This Policy will be administered consistent with the *Classified Employee Guidebook*, except where superseded by collective bargaining agreements.

Adopted: 3/19/09

Reviewed:

Amended:



### **Protection of Copyrighted Materials**

The College community is required to comply with the *United States Copyright Law of 1976* (the "Act"), 17 U.S.C. 101 *et seq.* The College is also committed to preserving the rights accorded to users of copyrighted works under the "fair use" provision of the Act.

Faculty, students and staff are to be knowledgeable regarding the Act, the rights of copyright owners, the legal obligation of the College to comply with the Act, and the rights of the College community to use copyrighted works.

Copyright protects "original works of authorship fixed in any tangible medium of expression." 17 U.S.C. 102(a). Copyright generally extends automatic protection to any original expression of creative work that is recorded in any tangible form (published or unpublished). 17 U.S.C. 101. These works include, but are not limited to: literary works; musical works; dramatic works; pantomimes or choreographic works; pictorial, graphic, and sculptural works; motion pictures and other audio visual works; sound recordings; and architectural works. A copyright notice is not required for copyright protection.

Copyrighted materials are subject to restrictions on duplicating and distribution. Copyrighted materials may be copied or used without the owner's permission only when such use constitutes "fair use" as defined under the Act. A "fair use" can be determined by examining four (4) factors: "(1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for or value of the copyrighted work." 17 U.S.C. 107. The four "fair use" factors should be evaluated each time an employee seeks to copy materials for instructional use. If the employee determines that the use is not "fair use," the employee is prohibited from copying the work unless permission is granted by the copyright owner. Copying a work that is not "fair use" without permission constitutes copyright infringement.

Copyright infringement can constitute a violation of several College policies including: Policy 5-5, Policy 20-40, Policy 20-115, and the Board of Trustees Electronic Communications Guidelines.

Copyright ownership is addressed in Policy 15-195 and Policy 15-200.

This Policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:



## **Intellectual Property Rights**

The College encourages creativity and increased productivity among its personnel, as well as the use of improved communication techniques in their instructional activities. A number of College-supported services and programs assist College personnel in the development and improvement of the College's methods of operation and instruction.

### **Rights to Materials and/or Inventions – Ownership**

Materials and/or inventions developed through a contractual “work-for-hire” agreement are solely owned by the College of DuPage and are not available for use without the College's prior express written permission.

Materials and/or inventions produced with “substantial support” provided by the College will be jointly owned by the author/inventor and the College. A prior written agreement must be reached by the author/inventor and the College specifying the sharing of ownership, distribution of materials, and fair use within the College.

Materials and inventions made without “substantial support” or without a contractual “work-for-hire” agreement are solely owned by the author/inventor and are not available for use without the written permission of the author/inventor.

“Substantial support” that is not a contractual “work-for-hire” will include at least one of the following:

1. Use of personnel, equipment, supplies, or facilities through contractual agreement with the College.
2. Technical support for course-specific materials in excess of 20 hours. Should a new or revised project require in excess of 20 hours of technical support, ownership will be determined through an agreement with the College and the author/inventor prior to the start of the project.
3. Release time or remuneration secured by the College through external grants or other awards.

“Substantial support” specifically excludes assistance normally provided by the College in areas of electronic storage, technical training, accessing materials from College instructional systems, resolution of technical problems, coding or programming required to access a course, and other support not in place at the time when the prior agreement is signed. When a “work-for-hire” or “substantial support” prior agreement is not in effect, the College has the right, at its sole discretion, to provide or withdraw support.

### Employee Rights to Materials and/or Inventions Produced With “Substantial Support” or “Work-For-Hire”

When materials and/or inventions are marketed, the author/inventor and the College each are guaranteed a minimum of 10% of the equity gained from the materials and/or inventions. Division of the remaining 80% of the equity will be determined by negotiation. Equity will be shared as it is realized. College costs will be recovered out of the College's share.

If the College discontinues use of the materials and/or inventions for more than 24 consecutive months, the author/inventor may ask the College to relinquish all rights to the author/inventor provided that the author/inventor pays all costs of transfer. The College may refuse to relinquish rights to the materials/inventions.

When materials and/or inventions are owned by the College, either the author/inventor or the College may initiate requests for revision. The College and the author/inventor will initially discuss the necessary revisions and, where appropriate, may agree on the author's/inventor's commitment to prepare the necessary revisions. The author/inventor shall prepare any revision initiated by either the author/inventor or the College. Should the author/inventor decline to prepare revisions, fail to supply revisions as agreed, or should the College deem it inappropriate for the author/inventor to work on the revisions, the College may contract with another party to have the revisions prepared.

Revision procedures for jointly-owned materials will be addressed on a case-by-case basis and will be considered non-precedent setting.

### Materials and/or Inventions Developed in Consulting Work

The author/inventor will retain all rights and title in any materials and inventions made by the author/inventor in the course of consulting unless the materials and/or inventions are produced with “substantial support” by the College or produced as a “work-for-hire”.

### Materials/Inventions Developed Specifically for Use at the College of DuPage

When materials/inventions are prepared by a College author/inventor specifically for use in classes at the College of DuPage and are sold to students through the College bookstore, no royalties or equity will be paid to the College or to the author/inventor.

This Policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09	Reviewed:	Amended:
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**Marketing of Instructional Materials**

Instructional packages and materials developed by employees of the College will be designed and produced according to the following general criteria:

1. All actions taken in relation to the marketing of instructional packages or materials will conform to Policy 15-195.
2. All instructional packages and materials will be designed and produced for the primary purpose of meeting identified instructional needs of the College. External marketing will be considered a secondary purpose of the production of such materials.
3. All instructional packages and materials will be designed and produced to meet a standard of the highest possible instructional quality under the constraints of budget, staff and equipment available at the College and subject to the constraints of any outside funding agency.
4. Where possible, unconditional releases will be obtained from all participants and/or outside funding agencies in development of an instructional package. If such releases cannot be obtained, alternate participants will be sought.
5. Marketing decisions involving instructional packages and materials for which unconditional releases have been obtained will be made by the College. Marketing decisions will be managed by the College President or his/her designee.

Guidelines detailing responsibilities related to the marketing of instructional materials will be promulgated consistent with this Policy.

Adopted: 3/19/09

Reviewed:

Amended:



**General Employment Classifications (non-faculty)**

A. This policy applies to all non-faculty positions:

- 1) Employee – Employee hired with the expectation of continued employment subject to satisfactory performance.
- 2) Grant Employee – Employee who performs services funded by government or other external agency grants. Employment in the grant position ends when the grant funding for the position ceases or an employee is otherwise terminated. Full-time and part-time grant employees are entitled to pay, benefits, and working conditions equal to those of employees at the same level of benefits, or as provided by grant funds.
- 3) Temporary Employee - Temporary employee hired for a definite duration of less than one year, is on call for peak periods/events, or is a vacation substitute. The College President may approve exceptions for extended temporary assignments for a limited specified time, upon the recommendation of the appropriate Vice President.
- 4) On Call Temporary Employee – Temporary employee hired to work a variable schedule on an as-needed basis for a non-specified period of time.
- 5) Probationary Period Employee – any employee who is in a specified trial employment period will be considered a probationary employee. Probationary employees may be dismissed without cause.

B. Within each classification, an employee is identified as full-time or part-time:

- 1) Full-time – Employed to regularly work a 40-hour work week.
- 2) Part-time – Employed to regularly work less than a 40-hour work week.

C. Full-time and Part-time employees (not temporary) regularly scheduled to work 20 hours or more may be eligible for benefits.

Adopted: 6/18/12

Reviewed:

Amended:

**President**

The President is the chief executive of College of DuPage. The President derives his authority from and is directly responsible to the Board of Trustees. The primary responsibility of the President is to provide the leadership that enables the College to establish and achieve to the extent possible its philosophy, mission and vision, and goals as approved by the Board of Trustees in accordance with applicable provisions of the *Illinois Public Community College Act*, 110 ILCS 805/1 *et seq.* The specific duties of the President directly relate to the internal operation of the College and the College community at large. The President may delegate responsibilities as appropriate.

**Duties and Responsibilities to the Board of Trustees**

The President is responsible to the Board of Trustees for preparing, recommending, and executing Board policies, and for implementing the procedures in support of these policies. The President will:

1. Prepare and recommend to the Board the following:
  - a. The budget and all budgetary ancillary processes;
  - b. Educational programs;
  - c. Facilities requirements; and,
  - d. Other matters necessary for the proper operation and control of the College.
2. Advise the Board by providing sufficient and timely information to enable all Trustees to make informed decisions, including providing for a budgetary cycle to facilitate Board review and approval.
3. Inform the Board of the state of affairs, problems, and progress in appropriate aspects of the College's development.
4. Inform the Board of statutory duties requiring action.
5. Serve as the Board's liaison with the College's students, faculty, administrators, and staff.
6. Prepare the agendas for Board meetings consistent with direction from the Board Chair and Vice Chair and attend Board meetings, except when the President's own employment is being considered.
7. Immediately advise the Board of other administrative matters that arise for which no provision has been made in law or by Board policy, to enable the Board to determine the appropriate action or response.

### Duties and Responsibilities to the College

The President, as the Chief Executive Officer, will develop an appropriate administrative organization for the management of the College.

The President may delegate responsibility as deemed appropriate. The President will:

1. Conduct strategic planning activities, including coordinating the development and execution of a strategic long range plan.
2. Identify the educational needs of the College and develop programs and curricula to meet those needs.
3. Review and evaluate College programs, services and employee performance on a continuing basis.
4. Recommend personnel actions including employment, retention and dismissal of employees to the Board, unless the Board has conferred the authority to the President.
5. Direct the financial and physical operations of the College.
6. Maintain accreditation from the Higher Education Commission of the North Central Association of Colleges and Schools.
7. Prepare and submit reports required by local, state and national agencies.
8. Direct and coordinate aspects of student life and development.
9. Provide leadership to College personnel by maintaining a high degree of professionalism, implementing sound and just policies, and promoting employee morale.

### Duties and Responsibilities to the College Community

The President will make reasonable effort to influence the attitude of the community toward the College and to maintain the good will of the various constituencies in the College District. The President will:

1. Communicate the role and services of the College to the community and coordinate appropriate efforts to involve the community in the College.
2. Participate directly, on behalf of the College, in the affairs of the community and encourage employees to take an active part in the concerns of the College as a whole.
3. Work cooperatively with elementary and secondary school districts, community colleges, and four-year colleges and universities to develop educational opportunities for students.
4. Develop a positive working relationship with the business and industrial community.
5. Represent the College locally, statewide, nationally and internationally.
6. Influence the development of local, state, and national educational policies.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources - Administrative**

**Policy No. 15-210**

**President's Evaluation**

The Board of Trustees will evaluate the College President prior to the end of each fiscal year. The Board will establish procedures and criteria in consultation with the President to facilitate the evaluation process. A written copy of the Board's evaluation will be provided to the President.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Administrative  
Policy No. 15-220**

### **Advisory Committees**

The College President may form advisory committees consisting of employees representing the College's constituency groups and students, as well as representatives of the College community for the purpose of addressing important issues facing the College.

Adopted: 3/19/09

Reviewed:

Amended:

**Vice President Evaluation**

The College President will annually evaluate the College's vice presidents and other administrators designated as direct reports to the President in accordance with the procedures and criteria established by the President. Evaluations will be completed prior to the end of the each fiscal year. A written copy of the President's evaluation of each Vice President and other administrators designated as direct reports will be provided to the appropriate administrator and available to the Board upon request.

Adopted: 3/19/09	Reviewed:	Amended:
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**Vice President's Compensation**

The President will recommend to the Board for approval the initial salary for each Vice President upon hire. The appointment salary is for a twelve (12) month fiscal year. Vice Presidents will receive fringe benefits accorded to other administrators in the College. There may be additional fringe benefits which are specifically applicable to Vice Presidents. The College will pay the State Universities Retirement System (SURS) employee retirement contribution for Vice Presidents.

Salary increases for Vice Presidents subsequent to the initial salary will be determined by the President and approved by the Board of Trustees:

**Tenured Faculty and Tenured Administrators**

Tenured faculty or tenured administrators who are appointed as Vice Presidents will retain seniority in their respective discipline. Upon return to faculty status, the Vice President will be placed at the highest earned step and range placement within the faculty salary schedule as though they had not left that status. Credits earned in the Administrative Development Program will be applied toward range placement in this situation.

Tenured faculty and administrators who become Vice Presidents will not lose their tenure.

**Non-Tenured Faculty and Non-Tenured Administrators**

Non-tenured faculty or non-tenured administrators appointed as Vice Presidents will follow the same procedures as tenured faculty or administrators, except for a faculty member, the time spent as an administrator will not count toward tenure.

**Applicability**

Board policies which address the term "administrators", with the exception of Policy 15-255, are also applicable to Vice Presidents.

Adopted: 3/19/09	Reviewed:	Amended:
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### **Administrative Personnel**

The College President will identify and recommend individuals for administrative positions to the Board of Trustees for final approval.

Administrative personnel generally:

1. Exercise management responsibilities in their assigned areas.
2. May assist the President in the formulation of recommendations to the Board on policy issues related to the management of their assigned areas.
3. May assist the President in the formulation of recommendations to the Board in regard to hiring or terminating the employment of employees reporting to them.
4. Manage and direct the work and services of personnel assigned to their area(s) of responsibility.
5. Participate in the development and administration of their area's budget.
6. Contribute to the annual execution and updating of the College's Strategic Long Range Plan.

The appointment period for administrative personnel will coincide with the College's fiscal year. Consistent with Section 3B of the *Illinois Public Community College Act*, 110 ILCS 805/3B.

Administrators are not eligible for tenure. Administrators, who, subsequent to their administrative appointment, become employed with the College as teaching faculty, will not accrue tenure based on any time spent as an administrator. Tenured faculty members who subsequently become employed as administrators will retain their tenured status in a teaching position only.

Adopted: 3/19/09	Reviewed:	Amended:
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**Administrative Assignment**

Assignment or reassignment of administrative personnel, including the duties to be performed, the responsibilities assigned, and the work to be accomplished, will be at the exclusive discretion of College President, and will be based upon a continual assessment of the needs and interest of the students, the College, and the community.

With the exception of the College President, administrators will be issued an employment contract not to exceed one (1) year in duration. Administrators with more than three (3) years of successful service to the College will be eligible for a two-year contract. Such determination will be at the discretion of the College President. The terms of the contract will be in writing and a copy of the contract will be provided to the appropriate administrator.

A position description for each administrative personnel position will be kept on file in the College's Human Resources Department.

Adopted: 3/19/09

Reviewed:

Amended:



**Duties and Responsibilities of Administrators**

The specific duties and responsibilities of each administrator will be defined in their respective job descriptions.

Administrators are generally expected to:

1. Plan, organize and administer the operation of their areas of responsibility efficiently in accordance with Board policies, Administrative procedures, and regulations.
2. Effectively execute College policies, procedures, and programs related to their area of responsibility.
3. Demonstrate initiative and good judgment within the limits of their authority.
4. Keep abreast of changes related to their functions and to adopt those innovations that lead to improvement of the College.
5. Efficiently staff their units in accordance with the organizational structure.
6. Foster the development, retention, and morale of personnel in their areas and maintain an effective channel of communication with their superiors and subordinates.
7. Promote a coordinated effort in the administration of the College by cooperating and coordinating with other administrators and staff.
8. Relate effectively to faculty, students, the community, and other educational institutions, effectively interpreting College policies and programs.
9. Recommend the budget for their area of responsibility and administer the budget approved by the Board.
10. Perform other appropriate duties as assigned or delegated by the College President.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Administrative**

**Policy No. 15-250**

### **Administrator Evaluation**

An administrator's performance will be evaluated annually by the College President or the appropriate supervisor in accordance with the administrative evaluation system approved by the College President. A copy of the written evaluation will be provided to Human Resources, the College President upon request, and the respective administrator.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Administrative**

**Policy No. 15-251**

### **Administrator Appeal Process**

An appeal process for matters of unpaid suspension and/or termination of employment will be provided for all administrators. The employee may request a review of the case by the Board if dissatisfied with the final decision of the College President.

Adopted: 3/19/09

Reviewed:

Amended:

**Administrator Compensation**

Compensation for current administrative staff will be set annually by the Board of Trustees and will be based on performance, comparative market data, and recommendations submitted by the College President.

Administrators will be provided fringe benefits as determined by the Board. Administrators may also qualify for retirement benefits. An administrator's compensation and benefits will be limited to comply with the State Universities Retirements System ("SURS") limitations on end of career earnings.

Adopted: 3/19/09	Reviewed:	Amended:
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**Compensation for Newly Hired Administrators**

The President will determine the initial salary placement for each newly hired administrator. A procedure will be developed for consistency, and for differences in responsibility. The appointment salary is for 12 months.

Administrators will be provided fringe benefits as determined by the Board. Administrators may also qualify for retirement benefits. An administrator's compensation and benefits will be limited to comply with the State Universities Retirements System ("SURS") limitations on end of career earnings.

Adopted: 3/19/09

Reviewed:

Amended:



**Vacation and Paid Holidays for Administrators**

Vacation and holidays will be provided to administrators according to the *Administrators Guidebook*. The number of vacation days will be determined by years of service to the College. A progressive vacation schedule will be observed with a minimum of twenty (20) vacation days per year for administrators. Unused vacation days will be carried over from year-to-year up to a maximum of forty (40) days.

A minimum of thirteen (13) holidays and one (1) floating holiday, will be provided to administrators in accordance with legal holidays, or days set aside for state, federal or other institutionally designated observances.

Upon separation from employment, all accrued and unused vacation days will be paid at the then current salary rate of the administrator.

Adopted: 3/19/09

Reviewed:

Amended:

**Personal Leave Days for Administrators**

The Board of Trustees will provide eligible employees with personal leave days to afford time-off for personal reasons, including emergencies or for conducting business of a personal nature which cannot be scheduled outside the normal workday, subject to supervisory approval. The number and extent of accumulation of personal leave days will be approved by the Board. The Board must approve any changes in the number of personal days granted per year.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Administrative  
Policy No. 15-265**

**Developmental Leave for Administrators**

The Board of Trustees may grant, upon recommendation by the College President, a developmental leave to eligible administrators provided that the leave will be of benefit to the College, and the individual's absence will not adversely affect either the budget or the operational efficiency of the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Administrative**

**Policy No. 15-270**

### **Employment Outside the College**

Administrators are expected to devote their full professional energies to the mission of the College. Administrators will not engage in on-going business or be regularly employed for remuneration by other agencies during their contractual period of full-time service to the College. The President may make exceptions to this Policy. Failure for the administrator to comply with this Policy may result in disciplinary action.

Adopted: 3/19/09

Reviewed:

Amended:



### **Administrator Separation**

An administrator's employment may be terminated or the administrator not reappointed by:

1. Mutual agreement of the parties.
2. Retirement or resignation of the administrator.
3. Death or mental or physical disability of the administrator which renders the administrator unable to perform his/her essential job duties with or without a reasonable accommodation.
4. A decision by the Board of the Trustees that the financial conditions of the College warrants a reduction in staff or in programs.
5. An overall unsatisfactory performance rating of the employee made prior to the start of the contract year on the official administrative evaluation instrument, together with the recommendation of the President.
6. For cause, including, but not limited to, violation of any College policy, procedure, rule or regulation, or commission of any unlawful act or other inappropriate or unprofessional conduct.

Notification of non reappointment must be made by the last day of February prior to the end of the administrator's current appointment.

In cases where an administrator is deemed incompetent, cruel, negligent, immoral, or exhibits significant and/or repeated unprofessional behavior, or where there is other sufficient cause, the person may be subject to immediate suspension or removal.

The conditions for separation of employment will be made part of the administrator's employment contract.

Adopted: 3/19/09

Reviewed:

Amended:





### **Administrator Emeritus**

The Board of Trustees may acknowledge the commitment rendered by retirees with fifteen (15) or more years of service in an administrative position by naming them Emeritus for life. Their name and honorary title will be carried on the College's webpage and placed on a plaque to be displayed in a prominent location for the life of the retiree.

Any administrator retiring after 1983 must have fifteen (15) years of service to the College to qualify for emeritus status, unless an exception is made by the President or the Board.<sup>1</sup>

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<sup>1</sup> Any administrator who retired from the College prior to 1984 with less than fifteen (15) but more than ten (10) years of service were given this title under the following conditions:

1977 . . . . . - at least 10 years of service  
1978 . . . . . - at least 10 years of service  
1979 . . . . . - at least 10 years of service  
1980 . . . . . - at least 11 years of service  
1981 . . . . . - at least 12 years of service  
1982 . . . . . - at least 13 years of service  
1983 . . . . . - at least 14 years of service

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-285**

### **Full-Time Faculty**

Regular full-time faculty is defined as a College employee who is offered and accepts a nine-month or two-semester academic year appointment, has not been terminated, and whose duties for over 50% of the employee's time include a majority of those functions listed in the collective bargaining agreement between the College and the Faculty Association as the Duties of Teaching Faculty, Duties of Counseling Faculty, or Duties of Library Faculty. The personnel in the positions of Reference Librarians, Technical Services Librarian, Coordinator of Faculty Development, and Coordinator of International Education are also considered regular full-time faculty.

Adopted: 3/19/09

Reviewed:

Amended:



**Collective Bargaining, Full-Time Faculty**

The Board of Trustees recognizes the College of DuPage Faculty Association as the bargaining representative of College full-time faculty members, as defined in the collective bargaining agreement, and agrees to enter into exclusive agreements with the Association to provide for an appropriate salary schedule, fringe benefits, an orderly and expeditious grievance procedure, and certain conditions of employment of designated full-time faculty members.

All matters agreed upon between the Board and the Faculty Association are contained in the written agreement executed by the parties. The employees covered by the collective bargaining agreement are full-time faculty members as defined in the collective bargaining agreement and Policy 15-285.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-295**

### **Full-Time Faculty Guidebook**

A Full-Time Faculty Guidebook containing pertinent information, procedures, rules, and regulations for full-time faculty will be available to all full-time faculty via the College website.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-300**

### **Spoken English Proficiency for Faculty**

The ability to use spoken English effectively is an essential skill for faculty members. The College will assess oral English proficiency of all instructors, as required by Section 3-29.2 of the *Illinois Public Community College Act*, 110 ILCS 805/3-29.2, to ensure instructors are orally proficient in English and can adequately communicate with students.

This Policy will be administered consistent with Policy 15-5.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-305**

### **Recruitment and Selection of Faculty**

The College is committed to the recruitment and selection of competent and outstanding faculty to carry out the College's mission and maintain its excellence.

The College President, with the assistance of administrative staff, will identify and recommend individuals for full-time faculty to the Board of Trustees for final approval.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-310**

### **Duties and Responsibilities of Faculty**

General and specific duties and responsibilities of teaching, library, and counseling faculty will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:

**Faculty Evaluation**

Evaluation of the performance of faculty members provides both faculty and administrators with information they need to maintain the quality of the College's educational program. Evaluation also provides faculty members with information that can be used in maintaining and improving the level of their teaching.

The evaluation process is intended to be both developmental and evaluative. The performance of faculty members will be evaluated by the College's administration consistent with the College's collective bargaining agreement obligations. The Board of Trustees may request appropriate summaries of the evaluation process and results.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-320**

**Initial Salary Placement of Faculty**

Upon recommendation from the College President or his/her designee, the Board of Trustees will affirm the initial salary placement for faculty members on the appropriate faculty salary schedule.

This Policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:



**Benefits, Full-Time Faculty**

The College will provide eligible full-time faculty members with benefits consistent with the College's collective bargaining agreement obligations.

The College will comply with applicable federal and state statutes and regulations regarding non-discrimination in the provision of fringe benefits.

Adopted: 3/19/09

Reviewed:

Amended:



**Tenure, Full-Time Faculty**

A full-time faculty member regularly engaged in teaching or academic support services will be eligible for tenure in accordance with Section 3B of the *Illinois Public Community College Act* (the “Act”), at the end of the faculty member's third year of consecutive full-time service. 110 ILCS 805/3B.

On an annual basis, the College President will present the Board of Trustees with a recommendation on which full-time faculty members are to receive tenure consistent with Section 3B of the Act. The Board reserves the right to extend the probationary period to four years in accordance with the Act.

This Policy will be administered consistent with the College’s collective bargaining agreement obligations.

Adopted: 3/19/09	Reviewed:	Amended:
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**Academic Freedom/Instructional Material, Full-Time Faculty**

Faculty members will be free to present instructional materials which are pertinent to the subject and level taught. Faculty members shall be expected to present facets of controversial issues in an unbiased manner.

In the execution of a faculty member's duties and responsibilities and in matters related to the College, each faculty member will make every effort to:

1. Be accurate;
2. Exercise appropriate restraint;
3. Show respect for the opinions of others, including their students; and
4. Indicate, in the expression of the faculty member's opinions that, the faculty member is not speaking for or on behalf of the College.

This Policy shall be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 4/16/09  
Rescinded: 5/4/09  
Adopted: 10/15/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-340**

### **Faculty Administrative Review Board (FARB)**

The Board recognizes the Faculty Administrative Review Board (FARB) as an appeal vehicle for full-time faculty members who allege that an administrative decision affecting his or her welfare is not in compliance with existing Board policies. FARB may only hear appeals which fall under its scope of authority as delineated in the faculty association collective bargaining agreement.

This Policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:



### **Professor Emeritus**

The Board of Trustees may acknowledge the commitment rendered by retirees with fifteen (15) or more years of service in a faculty position by naming them Professor Emeritus for life. Their name and honorary title will be carried on the College's webpage and placed on a plaque to be displayed in a prominent location for the life of the retiree.

Any faculty member retiring after 1983 must have fifteen (15) years of service to the College to qualify for emeritus status unless an exception is made by the President or the Board. <sup>1</sup>

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<sup>1</sup> Any faculty member who retired from the College prior to 1984 with less than fifteen (15) but more than ten (10) years of service were given this title under the following conditions:

1977 . . . . . - at least 10 years of service  
1978 . . . . . - at least 10 years of service  
1979 . . . . . - at least 10 years of service  
1980 . . . . . - at least 11 years of service  
1981 . . . . . - at least 12 years of service  
1982 . . . . . - at least 13 years of service  
1983 . . . . . - at least 14 years of service

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Faculty**

**Policy No. 15-350**

### **Substitute Assignments, Full-Time and Part-Time Faculty Members**

With prior approval of the appropriate dean or designee, qualified persons may substitute for faculty members in the event of absence. When applicable, compensation will be at the appropriate part-time faculty rate.

When a substitute assignment is expected to be no more than one-half the duration of a course, it will be paid at the substitute hourly rate for hours worked. If the substitute assignment is expected to exceed one-half the duration of the class, it will be paid on a pro-rata basis of the total compensation for the class as determined by the part-time faculty pay schedule.

This Policy will be administered consistent with the *Faculty Guidebook* and *Information Guide for Part-time Faculty*, except when superseded by collective bargaining agreements.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Full-time Faculty**

**Policy No. 15-351**

**Employment Outside of the College, Full-time Faculty**

Full-time faculty are expected to devote their full professional energies to the mission of the College. When full-time faculty are being compensated for service to the College during the academic year, they will not engage in other remunerated activities that may interfere with their professional duties and performance at the College, except with prior approval of the President of the College.

This policy will be administered consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended: 2/24/11





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Part-Time Faculty**

**Policy No. 15-355**

**Part-Time Faculty**

Part-time faculty is defined as an employee who is hired term-by-term and accepts a one term or less assignment or is a substitute, and who has not been terminated, and is performing instructional duties or related responsibilities at the College. Part-time faculty assignments are no more than 80% of a full-time faculty load on average annualized over the academic year.

Adopted: 3/19/09

Reviewed:

Amended:



**Collective Bargaining, Part-Time Faculty**

The Board of Trustees recognizes the College of DuPage Adjuncts Association as the bargaining representative of eligible College part-time faculty members, as defined in the collective bargaining agreement, and agrees to enter into exclusive agreements with the Association to provide for an appropriate salary schedule, fringe benefits, an orderly and expeditious grievance procedure, and certain conditions of employment of certain part-time faculty members.

All matters agreed upon between the Board and the Adjuncts Association are contained in the written agreement executed by the parties. The employees covered by the collective bargaining agreement are part-time faculty members as defined in the collective bargaining agreement and Policy 15-355.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Part-Time Faculty**

**Policy No. 15-365**

**Information Guide for Part-Time Faculty**

An Information Guide containing pertinent information, procedures, rules, and regulations for part-time faculty will be available to all part-time faculty members via the College website.

Adopted: 3/19/09

Reviewed:

Amended:



**Part-Time Faculty Assignments and Pay Rates**

The College President or the President's designee is responsible for the assignment or reassignment of part-time faculty, based on a continual assessment of the needs and interests of the students and the community served by the institution. Part-time assignments for individuals are limited to eighty percent (80%)\* of a normal working load monitored on a two semester academic year basis.

All part-time and overload assignments are temporary and may be canceled or discontinued at any time by the Board of Trustees or the College administration with no further obligation or liability.

Pay rates for part-time teaching assignments will be established by the Board.

This Policy will be administered consistent with the College's collective bargaining agreement with part-time faculty.

This Policy is subject to a Memorandum of Agreement to the CODAA contract which guarantees that College of DuPage will not be obligated to future changes in benefits as a result of any future interpretation of this Policy.

\* Part-time instructors who teach a 12 base load class are limited to 21 credit hours.

Adopted: 11/20/08	Reviewed:	Amended:
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**Benefits, Part-Time Faculty Members**

The College will provide eligible part-time faculty members with benefits consistent with the College's collective bargaining agreement obligations. The College retains the right to modify, change providers, and/or delete these benefits.

The College will comply with appropriate federal statutes and regulations regarding non-discrimination in the provision of fringe benefits, consistent with the College's collective bargaining agreement obligations.

Adopted: 3/19/09

Reviewed:

Amended:



**Academic Freedom/Instructional Material, Part-Time Faculty**

Adjunct faculty members shall be free to present instructional materials which are pertinent to the subject and level taught in their courses and may present facets of controversial issues in an unbiased manner within the scope of the College approved course objectives and discipline guidelines, including but not limited to textbook selection.

In the execution of a faculty member's duties and responsibilities and in matters related to the College, each faculty member will make every effort to:

1. Be accurate;
2. Exercise appropriate restraint;
3. Show respect for the opinions of others, including their students; and,
4. Indicate in the expression of the faculty member's opinions that the faculty member is not speaking for or on behalf of the College.

This Policy will be administered consistent with the College's collective bargaining agreement with part-time faculty.

Adopted: 3/19/09	Reviewed:	Amended:
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**Appeal Process, Part-Time Faculty**

An appeal process for matters of unpaid suspension and/or termination of employment will be provided for all part-time faculty. The employee may request a review of the case by the Board. Rather than hearing evidence directly, the Board may appoint a hearing officer to take evidence at its option, unless a collective bargaining agreement provides an alternative hearing process.

The employee must have completed the available employee appeal process prior to engaging in this process.

Adopted: 3/19/09

Reviewed:

Amended:



### **Definition of Classified Employment**

A Classified employee is a support staff individual paid pursuant to the Classified salary schedule. Duties are described in a Classified Position Description.

There are three categories of Classified personnel employed by the College. In addition, any employee who is in the specified trial employment period will be considered a probationary employee. Probationary employees may be dismissed without cause.

- A. The following employment categories are applicable to Classified employees:
  - 1) Regular Employee – A regular employee is an employee hired with the expectation of continued employment subject to satisfactory performance.
  - 2) Grant Employee – A grant employee is an employee who performs services funded by government or other external agency grants. Employment in the grant position ends when the grant funding for the position ceases or an employee is otherwise terminated. Full-time and part-time grant employees are entitled to pay, benefits, and working conditions equal to those of Classified employees at the same level of benefits, or as provided by grant funds
  - 3) Temporary Employee - An employee who is hired for a definite duration of less than one year, is on call for peak periods, or is a vacation substitute. The College President may approve exceptions for extended temporary assignments, upon the recommendation of the appropriate Vice President.
- B. Within each category, an employee is identified as full-time or part-time:
  - 1) Full-time Employee – An employee who is employed for a normal 40-hour work week.
  - 2) Part-time Employee – An employee whose total hours worked each week are less than the normal 40-hour work week.
- C. Within each category, a Classified employee is further identified as benefited based on the following levels:
  - \*L1 1-19 hours per week – eligible for minimal benefits
  - \*L2 20-29 hours per week – eligible for limited benefits
  - \*L3 30-39 hours per week – eligible for all health benefits and other prorated benefits



\*L4 40 hours per week – eligible for all available benefits

\*Excludes temporary employees with assignments of less than 6 months duration.

Grant employees may be eligible for benefits when provided by the grant.

The *Classified Employee Guidebook* defines the specific terms of benefits for each level of benefits listed above.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Classified**

**Policy No. 15-390**

**Classified Employee Guidebook**

The administrative practices and procedures, which pertain to Classified staff during their employment with the College, are contained in the *Classified Employee Guidebook*.

Any amendments to the *Classified Employee Guidebook* will be subject to approval by the President.

Adopted: 3/19/09

Reviewed:

Amended:



**Assignment of Classified Employees**

Assignment or reassignment of Classified employees, including the duties to be performed, the responsibilities assigned, and the work to be accomplished, will be at the exclusive discretion of the President upon recommendation by the appropriate Vice President, and will be based upon a continual assessment of the needs and interest of the students and the College community.

Generally, the duties and responsibilities of Classified employees are determined by the particular requirements of the position. These requirements shall be defined in the position descriptions provided by the College's Human Resources Department. Human Resources and the appropriate supervisor will be responsible for informing and orienting classified employees regarding their job duties and responsibilities.

Adopted: 3/19/09

Reviewed:

Amended:



**Classified Employee Evaluation**

The College President and administrative personnel will provide a system of performance evaluation to ascertain the effectiveness of Classified employees. The evaluation will serve to enhance the employee's productivity and commitment to the mission and vision of the College.

Upon completion of a written evaluation, a copy will be provided to the Classified employee. The Board of Trustees will receive appropriate summaries of the evaluation process established by the college and administrative personnel upon request.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Classified**

**Policy No. 15-405**

**Compensation for Classified Employees**

Classified employees will be compensated in accordance with the classified compensation schedule as set forth in the Classified Employee Agreement.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Classified**

**Policy No. 15-410**

### **Vacations and Paid Holidays, Classified Employees**

The Board of Trustees will provide vacation allowances for Classified employees in accordance with the *Classified Employee Guidebook*.

Full-time employees and part-time employees who work 30 hours or more a week are eligible for earned vacation.

Holidays observed as paid legal holidays will be approved by the Board on an annual basis in accordance with the College's fiscal year including any floating holidays as agreed in the Classified Agreement.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Classified**

**Policy No. 15-415**

**Retirement Benefits, Classified Employees**

The Administration will define benefits for eligible, retired Classified employees. Said retirement benefits will be set forth in the *Classified Employee Guidebook*. Changes to the classified retirement benefits must be approved by the Board.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Classified**

**Policy No. 15-420**

### **Reclassification and Reduction In Force, Classified Employees**

Reclassification is permitted based on findings and recommendations by appropriate administrative personnel and approval by the College President.

The College administration will openly communicate the financial condition of the College to the Classified employees. The Board may terminate employment in the event the Board determines that reduction in staff is warranted because of a condition of financial exigency. The classified staff termination process will utilize the *Classified Employee Guidebook*. A list of benefits upon termination will be outlined in Procedure 15-420.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Classified**

**Policy No. 15-425**

### **Separation of Employment, Classified Employees**

The procedure for termination of employment of a Classified employee is delineated in the *Classified Employee Guidebook*.

To the extent possible, a benefited Classified employee who is dismissed will be given two weeks' notice of intent to dismiss unless immediate dismissal is required because the employee's continued presence would interfere with the normal operation of the College.

This Policy will be administered consistent with the *Classified Employee Guidebook*.

Adopted: 3/19/09

Reviewed:

Amended:



**Appeal Process, Classified Employees**

An appeal process for matters of unpaid suspension and/or termination of employment will be provided for all regular and grant classified employees.

The following groups of employees are included under this Policy:

1. Regular classified employees after probation period; and
2. Grant classified employees during grant period after probation period.

Procedures for this appeal process will be maintained in the *Classified Employee Guidebook*.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Classified  
Policy No. 15-435**

### **Amendment or Appeal of Grievance Procedures for Classified Employees**

The Board of Trustees recognizes the appeal procedures of the Classified Administrative Board of Appeals (CABA) to determine if administrative/supervisory decisions affecting a classified employee's welfare are in conformity with Board Policy, Administrative Procedures, and the *Classified Employee Guidebook*.

Any amendments to this appeal procedure will be in accordance with the process prescribed within the grievance procedures in the *Classified Employee Guidebook* and the Classified Agreement.

This Policy will be administered consistent with the *Classified Employee Guidebook*.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Other Employees**

**Policy No. 15-440**

**Collective Bargaining, College of DuPage Police**

The Board of Trustees recognizes the right for collective bargaining representation for all eligible Police Department employees of the College.

Where not otherwise mandated by statute, the Board shall enter into an agreement with the collective bargaining representative for the purpose of providing the salary structure, fringe benefits, and other employment conditions of the employees, to promote the maximum productivity of such employees, to prevent interruptions of work and interference with the efficient operation of the College, and to provide an orderly and prompt method for handling and processing grievances.

Adopted: 3/19/09

Reviewed:

Amended:



**Police Department Employee Drug and Alcohol Testing Program**

The College will maintain a Police Department employee drug and alcohol testing program.

The following rules shall apply to all applicants, probationary and regular employees of the College's Police Department:

1. No employee or final applicant shall illegally use, possess, sell, purchase or deliver any illegal drug or controlled substance at any time, on or off duty, unless in accordance with duty requirements.
2. No employee shall use or be under the influence of alcohol while on duty.
3. No employee shall possess, sell or deliver alcohol while on duty except in the execution of their responsibilities of their position.
4. No employee shall use any controlled or other dangerous substance, unless as prescribed by a licensed medical practitioner.
  - a. Employees shall notify their immediate supervisor when required to use prescription medicine that they have been informed has the potential to impair job performance. The employee shall advise the supervisor of the known side effects of such medication, and the prescribed period of use.
  - b. Supervisors shall document this information through the use of an internal memorandum and maintain this memorandum in a secured file.
  - c. When appropriate, the employee may be temporarily reassigned to other duties.
5. No employee shall use any prescribed medication in amounts beyond the recommended dosage which results in impairments while on duty.
6. Any employee who unintentionally uses, or is made to use a controlled substance shall immediately report the incident to their supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.
7. An employee must notify the Vice President of Human Resources or their immediate supervisor the workday immediately following conviction arising from a drug or alcohol related offense.

8. Any employee having a reasonable basis to believe that another employee is illegally using or in possession of any illegal drug or controlled substance or is illegally in possession of or under the influence of alcohol while on duty, shall immediately report the facts and circumstances to their supervisor.
9. Discipline of employees for violation of this Policy shall be in accordance with procedures as set forth by the Board, within the due process rights provided in the Police Department's discipline and grievance procedures, and within the Illinois Fraternal Order of Police Labor Council Collective Bargaining Agreement.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Other Employees**

**Policy No. 15-450**

### **Collective Bargaining, Operating Engineers**

The Board of Trustees recognizes the right for collective bargaining representation for all eligible operating engineers employed by the College.

Where not otherwise mandated by statute, the Board shall enter into an agreement with the collective bargaining representative for the purpose of providing for the salary structure, fringe benefits, and other employment conditions of the employees, to promote the maximum productivity of such employees, to prevent interruptions of work and interference with the efficient operation of the College, and to provide an orderly and prompt method for handling and processing grievances.

Adopted: 3/19/09

Reviewed:

Amended:



**Externally Grant Funded Employees**

Solicitation of grant applications for external funding that will enable the College to fulfill its mission is encouraged. The intent of all grant projects will be to help achieve institutional goals more quickly and cost effectively than otherwise would be possible.

The President or his/her designee shall approve all grant employee positions that are externally funded. The continuation of grant funded positions is subject to continued funding from the respective grant. The President or his/her designee must approve the conversion of any grant funded employee to a regular employment position.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Human Resources – Other Employees**

**Policy No. 15-460**

**CDL Employee Drug Testing Program**

In compliance with federal, state and local laws and regulations, including but not limited to the *Omnibus Transportation Employee Testing Act of 1991*, and 49 C.F.R. Part 40, every applicant for employment or employee who is in a position which requires a Commercial Drivers' License (CDL) is subject to pre-employment, reasonable suspicion, random, post-accident, and return to duty alcohol and controlled substance tests at the College's expense. Additionally, any employee who performs maintenance on College owned vehicles or who uses a College vehicle requiring a CDL or CDL-P license will be subject to alcohol and controlled substance tests.

All applicants and employees covered by this Policy will be issued a copy of this Policy from the College's Human Resources Department upon application of employment, and thereafter, as this Policy is revised.

Adopted: 3/19/09

Reviewed: 3/19/15

Amended: 5/14/15

**Independent Contractors**

The College may retain independent contractors. Independent contractors are generally individuals who offer their services to the public as a normal part of their business. Employees of the College cannot also serve as independent contractors, except for payments under intellectual property rights, Policy 15-195.

All other individuals under the direction of the College and paid by the College will be hired as employees through established procedures and paid through the payroll system.

Adopted: 3/19/09	Reviewed:	Amended:
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## **Part IV: Student Affairs**

### General Policy

- 20-5: Non-Discrimination Policy
- 20-10: Communicable Diseases, Students
- 20-15: Student Education Records Policy
- 20-20: Student Handbook
- 20-25: Student Financial Aid Program
- 20-30: Student Rights and Responsibilities
- 20-35: Code of Student Conduct
- 20-41: Code of Academic Conduct
- 20-45: Residency
- 20-50: Student Admission
- 20-55: Military Service Personnel, Education Opportunities
- 20-60: Enrollment Restrictions
- 20-65: Student Classification
- 20-70: Student Identification Cards
- 20-75: Student Use of Facilities
- 20-85: Health Services
- 20-90: Intercollegiate Athletics/Student Activities Program
- 20-91: Student Clubs and Organizations
- 20-100: Student Publications
- 20-105: Group Travel

### Academics

- 20-120: Standards for Academic Progress
- 20-125: Evaluation of Student Performance
- 20-130: Academic Honors
- 20-135: Scholarships
- 20-140: Withdrawal from Class
- 20-145: Academic Withdrawal
- 20-155: Course Repetitions
- 20-160: Auditing a Course
- 20-165: Academic Appeals
- 20-170: Religious Observance

**Non-Discrimination Policy**

The College prohibits discrimination in its admissions, employment, and educational programs or activities on the basis of race, color, sex, religion, creed, national origin, age, ancestry, marital status, sexual orientation, gender identity and expression, arrest record, military status or unfavorable military discharge, citizenship status, and physical or mental disability. The College will protect an individual's right to express their viewpoint or opinion, so long as it does not violate State or Federal law and is not detrimental to the College.

This Policy against discrimination applies throughout all College environments, whether on campus, at work assignments off campus, at College-sponsored social functions, or otherwise.

Procedures to facilitate the College's prohibition of discrimination will be promulgated consistent with this Policy.

Refer to Board Policy 15-10 (Prohibition of Discrimination and Harassment); Board Policy 15-11 (Prohibition of Sexual Discrimination, Harassment and Misconduct); and Board Policy 20-35 (Code of Student Conduct).

Adopted: 4/16/09  
Rescinded: 5/4/09  
Adopted: 11/19/09

Reviewed: 3/10/14

Amended: 4/17/14, 2/19/15



### **Communicable Diseases, Students**

The Board of Trustees places a high priority on the need to protect students and employees from the spread of reportable communicable disease on campus. The Board does not intend to exclude students with or who are carriers of a reportable communicable disease if there is no significant risk of transmission to others or danger to the student.

Students are to inform the Dean of Student Affairs Office if they have or are a carrier of a reportable communicable disease as defined by the Illinois Department of Public Health (IDPH).

A student who has or is a carrier of a reportable communicable disease may attend the College and participate in programs and activities when, through reasonable accommodation, there is no reasonable risk of transmission of the disease to others (pending documented proof).

A student who has or is a carrier of a reportable communicable disease may be denied admission to or may be dismissed from a particular program or course of study if the disease has a direct effect on the student's ability to perform so as to render the student not qualified for the program or course of study.

The College will respect the right to privacy of any student who has or is a carrier of a reportable communicable disease. The student's medical condition will be disclosed only to the extent necessary to minimize the health risks to the student and others. The College will consider appropriate public agency guidelines to determine which personnel will be notified to assure the student is properly cared for and to minimize transmission of the disease to others.

Procedures detailing systematic approaches to prevent and control the risks associated with reportable communicable diseases will be promulgated consistent with this Policy.

Adopted: 3/19/09

Reviewed:

Amended: 6/22/10  
2/24/11



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-15**

**Student Education Records**

The College of DuPage will comply with the federal *Family Educational Rights and Privacy Act*, 20 U.S.C. Sec. 1232g *et seq.*

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-20**

### **Student Handbook**

The College will annually publish, and/or present on-line, a Student Handbook or College Catalog to communicate information to students in a comprehensive manner. The Student Handbook or College Catalog will contain College rules and regulations, student rights and responsibilities, and student services information.

Adopted: 3/19/09

Reviewed:

Amended:

**Student Financial Aid Program**

The College will provide a financial aid program to students in an attempt to bridge the gap between the financial resources of students and their families and the cost of education at the College thereby helping to eliminate the economic barrier to obtaining an education. The program may consist of grants, loans, scholarships, veteran benefits, and work opportunities.

The financial aid programs available to students will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-30**

### **Student Rights and Responsibilities**

Students do not surrender their constitutional rights simply because they are students or in the confines of the College community. Students are encouraged to participate in the development and review of College regulations and policies. Connected with these rights are the responsibilities of students to fulfill their academic obligations and to comply with existing College rules and regulations.

If student conduct is disruptive or interferes with College operations or with the educational process, the College reserves its right to seek disciplinary action. The right of due process will be afforded in any disciplinary or legal action taken against any student. Board Policy 20-40, Student Discipline, will be used should there be a need to administer student discipline.

The Student Discipline Policy 20-40 will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended: 8/20/09

**Code of Student Conduct**

The College will maintain a Code of Student Conduct to provide fair and reasonable rules and procedures to promote personal development and to ensure that students do not engage in conduct that interferes with the operations of the College. Students are responsible for their own conduct in complying with existing College policies regarding student behavior.

The College will maintain disciplinary procedures to address violations of the Code of Student Conduct.

The Code of Student Conduct procedures will be published in the College Catalog.

Refer to Board Policy 15-10 (Prohibition of Discrimination and Harassment); Board Policy 15-11 (Prohibition of Sexual Discrimination, Harassment and Misconduct); and Board Policy 20-5 (Non-Discrimination Policy).

Adopted: 3/19/09	Reviewed: 5/7/12	Amended: 7/19/12, 2/19/15
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**Code of Academic Conduct**

College of DuPage is committed to the promotion of absolute integrity and high ethical standards of individual honesty in academic work. As members of the College community, students are expected to refrain from academic dishonesty in all forms, including but not limited to: cheating, plagiarism, furnishing false information, abuse of academic materials, misconduct during a testing situation, facilitating academic dishonesty, and misuse of identification with intent to defraud or deceive.

All work submitted by students is expected to be the result of the student's individual thoughts, research and self-expression. When students use ideas, wording, or organization from another source, the source shall be acknowledged appropriately.

The College will maintain disciplinary procedures to address violations of the Code of Academic Conduct.

The Code of Academic Conduct procedures will be published in the College Catalog.

Adopted: 7/19/12	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-45**

## **Residency**

Student residency classification and verification will be in accordance with the provisions of the *Illinois Public Community College Act*, 110 ILCS 805/1 *et seq.*, and guidelines established by the Illinois Community College Board (ICCB).

In accordance with the ICCB, the College will maintain procedures for the classification and verification of student residency status.

Adopted: 3/19/09

Reviewed:

Amended:



**Student Admission**

Applicants eligible for admission to the College of DuPage include the following:

1. Graduates of accredited high schools or completion of General Educational Development (GED).
2. Non-high school graduates who are 18 years of age or older and who can benefit from college level courses and/or programs.
3. Transfer students from other colleges and universities.
4. Currently enrolled high school students who, with permission, may enroll in courses for credit or noncredit.
5. Other categories of students as determined by the College.

The admission of students under the age of 18 will be handled on a case-by-case and course-by-course basis. Such admission may require high school consent, parental consent, and/or approval by the Coordinator of Admission Services.

Admission to the College does not guarantee entrance into a particular course or program of study.

The College will not discriminate in the admission or recruitment of students consistent with Policy 20-5.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-55**

### **Military Service Personnel, Education Opportunities**

Residency requirements for a degree or certificate may be waived for military personnel by the Admissions Office. Also, credits earned from other institutions may be applied to an approved program as arranged through the Records Office.

If a student withdraws from the College after the midpoint of the term because of military duty with the armed services of the United States, the student may be eligible for full academic credit for each course the student is registered, provided there is mastery of the curriculum content. In order to receive full academic credit, the instructor of the course must be able to evaluate whether the student achieved the objectives for the course at the time of withdrawal, and award an appropriate grade. If this evaluation is not possible, or if the student withdraws from the College prior to the midpoint of the term, the student is eligible for a full refund of all tuition and fees paid and no academic credit will be awarded.

In order to benefit from this Policy, the student must submit to the Admissions Office a copy of the notice and/or orders calling for military duty.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-60**

### **Enrollment Restrictions**

The College is committed to the academic success of its students. In order to promote student success, students may be required to take the College's placement tests in reading, writing, and mathematics prior to registering for certain courses. The College may restrict a student's enrollment in a particular course at the discretion of an administrator and/or require the student to meet with a designated College employee prior to registration.

Adopted: 3/19/09

Reviewed:

Amended:

**Student Classification****Full-time Students**

Students enrolled in twelve (12) semester hours of course work or more during the fall and spring semester shall be considered full-time. Students enrolled in six (6) semester hours of course work or more during the summer term will be considered full-time. Applicable federal regulations will be utilized to determine full-time status for students receiving financial aid and/or Federal education benefits.

**Part-time Students**

Students enrolled in less than 12 semester hours of course work during the fall and spring semesters shall be considered part-time. Students enrolled in less than six (6) semester hours of course work during the summer term shall be considered part-time.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-70**

### **Student Identification Cards**

The College will provide an official College student identification (ID) card upon request. This ID card shall be considered the official identification for students and shall be used for access to libraries, designated labs, recreation facilities, and other services, as necessary.

For purposes of identification, students will be assigned identification numbers in a manner which protects students' confidentiality rights.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-75**

**Student Use of Facilities**

College-recognized student clubs and organizations, teams and performance groups will be allowed to use the College facilities as prescribed in Policy 10-105.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-85**

### **Health Services**

The College may elect to provide students with health services at its on-campus Health Center. The Center's professional staff will provide students with confidential medical care for minor illnesses as well as confidential health counseling and testing services. The Health Center will offer the College community seminars and programs to increase awareness and knowledge of wellness issues.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-90**

### **Intercollegiate Athletics/Student Activities Program**

The College will establish and maintain an intercollegiate athletics program and student activities program that contributes to the educational growth of students and enhances campus and student life.

The College, as an affiliate of the National Junior College Athletic Association, will adhere to all applicable rules and regulations.

Procedures for the College's intercollegiate athletics and student activities program will be promulgated consistent with this Policy.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-91**

### **Student Clubs and Organizations**

The College is committed to the existence of, support for, and student participation in student clubs and organizations.

The fundamental rights, and the responsibilities associated with those rights, accorded to students in relation to the forming and operation of student clubs and organizations are addressed in Policy and Procedure 20-30, Student Rights and Responsibilities.

All information pertaining to student clubs and organizations will be published by the College via the Student Clubs and Organizations Handbook.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-100**

### **Student Publications**

The Board of Trustees supports quality student publications produced through the College for the benefit of students. The format for the publications may include a student newspaper, student literary magazine, and/or other formats which will effectively communicate the views and ideas of students. This Policy will comply with the *College Campus Press Act*, Public Act 95-580.

All College-sponsored or authorized student publications are considered learning opportunities for students and are expected to follow the professional standards of the appropriate discipline. The College may sponsor student publications by providing work space, partial or total funding, and/or designation of an advisor.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - General**

**Policy No. 20-105**

### **Group Travel**

The College may offer group domestic and international travel opportunities for students. The College's group travel programs will operate in accordance with all Board policies, administrative procedures and state, federal, and international laws.

Procedures and guidelines for student group travel will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - Academics**

**Policy No. 20-120**

### **Standards of Academic Progress**

The College is committed to student success. Students enrolled in an academic program must maintain minimum academic achievement standards. Standards for academic achievement are published by the College.

A student whose academic performance is below the acceptable standard will be placed on academic warning or academic probation. A student who fails to progress toward satisfactory academic achievement may be dropped for low scholarship.

Satisfactory academic progress can be defined by grade point average and/or credit courses completed in relation to courses attempted.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - Academics**

**Policy No. 20-125**

### **Evaluation of Student Performance**

The College will maintain an equitable process of evaluating and recording student performance in courses compliant with applicable accreditation standards. Grading and evaluation standards will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - Academics**

**Policy No. 20-130**

### **Academic Honors**

In recognition of academic excellence, the President will ensure a means by which to honor students for their superior achievement.

The manner in which superior academic achievement will be recognized will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - Academics**

**Policy No. 20-135**

### **Scholarships**

The College, with the assistance of the College of DuPage Foundation and other charitable or philanthropic organizations or programs, will develop and administer a financial scholarship program to provide support for eligible students. Scholarships provided by the College and/or Foundation are generally merit-based, need-based and/or College major specific.

Adopted: 3/19/09

Reviewed:

Amended:



**Withdrawal from Class - Medical**

The College will permit students to voluntarily withdraw from a class subject to appropriate limitations and guidelines published by the College.

The College will provide additional guidelines for students seeking to withdraw from a class due to a medical condition which requires a student to withdraw from, or be withdrawn from a class or classes. In these situations, the College may require certification from a licensed physician or psychiatrist for such withdrawal.

Adopted: 3/19/09

Reviewed:

Amended:



**Academic Withdrawal**

A student may be withdrawn from a course when an instructor determines that the student is not actively pursuing completion of course objectives.

The specific provisions of an academic withdrawal will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**Course Repetitions**

Students may repeat courses previously taken at the College.

In those instances where the College does not receive reimbursement from the State for students who repeat courses, the College reserves the right to assess a supplemental fee.

Any limitations on course repetitions will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**Auditing a Course**

Students may apply to audit a course. A student auditing a course will not be considered enrolled in that course for purposes of financial aid, standards of academic progress, or athletic eligibility. The final grade for the course will be shown on the official transcript as an audit with the letter grade of "X." The audit grade of "X" earns no credit and does not affect the grade point average.

The specific provisions for auditing a course will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Student Affairs - Academics**

**Policy No. 20-165**

### **Academic Appeals**

Procedures for filing an appeal related to the College's standards of academic progress and/or the College's stated academic policy are published by the College.

Some programs may have a different appeal process.

Adopted: 3/19/09

Reviewed:

Amended:





### **Religious Observance**

College of DuPage recognizes and respects the broad diversity of religious beliefs and practices of its students in accordance with the University Religious Observances Act (110 ILCS 110/0/01).

The College of DuPage will reasonably accommodate the religious observance of individual students in regard to admissions, class attendance, and the scheduling of examinations and work requirements. Students who inform instructors in advance of an intended absence for a major religious observance will not be penalized. Reasonable accommodations will be made by the instructor for students which may include providing a makeup test, altering assignment dates, permitting a student to attend another section of the same course for a class period or other reasonable accommodations. Instructors are not responsible for teaching material again. Instructors will inform students of this practice at the beginning of each semester so that arrangements can be made accordingly.

A student may contact the Vice President for Student Affairs in the event that reasonable accommodations have not been made in accordance with this policy. The Vice President will work with the faculty member and appropriate academic administrator(s) to work toward a reasonable accommodation for religious observance.

Adopted: 3/19/09	Reviewed:	Amended:
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**Part V: Educational Programs**

General

- 25-5: Drug-Free School
- 25-10: Tuition
- 25-15: Variable Tuition
- 25-20: Tuition and Fees, Senior Citizens (District Residents)
- 25-25: Employer-Based Tuition/Educational Service Agreements
- 25-30: Service Fees
- 25-35: Lab Fees
- 25-40: Payment Policy
- 25-45: Tuition Refund
- 25-50: Chargebacks

Instructional

- 25-55: Academic Calendar
- 25-60: Cooperative Agreement with Other Agencies or Institutions
- 25-70: Non-Credit Educational Activities
- 25-75: Degrees and Certificates
- 25-76: Assignment of Credit Hours
- 25-80: Honorary Degrees and Distinguished Service Awards
- 25-90: Program Review
- 25-95: Student Development Education
- 25-100: Resources for Learning
- 25-105: Co-curricular Activities
- 25-110: Credit by Demonstrated Competence
- 25-115: Transfer Credit
- 25-120: Graduation Requirements
- 25-125: Waiver and Substitution of Graduation Requirements
- 25-130: Graduate Level Internship Opportunities
- 25-135: Educational Philosophy



**COLLEGE OF DUPAGE**

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**Educational Programs - General**

**Policy No. 25-5**

### **Drug-Free School**

The College prohibits the unlawful possession, use, distribution, dispensing, and manufacture of illegal drugs and alcohol by students on its property or as part of any College activity. Any student who violates this Policy may be subject to immediate disciplinary action, including mandatory participation in an approved rehabilitation program, termination from the College, or expulsion from the College.

This Policy will be administered consistent with the *Drug-Free Schools and Communities Act of 1989*, 20 U.S.C. 3211, as amended, and College procedures.

Adopted: 3/19/09

Reviewed:

Amended:

**Tuition**

The Board of Trustees is empowered to establish rates of tuition for all courses offered through the College. Such rates may be changed without notice, upon affirmative Board action, but may not exceed statutory limits. Students may be required to pay additional fees depending on the status of the student, the program in which the student is enrolled, and the College's requirements.

The Board delegates to and authorizes the College President to grant individual tuition waivers to students for credit courses offered at the College when such waivers will aid in achieving the mission and objectives of the College. Administrative Procedures will be promulgated to effectively administer Policy 25-10.

Adopted: 3/19/09	Reviewed:	Amended: 4/15/10
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Program - General**

**Policy No. 25-15**

### **Variable Tuition**

Tuition charged for courses, seminars, and symposia are determined by the Board of Trustees.

Upon the recommendation of the President and with Board approval variable tuition may be instituted on a case by case basis to help a College program be either self-sufficient or reduce its financial operating losses.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - General**

**Policy No. 25-20**

**Tuition and Fees, Senior Citizens (District Residents)**

Residents of District 502, age 65 years or older, who register for classes during or after open-registration, may take credit courses at the College by paying a reduced rate established by the Board of Trustees, plus the full amount of any lab fees or other fees that may be charged for certain courses.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - General**

**Policy No. 25-25**

**Employer-Based Tuition/Educational Service Agreements**

Students who reside outside of District 502, but who are lawfully employed by an entity or individual located in District 502 on a full time basis, are entitled to in-district tuition rates.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - General**

**Policy No. 25-30**

**Service Fees**

The Board of Trustees will establish service fees. Service fees are subject to change without notice. All fees and refund policies will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - General**

**Policy No. 25-35**

### **Lab Fees**

In order to defray costs associated with specialized courses requiring the use of laboratory equipment and materials, the College will establish appropriate laboratory fees and maintain an appropriate lab fee structure for such classes.

Adopted: 3/19/09

Reviewed:

Amended:



**Payment Policy**

Payment due dates will be published by the College.

Payments not received by the due date may result in the student being dropped from all courses for which he/she is registered. If full payment has not been received and the student drops class(es), the student's obligation for the outstanding bill remains.

The College accepts payment by cash, check, money order, or certain credit cards.

The College will maintain a payment plan to assist students in fulfilling their financial obligations to the College.

Failure to pay any outstanding debt to the College or its contracted partners by the due date may result in a hold being placed on the student's academic record.

Adopted: 3/19/09

Reviewed:

Amended: 12/10/09



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - General**

**Policy No. 25-45**

### **Tuition Refund**

Students may receive refunds for credit courses. The amount of refund allowed when a student drops a class will be calculated according to a schedule published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - General**

**Policy No. 25-50**

### **Chargebacks**

Students residing in District 502 who wish to enroll in an approved program of study not offered by the College may apply for a chargeback to attend another community college in Illinois that offers that curriculum. A student approved for a chargeback will be entitled to that college's in-district tuition rates.

Deadlines, terms and conditions of the College's chargeback program will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-55**

### **Academic Calendar**

The Board of Trustees will establish and approve an academic calendar for each school year.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-60**

### **Cooperative Agreement With Other Agencies or Institutions**

The College may enter into cooperative educational agreements with other entities. These may include, but are not be limited to, intergovernmental agreements, agreements with high schools, other community colleges, baccalaureate degree-granting institutions, educational agencies, and clinical agreements with hospitals, clinics, and nursing homes. The purpose of these agreements is to enhance services to the College community and resources available to the College and students.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-70**

### **Non-Credit Educational Activities**

The College will provide non-credit educational activities that may include, but are not limited to, symposia, seminars, workshops, and lecture series for the purpose of providing personal and professional non-credit learning experiences to the College community.

Adopted: 3/19/09

Reviewed:

Amended:

**Degrees and Certificates**

The College will award associate degrees in recognition of successful completion of any degree program offered by the College as approved by the Illinois Community College Board.

Certificates, as approved by the Illinois Community College Board, will be offered for students not pursuing an associate's degree. Certificate programs may focus on technical or professional skills necessary to enter a field of employment or for employment-specific continuing education. Some courses taken in a certificate program may be applied to an associate's degree in the same field of study.

Requirements for obtaining degrees and certificates awarded by the College will be published in the current College Catalog. The College reserves the right to make changes at any time to the academic regulations and requirements pertaining to the awarding of degrees and certificates. Students meeting specific qualifications as listed in the College Course Catalog and/or on file in the Office of Admissions, Registration, and Records may be awarded more than one degree or certificate from the College.

Programs of study are approved by the Board upon the recommendation of the President and, where statutorily required, by the Illinois Community College Board (ICCB).

Adopted: 3/19/09	Reviewed:	Amended:
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**Assignment of Credit Hours**

College of DuPage will equate its learning experiences with semester credit hours using practices common to institutions of higher education. The lengths of academic programs shall be comparable to similar programs found in accredited institutions of higher education. Program-specific tuition will be based on program costs, program length, and program objectives.

The College shall notify the Higher Learning Commission of any significant changes in the relationships among credits, program length, and tuition.

Adopted: 4/24/13

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-80**

### **Honorary Degrees and Distinguished Service Awards**

The Board of Trustees may confer honorary associate degrees or distinguished service awards upon individuals who have demonstrated outstanding contributions in scholarly or creative areas; individuals who have acquired national or international reputation for excellence in a specific field or endeavor; or individuals with a recognized record of distinguished community or public service. The Board is committed to awarding honorary degrees and distinguished service awards to recipients who will enhance and promote the College's mission and educational philosophy in the College community.

Adopted: 3/19/09

Reviewed:

Amended:

**Program Review**

All College programs shall be evaluated by the faculty, staff, and students for effectiveness and efficiency to maximize achievement of the College's mission and vision. The evaluation will be taken to provide faculty, administration, and the Board of Trustees with information about how well programs function and to determine the College's needs. The program review will focus upon the state of a program area, identification of accomplished services in a program area, program areas needing improvement, and recommendations for implementing changes or improvements to program areas.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-95**

### **Student Development Education**

The College will maintain a comprehensive student development education program, which will provide instruction, assistance and information services to students and community members in a manner convenient and accessible to all students and community members. Offered services will provide personal assistance to persons seeking guidance in achieving their personal development and educational goals. Generally, the program should include orientation, assessment, testing, advising, educational planning, personal counseling and career counseling.

Primary emphasis will be placed on enhancing the individual's ability to assume responsibility for meeting his/her educational goals.

Adopted: 3/19/09	Reviewed:	Amended: 2/24/11
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-100**

### **Resources for Learning**

The College maintains a library with resources offered to students, faculty, staff and community borrowers. The library will keep an up-to-date collection of reference works and other learning resources to meet the needs of its students, faculty, staff, and the College community consistent with the College's curriculum. Hours of operation will be determined by the President or his/her designee; they will reflect student/community usage and the cost effective operation of the library.

Adopted: 3/19/09

Reviewed:

Amended:



**Co-curricular Activities**

The College recognizes the value of co-curricular activities, which are an integral part of the education process. Co-curricular activities include, though not limited to, service learning, co-operative education, internships and practicum.

All information pertaining to co-curricular activities will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:

**Credit By Demonstrated Competence**

The College shall provide a Credit by Demonstrated Competence Program for students and community residents to transfer knowledge acquired in an occupational setting, educational environment outside the College, or through life experience, into College credit. The College shall provide students with the opportunity to achieve credit by either of the following methods: Credit by Proficiency through an Instructor or Credit by National Examination.

Students will be required to pay service fees prior to obtaining credit.

Adopted: 3/19/09	Reviewed:	Amended:
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**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-115**

### **Transfer Credit**

Transfer students seeking to apply credits from another college or a university to a College of DuPage program of study shall have official copies of the student's transcript from the previous institution forwarded to the Office of Records. The College shall have the official transcript from the transferring institution evaluated by the appropriate College official, as designated by the College President. Transcripts will also be evaluated as part of a graduation audit to determine a student's candidacy for receipt of a degree and/or certificate.

Guidelines regarding the Transfer Credit Policy will be published by the College.

Adopted: 3/19/09

Reviewed:

Amended:





**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-120**

### **Graduation Requirements**

The College requirements for graduation shall conform to units of instruction approved by the Illinois Community College Board. The College will publish requirements and guidelines consistent with this Policy.

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional  
Policy No. 25-125**

### **Waiver and Substitution of Graduation Requirements**

An individual graduation requirement may be waived or substituted at the discretion of the College President, in accordance with the *Illinois Public Community College Act*, 110 ILCS 805/1 *et seq.*

Adopted: 3/19/09

Reviewed:

Amended:



**COLLEGE OF DUPAGE**

*Policy Manual of the Board of Trustees*

**Educational Programs - Instructional**

**Policy No. 25-130**

**Graduate Level Internship Opportunities**

The College will provide graduate student internship opportunities. Procedures to facilitate graduate level internship opportunities will be promulgated consistent with this Policy.

Adopted: 3/19/09

Reviewed:

Amended:



## COLLEGE OF DUPAGE

*Policy Manual of the Board of Trustees*

### Educational Philosophy

**Policy No. 25-135**

#### **Educational Philosophy**

Institutions of higher education are conducted for the common good, which depends on the search for truth and its free exposition. Academic freedom is essential to these purposes and carries with it responsibilities and duties as well as rights. The College of DuPage recognizes that academic freedom in the classroom entails both the freedom to teach and the freedom to learn. The classroom environment is one that is conducive to free discussion, inquiry and expression for all students.

Academic freedom is guaranteed within the discipline subject matter for which faculty members are employed. Academic freedom shall be guaranteed to all faculty members and students, and no arbitrary limitations shall be placed upon study, investigation, presentation and interpretation of facts and ideas concerning humans, societies, the physical and biological world, and other branches of learning. Faculty members shall be free to present instructional materials which are pertinent to the subject and level taught and shall present facets of controversial issues in an unbiased manner within the scope of College-approved course objectives.

Faculty members and students are citizens. When a faculty member or student, speaks, writes, or acts as a citizen, all should be free from institutional censorship and/or discipline. It is the obligation of faculty members and students to be accurate, to exercise appropriate restraint, and to show respect for opinions of others.

Adopted: 4/16/09  
Rescinded: 5/5/09  
Adopted: 3/18/10

Reviewed:

Amended:



## **COLLEGE OF DUPAGE** Index of Policies

*Policy Manual of the Board of Trustees*

### **Part VI:      Appendix**

#### Appendix A

- College of DuPage Ethics Ordinance



**COLLEGE OF DU PAGE ETHICS ORDINANCE**

**PREAMBLE**

**WHEREAS**, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities, and the solicitation and acceptance of gifts by State officials and employees; and

**WHEREAS**, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

**WHEREAS**, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

**WHEREAS**, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

**WHEREAS**, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF COLLEGE OF DU PAGE, AS FOLLOWS:**

**SECTION 1:** The Code of Ordinances of College of DuPage is hereby amended by the addition of the following provisions:

**ARTICLE 1  
DEFINITIONS**

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

"Collective Bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by, or credited to, the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by, or awarded to, an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by College of DuPage, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means College of DuPage.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to, or attributable to, government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Political activity" means any activity in support of, or in connection with, any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office, or on behalf of a political organization for political purposes, or for or against any referendum question.
- (6) Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office, or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization, or for or against any referendum question, or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

"Prohibited source" means any person or entity who:

- (1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;



- (2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
- (3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
- (4) has interests that may be substantially affected by the performance or nonperformance of the official duties of the officer or employee.

## **ARTICLE 5 PROHIBITED POLITICAL ACTIVITIES**

### **Section 5-1. Prohibited political activities:**

- (a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of College of DuPage in connection with any prohibited political activity.
- (b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer's or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
- (c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- (d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
- (e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

## **ARTICLE 10 GIFT BAN**

Except as permitted by this Article, no trustee or employee and no spouse of, or immediate family member living with, any trustee or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Exceptions: This Gift Ban is not applicable to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the trustee or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, aunt, uncle, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether, to the actual knowledge of the recipient, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether, to the actual knowledge of the recipient, the individual who gave the gift also at the same time gave the same or similar gifts to other trustees or employees or their spouses or immediate family members.
- (8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared, or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an trustee or employee), if the benefits have not been offered or enhanced because of the official position or employment of the trustee or employee, and are customarily provided to others in similar circumstances.
- (10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intragovernmental gift" means any gift given to a trustee or employee from another trustee or employee, and "inter-governmental gift" means any gift given to a trustee or employee by a trustee or employee of another governmental entity.

- (11) Bequests, inheritances, and other transfers at death.
- (12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Disposition of gifts: An trustee or employee, his or her spouse, or an immediate family member living with the trustee or employee does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

## **ARTICLE 25 PENALTIES**

### **11. Section 25-1. Penalties.**

- (a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- (b) A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.
- (c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- (d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for College of DuPage by filing in the circuit court an information, or a sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt. A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for College of DuPage or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.
- (e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

**SECTION 2:** This Ordinance shall be in effect upon its passage, approval and publication [*if required*] as provided by law.

Adopted: July 16, 2009	Reviewed:	Amended:
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