

Cincinnati State Technical and Community College

Operations Manual September 1, 2021

This document, in conjunction with the collective bargaining agreements with the employee groups recognized by the College, shall address the operational procedures for the College. The bargaining agreements shall take precedence over this Operations Manual. However, when bargaining agreements are silent on a matter, the Operations Manual shall take precedence. For non-bargaining unit employees, this document shall serve as the primary source of procedural direction.

This document is the result of an 18 month review process, originally convened by the Interim Vice President of Administration. Administrators, faculty and staff offered revisions and guidance via various institutional processes associated with the Budget Advisory Team, Deans Council, and Labor-Management meetings. The President's Executive Team reviewed two (2) drafts and forwarded the final policy to the Ohio Attorney General for review. On April 24, 2018, The Board of Trustees adopted Resolution 18.51 to "authorize the Management of the College to utilize an Operations Manual for governance of the College and its employees, policies and procedures, and recognized that Management may change the Operations Manual from time to time and that such changes do not require Board of Trustee approval, unless such changes conflict with a resolution, by-law or policy of the Board of Trustees. Further, the Operations Manual of Cincinnati State Technical and Community College is hereby approved and that any resolutions previously adopted that are in conflict with the Operations Manual are hereby superseded and Management is hereby granted the authority to revise the Operations Manual within the authority of this Resolution." This process and the resulting Operations Manual are both in alignment with Cincinnati State's mission as a public institution serving the public good.

This document is subject to periodic revisions which will be publicized to the College Community and posted at a minimum, on the College Intranet. As such, it is the Employee's responsibility to remain current in the review and understanding of the Operations Manual.

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1.0 General Administration

The President is the chief executive and administrative officer for the Board of Trustees. The President provides leadership for the College to fulfill its stated educational mission by providing for an effective organization and administration; sound stewardship and development of all College resources—human, fiscal, and capital; stewardship of the College’s image; appropriate planning; and effective links between the College and its students, community, and educational constituencies. The President executes directly or by delegation all executive and administrative duties in connection with the operation of the College. Terms and conditions of appointment are as determined by the Board.

The officers of the College are the President, the Provost, and Vice Presidents. The President may designate any officer to carry out his/her duties during a temporary absence of less than 30 days. If no such designation is made in writing to the Board or Board president, the Provost will assume the President’s duties in his/her absence. When the President and the Provost are absent, the Vice President of Administration will assume the president’s duties until the return of the Provost or the President.

If the President is absent or is expected to be absent for more than 30 working days or two regularly scheduled Board meetings, the Board of Trustees will appoint a temporary replacement.

1.1 Annual Academic Program Self-Study ~ Process & Procedures

Cincinnati State's Annual Academic Program Self-Study is a critical component of the college's commitment to continuous improvement and alignment of its mission and strategic plan with its curricular and co-curricular programs. The Annual Academic Self-Study process provides the faculty of each academic program with: the opportunity to reflect upon its program; review its internal methods for assessment and program improvement; review trends in enrollment, graduation, and resources; and create strategic plan to position program in changing environment.

The Program Chair of each Associate Degree completes the annual self-study in consultation with their program faculty colleagues and advisory board members, with ongoing support from the program's respective associate dean. Program chairs and faculty draw upon, *inter alia*: program level assessment and enrollment data, institutional level assessment and enrollment data, program advisory board input, survey data from program courses, graduates, and employers. Upon completion, the Program Chair is responsible for submitting the Annual Academic Program Self-Study to his/her respective Academic Dean, as well as to the Provost. After submissions are completed, the Provost convenes a review panel, composed of: The Academic Deans; the Senior Director of Student Success and Student Development; and the Provost. The review panel process affords feedback upon each Academic Self-Study from multiple reviewers. Each Annual Academic Program Self-Study is reviewed utilizing an Academic Program Assessment Rubric. The resulting analysis is provided to the: (1) Program Chairs and respective Academic Dean – to support their program assessment and continuous improvement efforts; and (2) to the Deans, Vice Presidents, and Provost – to assist them in strategic decision making.

Revised: June 12, 2018

2.0 Non-Discrimination

Cincinnati State Technical and Community College (CSTCC) affirms that no person shall, on the basis of race, color, religion, sex, national origin, age, disability, veteran's status, ethnic origin, ancestry, or military status, be denied the benefits of or be subjected to discrimination under any educational program conducted under its auspices. This shall extend to all employees. Inquiries concerning the application of this policy may be referred to the Director of Human Resources as designated below. CSTCC has designated the Director of Human Resources, as the EEO Coordinator for the College.

Falonda Rodgers, Director of Human Resources
Cincinnati State Technical and community College
3520 Central Parkway
Cincinnati, OH 45223
513-569-1565
HR@cincinnatiastate.edu

This policy shall be disseminated through the following means:

- Cincinnati State website
- College Catalog
- Operations Manual
- Student Code of Conduct (by reference)
- Adjunct Orientations
- New Employee Orientations
- College-wide postings
- First Year Education (FYE) course, required of all new students

2.1 Sex Discrimination, Title IX Sexual Harassment, and Retaliation Policy

I. Purpose

Cincinnati State Technical and Community College (“Cincinnati State” or the “College”) is committed to supporting a safe, respectful, and healthy college environment. In furtherance of this commitment, Cincinnati State prohibits discrimination on the basis of sex as well as sexual harassment, which includes dating violence, domestic violence, sexual assault, stalking, and retaliation, as defined in this Policy, and in compliance with applicable statutory and legal guidance.

If you are in immediate danger, please call 911 or, if you are on campus, the Cincinnati State Police at 513-569-1558.

II. Non-Discrimination Statement

The College is committed to fostering a climate free from discrimination on the basis of sex in the following areas: admissions, educational programs and activities, housing, access to classes and schools, counseling, financial assistance, employment assistance, health and insurance benefits and services, marital or parental status, and athletics. This policy is strictly enforced by the College, and reports of Prohibited Conduct receive prompt and equitable attention and appropriate corrective action. The College takes steps to eliminate Prohibited Conduct, to prevent the recurrence of Prohibited Conduct, and to remedy the effects of Prohibited Conduct, as appropriate.

a. Designation of Title IX Coordinator

The College has designated and authorized the following individual as the Title IX Coordinator to coordinate its efforts to comply with Title IX:

Falonda Rodgers, Director of Human Resources, Title VI, IX & Section 504 Coordinator

Falonda.rodgers@cincinnatiastate.edu

513.569.1759

3520 Central Parkway, Cincinnati, OH 45223-2690

The College has designated and authorized the following individual as the Deputy Title IX Coordinator to coordinate its efforts to complete with Title IX:

Soni Hill, Senior Director of Student Success & Student Development

soni.hill@cincinnatiastate.edu

513-569-4215

3520 Central Parkway, Cincinnati, Ohio 45223-2690

Any inquiries or complaints concerning the application of Title IX may be referred to the Title IX Coordinator using the contact information above, or pursuant to Section VI, below. Questions or concerns about Title IX or the application of Title IX in these procedures may also be referred to the U.S. Department of Education’s Office for Civil Rights at <https://ocras.ed.gov/contact-ocr>.

The Title IX Coordinator is responsible for managing the College’s compliance with Title IX and the effective implementation of these procedures. ***Any references to the actions of the Title IX Coordinator***

in these procedures may be performed by the Title IX Coordinator, the Deputy Title IX Coordinator, or their designee.

In addition to addressing complaints against a particular party, the Title IX Coordinator also facilitates the handling of reports that College policies or practices may discriminate on the basis of sex, gender, gender identity, gender expression, or sexual orientation. The Title IX Coordinator conducts an assessment of such concerns and, using procedures the Title IX Coordinator determines to be appropriate given the circumstances, works with the College to ensure that its policies and practices are compliant.

III. Jurisdiction and Scope of Policy

The Policy applies to all community members, including students, faculty, staff, affiliates, visitors, applicants for admission or employment, and independent contractors.

This policy applies to allegations of Prohibited Conduct, defined below, that is reported to have occurred:

- in connection with a College's education program or activity; or
- on property owned or controlled by the College; or
- using computer or internet networks, digital platforms, or computer hardware or software owned or operated by, or used in the operations of, the College's programs or activities over which the College has substantial control; or
- where the conduct is reported to have a continuing adverse effect on an educational program or activity of the College, regardless of where the conduct is reported to have occurred.

The College's response to Prohibited Conduct depends in part on its control over the respondent. The procedure applies when the respondent is a member of the College community, or was a member of the College community at the time of the alleged incident and intends to participate in an education program or activity of the College. However, if Prohibited Conduct is reported when the College does not have control over the responding party, the College will still work with the complainant regarding their options and appropriate supportive measures. The College will also consider whether it is appropriate to take any other actions to protect the safety of the College community under these circumstances.

IV. Definitions

Actual Knowledge means notice of Sexual Harassment or allegations of Sexual Harassment to a recipient's Title IX Coordinator or any of the following officials who have the authority to institute corrective measures on behalf of the College: The Provost, the Vice President of Administration, the Director Human Resources. This standard is not met with the only official of the College to have knowledge is the respondent.

Coercion is a type of force that relies on unreasonable pressure for sexual activity against an individual's will. Coercion includes a wide range of behaviors which override the voluntary nature of participation in sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.

Complainant is an individual who is alleged to have experienced conduct that could constitute Prohibited Conduct under this procedure.

Consent is a freely and affirmatively communicated willingness to participate in sexual activity, expressed by clear, unambiguous words or actions. It is the responsibility of the initiator of the sexual activity to ensure that the initiator has the other person's consent to engage in sexual activity, throughout the entire sexual activity. At any time, a participant can communicate that they no longer consent to continuing the activity. Consent may never be obtained through the use of force or coercion, or if the individual is mentally or physically incapacitated, including through the use of drugs or alcohol, or where the individual is not of an age to give consent. Consent cannot be assumed based on the existence of a previous intimate relationship or sexual encounter. Additionally, the initiator's use of alcohol or drugs does not diminish the initiator's responsibility to obtain consent. There is no requirement of a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of consent is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

Education Program or Activity includes all of the College's operations, including locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the conduct occurs, as well as any building owned or controlled by a student organization that is officially recognized by the College.

Force is the use of physical violence and/or imposing on someone physically to engage in sexual activity and/or the use of threats or intimidation to overcome resistance to sexual activity.

Formal Complaint is a document, including an electronic submission, filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, alleging Prohibited Conduct against a respondent about conduct within the College's jurisdiction (as defined in this procedure) and requesting initiation of the formal procedure to investigate the allegation of sexual harassment. The Title IX Coordinator may also file Formal Complaints as explained elsewhere in these procedures.

Incapacitation is a state in which a person cannot make informed, rational decisions about engaging in sexual activity. Incapacitation may result from a temporary or permanent mental or physical disability, from sleep or unconsciousness, and/or from impairment due to drugs and/or alcohol such that the person cannot appreciate the nature and consequences of the sexual activity. Apparent consent by an incapacitated complainant is not valid where a respondent knew or should have known that the complainant was incapacitated.

Preponderance of the Evidence is the standard of evidence used to resolve disputed issue of fact and to make decisions as to whether Prohibited Conduct occurred. A preponderance of the evidence exists where the evidence establishes that the dispute fact is more likely than not to be true. A preponderance of the evidence also exists where the evidence establishes that the Prohibit Conduct is more likely than not to have been committed. In determining whether a preponderance of the evidence exist, the decision-maker relies on the quality and relative weight of the evidence rather than the quantity of evidence.

Prohibited Conduct is the conduct prohibited by these procedures. See Section V, for more detail.

Relevant evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

Relevant evidence and questions do not include the following types of evidence and questions, which are deemed irrelevant at all stages of this procedure:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege, unless the individual has waived that privilege.

Respondent is an individual who is alleged to have committed conduct that could constitute Prohibited Conduct under this procedure.

Supportive Measures are non-disciplinary and non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College’s educational environment, or deter sexual harassment. The College maintains as confidential any supportive measures provided to the parties, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Supportive measures also include “protective measures” as that term is defined by the Clery Act and implementing regulations. Information about supportive measures may be found in Section IX, below.

V. Prohibited Conduct

Conduct prohibited by this Policy includes: Title IX Sexual Harassment, Discrimination on the Basis of Sex/Gender, and Retaliation (collectively, “Prohibited Conduct”), each of which is defined more fully below.

Title IX Sexual Harassment

There are six types of Prohibited Conduct that qualify as “Title IX Sexual Harassment,” each of which is defined more specifically below: (1) *quid pro quo* sexual harassment, (2) unwelcome conduct sexual harassment, (3) sexual assault, (4) dating violence, (5) domestic violence, and (6) stalking, on the basis of sex. The definitions used here are mandated by federal regulations.

For reported behavior to qualify as Title IX Sexual Harassment under this Policy, in addition to meeting the elements of the specific type of sexual harassment below, it must meet all of the following threshold requirements, as determined by the Title IX Coordinator and as mandated by federal regulations:

1. The conduct must have occurred against a person in the United States,

AND

2. The conduct must have occurred within the College's education program or activity. For purposes of this provision, this means that the conduct must have occurred either (a) in a location, event, or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs or (b) in relation to a building owned by a student organization that is officially recognized by the College,

AND

3. The complainant must be participating in or attempting to participate in the education program or activity of the College at the time the formal complaint is filed.

Conduct that does not meet these threshold requirements may still be addressed by the College through its Code of Conduct or Employee Operations Manual.

1. Quid Pro Quo Sexual Harassment

"*Quid pro quo* sexual harassment" is conduct on the basis of sex where a College employee conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct.

2. Unwelcome Conduct Sexual Harassment

"Unwelcome conduct sexual harassment" is unwelcome conduct on the basis of sex that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.

3. Sexual Assault

"Sexual assault" is conduct on the basis of sex that is defined as a forcible or non-forcible sex offense, or attempted forcible or non-forcible sex offense, as classified under the Uniform Crime Reporting system of the FBI. This includes six separate categories, each of which is considered a form of sexual assault:

- a. *Rape* is defined as the carnal knowledge of a person, without the consent of the complainant, including instances where the complainant is incapable of giving consent

because of their age or because of their temporary or permanent mental or physical incapacity. Carnal knowledge is defined as the slightest penetration of the sexual organ of the female (vagina) by the sexual organ of the male (penis).

- b. *Sodomy* is defined as oral or anal sexual intercourse with another person, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- c. *Sexual Assault With An Object* is defined as the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the complainant.
- d. *Fondling* is defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- e. *Incest* is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In Ohio, Revised Code Section 3101.01(A) provides that individuals nearer of kin than second cousins may not marry.
- f. *Statutory rape* is defined as sexual intercourse with a person who is under the statutory age of consent. In Ohio, Revised Code section 2907.02(A)(1)(b) provides that no person may have sex with a child under the age of thirteen. Ohio Revised Code Section 2907.04(A) provides that no person over the age of eighteen may have sex with a child under the age of sixteen.

4. Dating Violence

“Dating violence” is conduct on the basis of sex that consists of violence committed by a person who is or has been in a romantic or intimate relationship with the complainant. The existence of such a romantic or intimate relationship is determined by the length of the relationship, the type of relationship, and the frequency of interactions between the individuals involved in the relationship.

5. Domestic Violence

“Domestic violence” is conduct on the basis of sex that consists of a felony or misdemeanor crime of violence committed by:

- a. A current or former spouse or intimate partner of the victim,
- b. A person with whom the victim shares a child in common,
- c. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner,
- d. A person similarly situated to a spouse of the victim under the domestic/family violence laws of the jurisdiction

- e. Any other person against an adult or youth victim who is protected from that person's acts under the domestic/family violence laws of the jurisdiction.

Domestic violence that is not based on sex, but otherwise meets the definition above, is addressed in the Student Code of Conduct and the Employee Handbook.

6. Stalking

"Stalking" is conduct on the basis of sex that consists of engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress. For purposes of the definition of Stalking under this Policy:

- A "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- A "reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking that is not based on sex, but otherwise meets the definition above, is addressed in the Student Code of Conduct and the Employee Handbook.

Sex/Gender Discrimination

Sex/Gender Discrimination is discrimination that occurs when conduct or a policy has the purpose or effect of restricting or denying access to opportunities, programs, or resources in relation to sex, gender, gender identity, gender expression, or sexual orientation in a manner that interferes with an individual's ability to participate in a College education program or activity. Such discrimination does not include behavior explicitly permitted by federal regulations, including single-gender housing, athletic participation, chorus participation, and hiring when sex/gender is a bona fide occupational qualification reasonably necessary to the normal operation of the College.

The College will not, on the basis of sex:

- Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- Deny any person any such aid, benefit, or service;
- Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- Apply any rule concerning the domicile or residence of a student or applicant, including eligibility for in-state fees and tuition;

- Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or services to students or employees;
- Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

Retaliation

Neither the College nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding, or hearing provided for in this Policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this Policy, constitutes retaliation.

Complaints alleging retaliation may be filed according to the grievance procedures outlined in Section [x] of this Policy.

An individual who brings a complaint under this Policy in good faith, even if it may be erroneous, will not be subject to discipline. However, the use of this policy for false, malicious, or frivolous purposes is strictly prohibited. The College's decision to charge an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this provision.

VI. Reporting Prohibited Conduct

a. To the College

Individuals who believe they may have witnessed or been subjected to Prohibited Conduct are encouraged to make a report with the Title IX Coordinator. Any person may report Prohibited Conduct, whether or not the person reporting is the person who has been subject to the conduct that constitutes sex discrimination or sexual harassment. This may be done by:

- filing a Maxient incident report, accessible at <https://publicdocs.maxient.com/incidentreport.php?CincinnatiState>
- in person, by mail, by telephone, or by electronic mail, using the contact information found in Section II, above.

Such a report can be made at any time (including during non-business hours) by using the telephone number, email address, or by sending mail to the office address listed for the Title IX Coordinator identified in this Policy.

Please note that a report of Prohibited Conduct does not automatically result in a formal investigation as defined in this Policy.

Upon receipt of a report, the Complainant will be offered the opportunity for an initial discussion to give the Complainant the opportunity to recount what has taken place and discuss how best to proceed. The Complainant will be permitted to have an advisor of their choice during this discussion.

The Title IX Coordinator will review with the Complainant the College's procedures for filing a formal complaint, informal and formal resolution, the rights of the Complainant, the availability of supportive measures, information relating to law enforcement reporting if appropriate, and available medical and/or counseling resources as appropriate.

Options for, and available assistance in, changing academic schedules can be discussed and provided if so requested, and if such changes are reasonably available. Except in certain serious circumstances as discussed more below, it is at all times the Complainant's decision whether they will file a formal complaint, seek supportive measures, file a formal complaint, and pursue informal resolution and/or formal resolution (including the grievance process outlined in this Policy).

As a result of this meeting, depending on the nature of the allegations, the Title IX Coordinator may be obligated to report the incident to law enforcement pursuant to state law.

Upon receiving a report, the Title IX Coordinator will conduct an initial assessment to evaluate whether it alleges sufficient information to meet the jurisdictional and threshold requirements listed in Section V, above.

Amnesty for Students

Students reporting violations of this Policy or who participate in investigations of alleged violations of this Policy will not be subject to disciplinary action by the College for violation of the College's drug or alcohol possession or consumption policies, provided that such violations did not and do not place the health or safety of any other person at risk.

b. To Law Enforcement

Where an individual has been subjected to violence or other criminal acts, the College encourages such individuals to seek assistance from medical providers and/or law enforcement immediately after the incident, whether or not the complainant intends to pursue criminal charges. This is to assist in the preservation of evidence and to begin a timely response by law enforcement. Preserving evidence may later assist in proving that an alleged criminal offense occurred, or it may be helpful in obtaining a protection order if one is desired.

The Title IX Coordinator can assist in notifying law enforcement authorities if the complainant chooses. Complainants may also decline to notify such authorities. Depending on the situation, the Title IX Coordinator may have an obligation to report the information to law enforcement, such as where child abuse or neglect is reported, or where the conduct may constitute a felony. In such cases, law enforcement will typically respect the wishes of the Complainant as to whether to open a criminal investigation.

VII. Confidentiality and Privacy

Confidentiality and privacy are two distinct concepts under these procedures.

Privacy means that information will be protected except to the extent it is necessary to disclose information in order to respond to a report, effectuate supportive measures, facilitate an informal resolution, administer a formal complaint under these procedures, provide remedies to those who experience Prohibited Conduct, and ensure the safety of individuals and the College community. The Title IX Coordinator and other College employees are expected to respect the privacy of the parties and witnesses to a report or formal complaint and share information only on a “need to know” basis. Personally, identifiable information regarding students is further protected by the federal Family Educational Rights and Privacy Act, but sharing information as required by these procedures is permitted under that Act.

Confidentiality means that information will not be shared by the individual who receives the information except in limited circumstances, such as where there is an imminent threat of harm to the individual or to others, or where there is knowledge or suspicion of child abuse or neglect. Confidential resources include licensed counselors, medical providers, attorneys, clergy, and certified rape crisis counselors.

Individuals seeking confidential assistance through campus resources may contact the following:

- Cincinnati State Student Counseling Services – 513.569.5779 (Students)

Individuals seeking confidential assistance off campus may contact the following:

- TriHealth EAP – TriHealthEAP.com or 800.642.9724 (Employees)
- Women Helping Women, 215 E 9th St. #7, Cincinnati, OH 45202 -- 513.381.5610
- Legal support through the following:
 - Legal Aid Society of Greater Cincinnati – <https://www.lascinti.org/>
 - Southeastern Ohio Legal Services – www.seols.org
- 24/7 Hotlines:
 - ChildHelp National Child Abuse Hotline – 800.422.4453
 - Crisis Text Line – text HOME to 741741
 - Gay, Lesbian, Bisexual and Transgender National Hotline – 888.843.4564
 - National Domestic Violence Hotline – 800.799.7233
 - National Human Trafficking Hotline – 888.373.7888
 - National Sexual Assault Hotline – 800.656.HOPE
 - National Suicide Prevention Lifeline – 800.273.8255
 - National Teen and Young Adult Dating Abuse Helpline – 866.331.9474 or text “loveis” to 22522
 - Ohio Hispanic Coalition Domestic Violence Hotline – 614.746.3534 (Spanish and English)
 - Ohio Sexual Violence Helpline – 844.OHIO HELP

VIII. Employee Reporting Responsibilities

The College recognizes that complainants may be most comfortable disclosing certain conduct to a College employee they know well, such as a faculty member, coach, or advisor. Students are welcome to speak with them about sex discrimination, sexual harassment, and retaliation, but should understand that these individuals and many other faculty and staff members are required to inform the Title IX Coordinator regarding any such information that they may receive as soon as possible. Employees who are designated as confidential resources (listed above) are not permitted to make such reports to the Title IX Coordinator.

IX. Supportive Measures

“Supportive Measures” are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College’s educational environment, or deter sexual harassment.

Supportive measures may include one or more of the following:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules,
- Mutual restrictions on contact between the parties
- Changes in work locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- Other similar measures

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures and shall consult with appropriate supervisors as necessary. The Title IX Coordinator is also responsible for maintaining records of all supportive measures that are given to each party, information about which measures were requested by a party but not offered and the rationale for such decision, and information about which supportive measures were offered but rejected by a party. If the College does not offer supportive measures to a party, it must document the reasons why such response was reasonable in light of the known circumstances.

X. Emergency Removal

The College retains the authority to remove a respondent from its program(s) or activity(ies) on an emergency basis, where the College (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct justifies a removal.

If the College determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal.

XI. Administrative Leave

Non-student employees may be placed on administrative leave during the grievance process. Placement on such leave is not considered to be an “emergency removal” and is not subject to the challenge procedure outlined in that section, above.

XII. Bias and Conflicts of Interest

Any individual designated by the College as a Title IX Coordinator, investigator, decision-maker, or informal resolution process facilitator, must not have a conflict of interest or bias for or against complainants or respondents generally, or for or against an individual complainant or respondent. For purposes of this Policy, the following will not be considered evidence of bias:

- The Title IX Coordinator’s initiation of a formal complaint, or;
- An individual’s decision that allegations warrant an investigation.

The College will apply an objective (whether a reasonable person would believe bias exists), common sense approach to evaluating whether a particular person serving in a Title IX role is biased, and will exercise caution not to apply generalizations that might unreasonably conclude that bias exists. An individual’s current job title, professional qualifications, past experience, identity, or sex will not, alone, indicate bias.

Use of trauma-informed practices will not be considered evidence of bias when such practices do not:

- Rely on sex stereotypes;
- Apply generalizations to allegations in specific cases;
- Cause loss of impartiality, and;
- Prejudge of the facts at issue.

XIII. Presumption of Non-Responsibility

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

XIV. Standard of Evidence

The standard of evidence for review of Formal Complaints under this Policy is preponderance of the evidence. “Preponderance of the evidence” is a determination based on facts that are more likely true than not.

The Respondent is presumed not to be responsible for the reported conduct until a determination regarding responsibility is made at the conclusion of the grievance process. In the preponderance of the evidence standard, where the evidence in a case is “equal” or “level” or “in equipoise,” the preponderance of the evidence standard results in a finding that the respondent is not responsible.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the College and not on the parties.

XV. Investigation Process for Formal Complaints of Sex/Gender Discrimination or Retaliation.

Complaints alleging a violation of the College’s prohibition on sex/gender discrimination or retaliation are investigated and resolved for students through The Student Code of Conduct, and for employees through

College Operations Manual. In all cases, the College strives to ensure a prompt and equitable resolution of complaints of discrimination on the basis of sex/gender.

XVI. Investigation Process for Formal Complaints of Title IX Sexual Harassment.

a. Timeframes

The College will attempt to complete most investigations within 60 business days. The timeframe for investigations will begin upon filing of a Formal Complaint and will conclude upon dissemination of the investigative report to the parties. Investigations and decision-making may be delayed, and timeframes may be extended, for good cause and with written notice provided to Complainants and Respondents including the reason for the delay or extension. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement or civil rights enforcement activity; or the need for language assistance or accommodation of disabilities.

b. Filing a Formal Complaint

After the initial discussion with the Complainant described in Section VI above, the Complainant will be asked whether they would like to file a Formal Complaint. "Formal Complaint" is defined as a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the College investigate the allegation of sexual harassment. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in an education program or activity of the College. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information found above. Additionally, a "document filed by a complainant" can be in the form of an electronic submission (such as by electronic mail or through an online portal provided for this purpose by The College) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.

If the Title IX Coordinator initiates or signs a Formal Complaint, the Title IX Coordinator will not be considered a "Complainant" as that term is defined in this Policy.

Where a Formal Complaint alleges both Title IX Sexual Harassment and other potential violations of College policy, the Title IX Coordinator may choose to resolve those other violations through this process or to refer them to other College administrators for handling under other College policies.

i. Consolidation of Formal Complaints

The College may consolidate Formal Complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment rise out of the same facts or circumstances. The same facts and circumstances means that the multiple complainants' allegations are so intertwined that their allegations directly relate to all the parties.

c. Grounds for Dismissal of Formal Complaint

If, after the initial review of the Formal Complaint by the Title IX Coordinator, it is determined that any of the following conditions exist, the College will dismiss the Formal Complaint from the Grievance Procedures outlined in this Policy:

- The alleged conduct, even if proved, would not constitute Title IX Sexual Harassment as defined by this Policy;
- The alleged conduct did not occur in the College's educational programs or activities, or;
- The alleged conduct did not occur against a person in the United States.

Although prior determinations on each of these issues were likely made earlier in the process, additional information may be uncovered during an investigation that requires them to be reconsidered. The Title IX Coordinator is responsible for reconsidering these issues at any point during the processes outlined in the Policy, which may result in the report of misconduct being referred to Human Resources, the Provost, or Student Development, and/or being dismissed from the Grievance Procedures outlined in this Policy.

The Title IX Coordinator may, in their sole discretion, also dismiss a formal complaint or allegations therein if:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by The College, or;
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Such a dismissal does not preclude the College from proceeding under another College conduct process.

The College will send written notice of the dismissal and the reasons for dismissal simultaneously to all parties.

d. Notice to the Parties

The College will provide to all known parties written notice of:

- The College's grievance process;
- The identities of the parties involved;
- The specific section(s) of the College policies that are reported to have been violated;
- The approximate date, time, and location of each reported incident;
- The presumption that the Respondent is not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- The parties' right to have an advisor of their choice, who may be an attorney;
- The parties' right to inspect and review evidence; and
- The date, time, location, participants, and purpose of all hearings, investigative interviews or other meetings to which the party is invited, with sufficient time for the party to prepare to participate.

If, during the course of the investigation, additional allegations of Title IX Sexual Harassment or the violation of other policies are reported or otherwise discovered, the parties will receive notice of these additional allegations that were not included in the original notice. The obligation to notify the parties of the allegations being investigated is an ongoing one.

e. Role of Advisors During an Investigation

Each party will have the right to bring an advisor of their choosing to any meetings or discussions relating to the investigation of a Formal Complaint. The advisor may advise the party directly and ask clarifying questions, but may not speak for the party or disrupt the investigation. If a party's advisor refuses to

comply with restrictions set by the College, the College may require that the party use a different Advisor. This provision applies to all parts of the grievance proceeding except for the live hearing described in the section entitled "Hearing," below. For information about the role of Advisors during the live hearing, see the section entitled, "Advisors at Hearing."

f. Investigations

During the investigation, both the Complainant and Respondent may present statements, witnesses and other evidence to the investigator. The Complainant, the Respondent, and witnesses with relevant information may be interviewed as part of the full investigation. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. Follow-up interviews may be conducted by the investigator as needed.

The College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. A party's communication with a witness or potential witness is considered part of a party's right to meaningfully participate in furthering the party's interests in the case, and not an "interference" with the investigation. However, where a party's conduct toward a witness might constitute "tampering" (for instance, by attempting to alter or prevent a witness's testimony), such conduct may be prohibited as retaliation.

The College will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains that party's voluntary, written consent.

The parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source. The College will not consider or provide for inspection and review evidence which the College knows was illegally or unlawfully created or obtained. The College may impose on the parties and the party's advisors' restrictions or require a non-disclosure agreement not to disseminate any of the evidence subject to inspection and review.

Prior to completion of the investigative report, The College will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. The Title IX Coordinator has the discretion to determine the manner in which such evidence shall be shared, including any restrictions on dissemination of such evidence.

All evidence subject to the parties' inspection and review will be available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

g. Investigative Report

The investigator will prepare an investigative report that fairly summarizes relevant evidence and send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. If a party chooses to submit a written response, it must be submitted to the Title IX Coordinator within 10 calendar days of receipt of the report, unless an extension is granted. The responses will be shared with the other party(ies). If a party disagrees with an investigator's determination about relevance, the party may argue relevance in their written response, during the party's pre-hearing conference, and/or to the decision-maker at the hearing.

If the report involves multiple complainants, multiple respondents, or both, The College may issue a single investigative report.

If a party, after receiving and reviewing the investigation report, believes that an incorrect determination was made pursuant to the section regarding "Grounds for Dismissal of Formal Complaint," above, that party may submit a written appeal of the decision to proceed with the case as one of Title IX Sexual Harassment. The appealing party must submit a written appeal that explains the basis for their objection within 3 calendar days of receiving the investigation report. The appeal will then be considered by an appropriately trained staff member designated by the Title IX Coordinator, and an appeal decision will be communicated in writing, to the parties, their advisors, and the Title IX Coordinator within 3 calendar days.

In cases where there is an appeal at this juncture, the parties will have 10 calendar days from the date of the appeal decision to submit a written response to the Investigation Report. The written appeal and appeal decision will be included for consideration in the resolution process.

XVII. Hearings

When the investigation is concluded, and the parties have had the opportunity to review the evidence and the opportunity to respond in writing to the draft investigation report as described in the section entitled "Investigation Report," above, the College will facilitate a live hearing during which each party's advisor will be permitted to ask the other party and any witnesses all relevant question and follow-up questions, including those questions that challenge credibility. The Title IX Coordinator will appoint a person to serve as a trained decision-maker during the hearing. The decision-maker will not be the Title IX Coordinator or the individual who investigated the Formal Complaint. The decision-maker may also ask questions of the parties and witnesses.

Hearings will be conducted with all parties physically present in the same geographic location or, at the discretion of the College, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

Hearing witnesses will only participate in the Hearing when they are answering questions. They will not be permitted to observe or otherwise participate in the Hearing unless they are serving as an Advisor, as outlined below in "Advisors at Hearings."

The College will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

a. *Pre-Hearing Conference*

Each party will have their own Pre-Hearing Conference with the decision-maker prior to the hearing, which will be scheduled no less than 10 days after the investigator has sent the investigative report to each party and the party's advisor. The Title IX Coordinator or decision-maker will communicate to the parties and their advisors the date, time, and format for their Pre-Hearing Conference. The decision-maker and the advisor must be in attendance. While the parties are encouraged to attend, they are not required to do so.

During the Pre-Hearing Conference, the advisor must share with the decision-maker their list of witnesses to appear at the hearing, the identity of any requested witnesses that were not questioned during the investigation, the request for any new evidence to be considered that was not submitted previously to the investigators, and the availability of the advisor and the party for hearing dates.

Evidence and witnesses may only be presented at the hearing if they were submitted to the investigators and made available to the parties for review, unless they were unavailable at the time of the investigation or the relevance was unknown until the investigation report was submitted. The decision-maker will address any requests to present new evidence and new witnesses at the Pre-Hearing Conference.

The advisor is offered the opportunity to, but is not required to, discuss lines of questioning with the decision-maker at the Pre-Hearing Conference to obtain guidance from the decision-maker on relevancy prior to the hearing. Additionally, the decision-maker will discuss the expectations and guidelines for appropriate behavior and decorum during the hearing.

After the conclusion of the Pre-Hearing Conferences, the Title IX Coordinator or decision-maker will provide each party and their advisor with written notice of the date, time, and manner for the hearing, which will typically occur no less than 10 days after the conclusion of the final Pre-Hearing Conference.

b. *Role of Advisors at Hearings*

In order to question a party or witness at a hearing, a party must be accompanied by an Advisor. Parties will not be permitted to conduct cross-examination on their own. The College will not limit the choice or presence of any advisor for a complainant or respondent, and the advisor of their choice may be, but is not required to be, an attorney. If a party does not have an advisor present at the live hearing, the College will provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

At the live hearing, the decision-maker will permit each party's advisor to ask relevant questions of the other party and any witnesses, including those challenging credibility. Cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. All questioning at the live hearing must be relevant, respectful, and non-abusive. No party will be "yelled" at or asked questions in an abusive or intimidating manner. If a party's advisor refuses to comply with restrictions set by the College, the College may require that the party use a different Advisor.

c. Relevance

During the hearing, only relevant cross-examination and other questions may be asked of a party or witness.

The following is considered irrelevant:

- Repetition of the same question;
- Evidence that is duplicative of other evidence;
- Questions related to information that is protected by a legally recognized privilege, unless such privilege has been waived by the individual who holds the privilege;
- Questions related to a party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent; and
- Questions related to information about the complainant's sexual predisposition or prior sexual behavior, unless:
 - The information is to offered to prove that someone other than the respondent committed the alleged Title IX Sexual Harassment, or
 - The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Evidence will not be excluded at the hearing solely because it is unduly prejudicial, concerns prior bad acts, or constitutes character evidence. However, the Decision-Maker may objectively evaluate such evidence by analyzing whether that evidence warrants a high or low level of weight or credibility.

During the hearing, the decision-maker will first determine whether a question is relevant, and explain any decision to exclude a question as not relevant, before a complainant, respondent, or witness answers a cross-examination or other question.

The College will not require parties to submit cross-examination questions before they are asked.

Decision-makers are not required to give a lengthy or complicated explanation of a relevancy determination during the hearing. The decision-maker may send to the parties after the hearing any revisions to the decision-maker's explanation that was provided during the hearing.

d. Credibility

The decision-maker will evaluate all admissible, relevant evidence for weight or credibility. The degree to which any inaccuracy, inconsistency, or implausibility in a narrative provided by a party or witness should affect a determination regarding responsibility is a matter to be decided by the decision-maker, after having the opportunity to ask questions of parties and witnesses, and to observe how parties and witnesses answer the questions posed by the other party. Corroborating evidence is not required.

Credibility determinations are not based solely on observing demeanor, but also are based on other factors (e.g., specific details, inherent plausibility, internal consistency, corroborative evidence). Cross-examination brings those important factors to a decision-maker's attention.

A party's answers to cross-examination questions can and should be evaluated by a decision-maker in context, including taking into account that a party may experience stress while trying to answer questions.

e. Decision

The decision-maker must objectively evaluate all relevant evidence, both inculpatory and exculpatory, and must independently reach a determination regarding responsibility without giving deference to the investigative report. The decision-maker has the right to ask questions and elicit information from parties and witnesses on the decision-maker's own initiative to aid the decision-maker in obtaining relevant evidence, both inculpatory and exculpatory. The parties will have equal rights to present evidence in front of the decision-maker so the decision-maker has the benefit of perceiving each party's unique perspectives about the evidence.

If a party or witness does not submit to cross-examination at the live hearing, the decision-maker will not rely on any statement (factual assertion to prove or disprove the allegations) of that party or witness in reaching a determination regarding responsibility. The decision-maker will not draw an inference about the determination regarding responsibility based solely on a party's or witness' absence from the live hearing or refusal to answer cross-examination or other questions.

Video evidence showing the conduct alleged within a Formal Complaint may be considered, even if the party performing said conduct does not submit to cross-examination.

In cases where a respondent's alleged verbal conduct is, itself, the conduct alleged to be Title IX Sexual Harassment, statements regarding the alleged verbal conduct are not considered the respondent's statement for purposes of this section. This is because the verbal conduct at issue does not constitute the making of a factual assertion to prove or disprove the allegations of sexual harassment; instead, the verbal conduct constitutes part or all of the underlying allegations of sexual harassment itself.

Within 21 days of the hearing, the decision-maker will issue a written determination of responsibility. This determination will include:

- Identification of the allegations potentially constituting Title IX Sexual Harassment
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including:
 - a determination regarding responsibility,
 - any disciplinary sanctions the College imposes on the respondent,
 - whether remedies will be provided by The College to the complainant; and
- The College's procedures and permissible bases for the complainant and respondent to appeal

The determination will lay out the evidentiary basis for conclusions reached in the case. The nature of remedies, if any, will not be included within the determination. The determination will be provided to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

f. *Sanctions and Remedies*

Sanctions that may be imposed include:

- Continuing “no contact” orders;
- Trespass order prohibiting presence on campus, at College-owned facilities, and/or at campus activities or events;
- Fines/work detail;
- Required counseling;
- Alcohol/drug assessment;
- Restitution/Restoration, where property has been damaged/stolen or funds have been misappropriated;
- Campus Restriction on behavior, access to certain campus facilities, participation in campus activities, housing restrictions, and/or scheduling restrictions;
- Social Probation
- Suspension of student;
- Dismissal;
- Written warning of employee;
- Suspension of employee, with or without pay;
- Termination of employment; and
- Cancellation of third-party contract.

When a determination of responsibility for Title IX Sexual Harassment has been made, the College will provide remedies to a complainant designed to restore or preserve equal access to the College’s education program or activity. Such remedies may include the same individualized services provided as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent after a determination of responsibility for Title IX Sexual Harassment has been made. The Title IX Coordinator is responsible for effective implementation of remedies. Where the final determination has indicated that remedies will be provided, the complainant can then communicate separately with the Title IX Coordinator or their designee to discuss what remedies are appropriately designed to preserve or restore the complainant’s equal access to education. Remedies for a complainant which do not affect the respondent must not be disclosed to the respondent by the College.

XVIII. Informal Resolution

In many situations where a Formal Complaint has been filed, the College offers an informal resolution process to address certain Prohibited Conduct. Informal resolution is not available to resolve Title IX Sexual Harassment allegations brought by a student against an employee of the College, or where the Title IX Coordinator, in their discretion, believes it is inappropriate under the circumstances.

Participation in the College's informal resolution process is voluntary. The College will not require that a complainant or respondent participate in informal resolution under any circumstance, and the College will not require a complainant or respondent to waive their right to a full investigation and adjudication under this Policy. The College will not condition enrollment, continued enrollment, employment, or continued employment, or another other right granted by the College, on participation in an information resolution process.

The goal of the College's informal resolution process is to find an acceptable resolution for both parties without invoking the full investigation and adjudication process described above. The informal process may include counseling the Complainant on ways to address the Respondent directly regarding their behavior if the Complainant is comfortable doing so, counseling of the Respondent by the Title IX Coordinator on changing their behavior, a facilitated discussion between the Complainant and Respondent, a mediated agreement between the Complainant and Respondent, or any other informal process that is appropriate under the circumstances.

The parties may choose to pursue a formal resolution and end the informal resolution process at any time prior to reaching a determination of responsibility.

The College is responsible for taking the following steps prior to facilitating an informal resolution:

- Providing written notice to the parties of:
 - the allegations,
 - the requirements of the informal resolution process including the circumstances under which an agreed course of action would preclude the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and
 - any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- Obtaining the parties' voluntary, written consent to the informal resolution process.

Complainants and respondents are permitted to bring an advisor of their choosing to any discussions as part of the informal resolution process. An advisor may offer their assistance to the complainant or respondent, but may not speak for them during the process.

XIX. Appeals

Complainants and respondents may appeal the decision-maker's determination regarding responsibility within five (5) business days from the date of the written determination described in Section XVII.e, above. Complainants and respondents may also appeal the College's dismissal of a Formal Complaint or any allegations therein within five (5) business days from the date of the written notice of dismissal described in "Grounds for Dismissal of Formal Complaint," above. The College will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The non-appealing party will have five (5) business days from the date of the written notice of the appeal to submit a written statement in response to the appeal.

Grounds for appeal include:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

All grounds for appeal will be available to all parties.

The decision-maker for the appeal will not be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator. The decision-maker for the appeal will issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both parties within 10 business days of the date the non-appealing party's written response to the appeal is received.

XX. Training

The College provides annual training opportunities on sexual harassment, sexual misconduct, dating violence, domestic violence, and stalking for faculty, staff, and Board of Trustee members. Students are provided with various training opportunities on Title IX.

The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment, the scope of The College's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. This includes how to apply the definitions with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with this policy.

Investigators will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Decision-makers will receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Training materials for training under this section will be made publicly available through the College's website. Published training materials will be up-to-date and reflect the latest training provided.

The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process, will receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

XXI. Record-Keeping

The College will retain all records of each investigation instituted under this policy for seven (7) years. Records will include all documents, recordings, or transcripts from investigations, hearings, appeals, and informal resolutions, as well as records of any actions taken in response to a report or Formal Complaint of sexual harassment, including consideration of supportive measures. The College will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's education program or activity.

The first date of the first record created by the College will begin the seven year retention period. Records will be maintained for all investigations including investigations that have been dismissed, completed, or otherwise resolved.

The College will also maintain and publish on the College's website training materials of employees who serve as Title IX Coordinators, investigators, decision-makers, and persons who facilitate informal resolutions.

XXII. Consensual Relationships

Consensual sexual relationship misconduct among employees: Consensual sexual relationships between administrators, supervisors, deans or chairpersons and the employees they supervise, professionally advise, counsel, or employees over whom they have direct impact on the employee's terms and conditions of employment is strictly prohibited.

Consensual sexual relationship misconduct with students: The college strictly prohibits consensual sexual relationships between faculty members and the students or student employees enrolled in a class or class sequence(s) taught, advised, counseled, coached or supervised by the faculty member, or over whom the faculty member has direct impact on the student or student employee's academic enrollment or success.

The college strictly prohibits consensual sexual relationships between administrators, supervisors, deans, chairpersons or employees and the student or student employees whom they advise, counsel, coach or supervise, or over whom they have a direct impact on the student or student employee's academic enrollment or success.

XXIII. Academic Freedom

The College is committed to providing a safe, anti-harassing, and nondiscriminatory environment that protects the civil rights of individuals, and the College recognizes academic freedom and the constitutional protection of the First Amendment.

This procedure is not intended to restrict serious discussion of controversial issues in a training or academic situation. In order to prevent claims that course content is discriminatory, harassing, or offensive, it is recommended that participants in such discussions are provided with a disclosure that the content may be controversial.

New Policy: October 14, 2020

2.2 Filing Intentional False Reports

The College will not tolerate intentional false reporting of incidents. It is a violation of this policy to make an intentionally false report, and it may also violate federal and state criminal statutes as well as civil defamation laws. Sanctions for filing a false report will include disciplinary action up to and including expulsion from school or termination of employment.

2.3 Consensual Sexual Relationships Misconduct

Consensual sexual relationships include romantic, intimate or sexual relationships in which both parties agree to participate in the relationship. The college recognizes that consensual sexual relationships are generally not problematic, except when the relationship may compromise the integrity of the college, create the potential for the abuse of authority, or create the inability to remain impartial. Consensual sexual relationships may also create a third-party perception that a subordinate is receiving preferential treatment.

Consensual sexual relationship misconduct among employees: Consensual sexual relationships between administrators, supervisors, deans or chairpersons and the employees they supervise, professionally advise, counsel, or employees over whom they have direct impact on the employee's terms and conditions of employment is strictly prohibited.

Consensual sexual relationship misconduct with students: The college strictly prohibits consensual sexual relationships between faculty members and the students or student employees enrolled in a class or class sequence(s) taught, advised, counseled, coached or supervised by the faculty member, or over whom the faculty member has direct impact on the student or student employee's academic enrollment or success.

The college strictly prohibits consensual sexual relationships between administrators, supervisors, deans, chairpersons or employees and the student or student employees whom they advise, counsel, coach or supervise, or over whom they have a direct impact on the student or student employee's academic enrollment or success.

The college strongly discourages all employees or faculty members from engaging in consensual sexual relationships with students as long as the student is considered to be in an active status as a student, even if the student is not currently enrolled in a class.

Consequences of consensual sexual relationship misconduct: Any employee or faculty member who is engaged in a consensual sexual relationship that may be in violation of this policy has the responsibility to notify his/her administrator, dean or chairperson, the Human Resources Department and/or the Title IX Coordinator about the relationship as soon as it is known that it may violate this policy.

The employment of the parties involved in the consensual sexual relationship in which one person has authority over or influence upon the status of the other will be modified so that the authority or influence no longer exists. This shall occur by moving one of the persons to another position, department or supervisor, if possible.

An employee who does not notify his/her administrator, supervisor, dean or chairperson that he/she is involved in a consensual sexual relationship in violation of this policy shall be subject to disciplinary action, up to and including termination of employment.

If an employee and/or faculty member is found to be engaged in a consensual sexual relationship with a student that violates this policy, disciplinary action may be expedited.

When one person in a consensual sexual relationship of any kind clearly informs the other person that the relationship is no longer welcome, the other person should not pursue the relationship. To continue the pursuit of the relationship may become a violation of this policy, and the pursuing person will be subject to disciplinary action, up to and including termination of employment.

2.4 Family Education Rights and Privacy Act (FERPA)

FERPA protects the privacy of student education records and prohibits their disclosure without student consent (unless otherwise required by law) to individuals outside of the College or to individuals within the College without a legitimate educational interest.

Employees have a legal responsibility under FERPA to protect the privacy of the student educational records. Employees may not access educational records for personal reasons.

For more information about FERPA and FAQ's: <https://studentprivacy.ed.gov/?src=ferpa-s>

2.5 Americans with Disabilities Act

Cincinnati State Technical and Community College provides equal employment opportunities to qualified individuals with a disability pursuant to the Rehabilitation Act of 1973 as amended (“Rehabilitation Act”) and Americans with Disabilities Act of 1990 as amended (“ADA”), and the ADA Amendments Act of 2008., ORC 4112. et seq.

The Rehabilitation Act and the ADA are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

Cincinnati State’s ADA policy prohibits discrimination against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. Our policy also ensures that qualified employees with disabilities will receive reasonable accommodations if needed to perform the essential functions of their position. When making accommodations, the College will engage in the interactive process with the employee to determine the most effective, safe, and reasonable accommodation that can be made.

Definitions

- A “qualified individual with a disability” means an individual with a disability who, with or without a reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
- A “reasonable accommodation” is defined as an accommodation that does not pose undue hardship on Cincinnati State.
- An “undue hardship” is a practice, procedure, or financial cost which unreasonably interferes with the business operations at Cincinnati State.
- An individual is considered to have a “disability” if he/she:
 - Has a physical or mental impairment that substantially limits one or more major life activities of such individual;
 - Has a record of such an impairment; or
 - Is regarded as having such impairment (as described below).
- “Major life activities” include, but are not limited to functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities also include the operation of major bodily functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- A “record of such impairment” means having a history of, or having been misclassified as having a physical or mental impairment. A record of such impairment includes records which predate the relevant law and includes disabilities with which the individual is no longer afflicted.

- “Regarded as” having such an impairment means an individual having such an impairment who establishes that he or she has been subjected to an action prohibited under the ADA or the Rehabilitation Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. Impairments that are transitory and minor, with an actual or expected duration of six (6) months or less are not applicable.

Special Considerations

- An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability;
- An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active;
- The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures (In other words without the improved effects of measures taken to relieve the impairment) such as:
 - medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies. “Ordinary eyeglasses or contact lenses” mean devices that magnify, enhance, or otherwise augment a visual image.
 - Use of assistive technology;
 - Reasonable accommodations or auxiliary aids or services; or
 - Learned behavioral or adaptive neurological modifications.

Reasonable Accommodation Request Procedure: In order to initiate the Accommodation Review Process, the following steps will need to be completed:

Step 1: Complete and sign the *ADA Accommodation Request* form and return it to the HR Department as soon as possible. Please see contact information below.

Step 2: Obtain a current position description or complete the attached *Mental and Physical Demands Assessment* form for the physician to accurately identify any job functions that may require accommodation as a result of an impairment.

Step 3: Complete and sign the Authorization and Medical Records Release form.

Step 4: Attach the position description, the Mental and Physical Demands Assessment form, the signed Authorization for Release of Medical Records form to the ADA Medical Certification Request form and submit to the health care provider for completion. The health care provider must sign and return the completed paperwork to the HR Department.

Once all forms have been completed and returned, HR will contact the employee to begin the interactive discussion process. If this is a situation that requires an immediate or interim accommodation, please be sure to indicate that on the *ADA Request* form.

Return completed forms to:
Cincinnati State Technical & Community College
Falonda Rodgers, Human Resources Director
Human Resources Department
3520 Central Parkway, Suite 186
Phone: 513-569-1759
Fax: 513-569-1719
Email: HR@cincinnatiastate.edu

2.6 Grievance Procedures for Title VI and Title IX, and Section 504

Any student, staff member or faculty who believes that any of the College's students, staff, faculty or visitors have in any way discriminated against her/him may bring forward a complaint. The complainant may file her/his complaint directly with the OCR, United States Department of Education (55 Erieview Plaza, Room 300, Cleveland, Ohio, 44114-1816), and/or use the internal grievance set forth as follows:

Step 1

A discrimination complaint should first be made to the College's Title VI/Title IX/Section 504 coordinator within 10 school days from the date of the incident. The complainant may submit the complaint via use of the confidential **Maxient** report found in the eforms directory, on the college website or via this link: <https://publicdocs.maxient.com/incidentreport.php?CincinnatiState>

The Title VI/Title IX/Section 504 coordinator will make all efforts to investigate and resolve the complaint within 30 days from the receipt of the complaint. This investigation, which could include interview of witnesses, will be conducted in an impartial manner that ensures due process is afforded to each party. When direct confrontation between the parties is inappropriate due to the nature of allegations, the process shall conform to alternate means so as to avoid such direct engagement between parties.

Title VI/Title IX/Section 504 Coordinator:

Falonda Rodgers, Director of Human Resources, Title VI, IX & Section 504 Coordinator

Cincinnati State Technical & Community College

3520 Central Parkway

Cincinnati, Ohio, 45223-2690

(513) 569-1759 phone

(513) 569-1719 fax

Falonda.rodgers@cincinnatiastate.edu

The complainant will receive written notice of the outcome of the investigation of the complaint via his or her college email as well as regular mail.

If any form of discrimination is found to have occurred, the College will take steps to prevent the recurrence of the discrimination and will correct any discriminatory effects on the grievant and others who may have been impacted, as appropriate.

Step 2

If the Step 1 resolution is not satisfactory to any involved party, that resolution may be appealed in writing to the College's Vice President of Administration or the Provost, who function as the final mediator at the local level, within five school days from the date of the Step 1 decision. The decision of the Vice President or the Provost is final.

If the Complainant is not satisfied with this decision they may appeal to the Office of Civil Rights.

Revised: January 1, 2019

3.0 Code of Ethics

The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is an established procedure for disclosure by certain Cincinnati State Technical and Community College officials and employees of private financial or other interests in matters affecting the College.

A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the employee's other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed. The Conflict of Interest Form is to be completed by an employee to indicate whether the employee has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be affected by conducting business with the College. The employee should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. The most current version of the Ohio Ethics Law and related statutes are available on-line at <https://www.ethics.ohio.gov/education/factsheets/ethicslaw.pdf>. This link includes Chapter 102 and Sections 2921.42, 2921.421, and 2921.43 of the Revised Code.

Public officials and public employees of Cincinnati State Technical & Community College are subject to the requirements and restrictions of the Ohio Ethics Law. Cincinnati State provides each new employee or appointed official with a copy of the Ohio Ethics Law and obtains written acknowledgement of receipt.

The most current version of the Ohio Ethics Law and related statutes are available on-line at <https://www.ethics.ohio.gov/education/factsheets/ethicslaw.pdf>. This link includes Chapter 102 and Sections 2921.42, 2921.421, and 2921.43 of the Revised Code. The Ohio Ethics Commission also recommends that public entities furnish new public officials and employees with a document called "[Overview of the Ohio Ethics Law.](#)" This document is a helpful accompaniment to the law itself as it explains and describes the law in layperson easy-to-understand terms. It also contains examples and links to fact sheets and advisory opinions that makes the Ethics Law understandable and relatable.

Additionally, the Ohio Ethics Law e-Course can be accessed via this link: <https://ethics.ohio.gov/education/elearning/GGIA/index.html>. All employees are encouraged to complete the online course and earn the certificate of successful completion, a copy of which should be included in the employee's personnel file.

Proper Use of College Resources, Reporting of Fraudulent Use: Cincinnati State Technical and Community College is committed to the highest possible ethical standards and we encourage everyone associated with our College to commit to acting in the best interest of our institution. The College is committed to maintaining a positive, ethical work environment for all members of CSTCC.

All forms of property (including equipment, facilities, supplies, and services) purchased with Cincinnati State Technical and Community College funds are intended for College business only. Property used by departments or divisions belongs to the College as a whole and not to any department or division to which it has been assigned.

The College obtains and provides equipment for its employees only for the purpose of executing work assignments and work-related responsibilities. All College equipment, including but not limited to: copiers, facsimile machines, scanners, audiovisual equipment, tools, and other equipment and supplies, whether assigned to a particular office, instructional area or off-campus location, is to be used only for College activities. (See also the **Information Technology Services - Information Security Governance Policies:**

<http://web4.cincinnati.state.edu/files/webapps/cstate.edu/its/informationsecurity/Cincinnati%20State%20-%20Information%20Security%20-%20Governance%20Policy.pdf>)

Employees are not authorized to use College property for non-College business purposes and College-owned property and facilities shall not be used to bring personal profit to any employee of the College.

College employees shall be held accountable for any damage resulting from their negligence to property assigned to them, and shall not lend such property or permit property to pass out of the control of a College employee.

Abuse of this policy will be sufficient cause for termination.

Reporting Fraud, Abuse or Misuse of the College's Resources or Assets: The College provides channels through which concerns regarding fraud, abuse or misuse of the College's resources or assets can be voiced. It is important to address concerns at the lowest possible level. Employees are encouraged to report concerns to their immediate supervisor. If the employee feels it is inappropriate or they are uncomfortable with reporting their concerns to their immediate supervisor, the employee should raise the issue with their manager, department chair, dean or director. An employee who is unsure to whom they should voice their concern should contact the Director of the Human Resources.

The College expects any report of a violation will be made in good faith, and that the report reflect a real and legitimate concern that you believe should be addressed. Any employee who reports a violation in good faith will not suffer harassment, retaliation or adverse employment consequences. "Good faith" means the violation was reported with a belief in the truth of the disclosure that a reasonable person in the whistleblower's situation could have believed based upon the facts. A disclosure is not in good faith if made with reckless disregard for – or willful ignorance of – facts that would disprove the disclosure. Anyone who files a report of a violation recklessly or with a willful disregard for the facts, so that the report is found to be lacking in good faith, may be subject to disciplinary action, up to and including termination.

Anyone who perpetuates harassment, retaliation or in any way affects the employment of a reporter will be subject to disciplinary action, up to and including termination of employment. We encourage employees to bring forth serious issues and concerns.

Revised: March 18, 2019

3.1 Nepotism / Employment of Close Relatives

To avoid the fact or the appearance of favoritism in employment and the possible legal ramifications that could ensue, it shall be the policy of Cincinnati State to prohibit the employment of close and immediate relatives in a supervisor/subordinate relationship.

These relatives shall include, but not be limited to, blood relatives, step relatives, spouses and in-laws. The determination of relationships not mentioned herein shall be reviewed and made by the Director of Human Resources.

There must not be a supervisory relationship or a faculty/student relationship between family members within the College. This provision does not preclude the possible employment of relatives in different capacities--a non-reporting structure of the same area; however, it is the intention of the College to fully comply with The Ohio Ethics Law and related statutes found in Ohio Revised Code Chapter 102 and Sections 2921.42 and 2921.43. The Ohio Ethics Code shall be interpreted to apply to all employees of the College.

In cases where relatives are already employed on a peer or non-supervisor/subordinate relationship within the same division or reporting unit, if a promotional opportunity arises that would change that relationship, a review of the circumstances and the implications of such a change will be made by the Director of Human Resources. The same shall apply when the marriage of two employees brings about a supervisor/subordinate relationship. Such conflict shall be resolved through transfer of one of the affected employees, voluntary resignation, or termination.

3.2 Conflict of Interest

All College employees serve a public interest role and, therefore, have a clear obligation to avoid any real or apparent conflict of interest. College employees will not transact business or approve the transaction of business on behalf of the College with any person or entity, including but not limited to any company, corporation, partnership, or organization, or any principal, officer, agent, employee or representative of such entity, with whom they have a personal, professional, business, financial or family interest or relationship.

Employees may engage in non-college activity for which the employee receives financial remuneration or equivalent goods or services if such activity does not constitute a conflict of interest; does not occur at a time when the employee is assigned or expected to perform his/her assigned duties; or does not diminish the employee's efficiency or attention in performing his/her primary work obligation at the College. A full-time employee may utilize vacation leave to perform other outside work assignments. Employees shall not represent any vendor nor be an employee of any vendor that does business with the college without the express consent, in writing, of the President. Employees shall not engage the services of any vendor on behalf of the college with a person closely related by blood, marriage, or other significant relationship as defined above.

Employees shall not conduct classes under their own auspices or on behalf of another educational institution or agency using the college's resources without the express consent, in writing, of the President. This includes use of institutional time and facilities for personal purposes.

Employees shall not use confidential information obtained as a result of their association with the college for personal gain. Employees shall not knowingly permit unauthorized disclosure of confidential information.

College employees will neither solicit nor accept personal gifts, gratuities or rewards from any person or other entity which transacts business with the College or which seeks to transact such business.

Allowable exceptions to this prohibition include:

- Acceptance of meals or refreshments of reasonable value, in the course of a meeting or other occasion, the purpose of which is to conduct bona fide educational business, provided that the expense would be paid for by the College as a reasonable business expense if not paid for by another party;
- Acceptance of civic, charitable, education, or professional association organizational awards for recognition of service and accomplishment; or
- Acceptance of advertising or promotional material of minimal value such as pens, pencils, note pads, key chains, calendars, and similar items.

Annually, a conflict of interest questionnaire will be given to each employee to complete. Any exceptions disclosed as to current policy will be handled on an individual basis among the employee, the Vice President of Administration, and the President. If necessary, the Board of Trustees may be informed by the President of special situations or actions taken as a result of such disclosures. Failure to obtain consent for activities mentioned in this procedure or falsification of the conflict of interest questionnaire shall be grounds for disciplinary action, up to and including immediate discharge.

Textbook Selection: Selection of textbooks and course materials is the responsibility of College faculty as the subject matter experts for determining the content best suited for teaching and learning within their respective fields (and as reflect in the College's AAUP collective bargaining agreement). Textbooks and course materials are selected by the faculty chair of the academic department or academic program which offers the respective courses. To assure that all textbooks adopted are of high quality, availability, and affordable, the faculty chair of the academic department or academic program will use the following guidelines in selection of course materials:

1. Whenever possible, textbook selection should be informed by a committee of faculty who teach the course.
2. The textbook selection process should demonstrate consideration of textbook costs and attempts to reduce costs to students.
3. Textbook selections should be made with sufficient lead time to assure maximum availability of new and used texts.
4. Whenever possible, standard texts should be adopted for courses offering multiple sections.
5. Once adopted, texts should be used for no fewer than three years or the life of the edition, whichever is shorter.
6. Effort should be made to assure multiple acquisition options including but not limited to new, used, electronic, and rental.
7. Adoption of "new editions" should be avoided unless a new edition differs significantly and substantially or unless older editions cease to be available.
8. Surplus complimentary copies of textbooks from textbook publishers should be contributed to the College's Library Reserve Desk so that all students in the class may benefit from access to these resources.

Department/Program Chairs are responsible for providing timely, accurate information to the Bookstore through their respective Academic Division Dean's Office. The Academic Division Deans will facilitate and ensure departments and programs comply with this textbook selection policy.

Complimentary and Promotional Materials: College academic leaders and faculty may receive complimentary copies of textbooks that are being considered for adoption. Complimentary textbooks are the property of the College and may not be sold to book solicitors for personal gain. No employee will personally benefit from the sale of complimentary material sales to students, including books, instruments, lecture notes, technology access, or similar materials.

Employee Authored Texts: If an employee's authored or co-authored text is recommended for adoption, this adoption must be recommended by the Dean and approved by the Provost.

Revised: January 1, 2019
 June 12, 2018

3.3 Professional Standards

As an institution of higher education focused on developing our region's workforce, the professional standards upheld by our employees helps prepare our students for their careers. Professional speech and appearance are essential to the performance of the job at Cincinnati State. Appropriate workplace language and decorum should guide employees' behavior. Workplace appropriate attire and grooming reflect the professional image of the institution. Employee work spaces should also be maintained to reflect a professional and student-focused environment. Workspaces should minimize clutter, safeguard sensitive or confidential information, be regularly cleaned, and well maintained.

3.4 Freedom of Expression

The College endorses the principle of academic freedom and desires to foster respect for differing points of view. Members of the College community – current students, faculty, and staff -- have the freedom to objectively present controversial issues; however, the College will not condone such activities which deprive other students, employees or visitors of their rights.

The guidelines offered below for “expressive activity” are subject to the College’s Facilities Use Policy which can be found on the intranet at:

<http://web4.cincinnatistate.edu/files/Facilities/Facility%20Use%20Policy.pdf>

Expressive activity includes, but is not limited to, vocal or other demonstrations, informational picketing, distribution of printed material or other activities by which one or more persons seek to communicate a viewpoint.

- Expressive activity may be conducted at all College sites so long as the College is informed at least 24 hours in advance, and the activity will not materially disrupt the educational mission of the College, cause substantial disorder or invade the rights of others.
- A group engaging in expressive activity should identify a spokesperson for communication purposes, as well as to ensure the group is compliant with facility use policies.
- Expressive activity may occur during regular campus hours and/or during the hours in which an event, activity, or class is being conducted.
- Expressive activity may occur near events taking place on College property, so long as walkways and passages are kept clear so as not to obstruct passage.
- Persons involved in an expressive activity may be shown to an area near the event in which to conduct their activity.
- Persons involved in an expressive activity should limit the sound level of the activity so as not to materially disrupt College classes or other activities taking place nearby.
- Disruptive expressive activity should not be conducted in or near classrooms.
- The College maintains a solicitation policy which is detailed in the Facilities Use Policy referenced above.

4. 0 Human Resources Reports and Records

The Director of Human Resources will be responsible for providing the forms and maintaining records required to sustain a complete Human Resources system for Cincinnati State and will furnish or prepare such forms and records as are appropriate.

- **Application for Employment:** An application form for each regular and active employee will be maintained in the Human Resources Office.
- **Change of Status Report:** Every new hire, transfer, promotion, demotion, change in significant duties or salary rate, employment separation, or any other temporary or other change in employment status must be reviewed and approved by the Director of Human Resources and documented in writing prior to the change of status requested.
- **Review of Personnel File:** Employees wishing to obtain specific information, or for any other good reason, may, upon reasonable advance notice, except when modified by an applicable collective bargaining agreement, inspect their own personnel files at any reasonable time during normal office hours in the presence of the Director of Human Resources and/or designee. Such records may be reproduced for the employee by the Director of Human Resources or designee, at the expense of the employee. No one may remove, or alter records without the consent of the Director of Human Resources.

All personnel records are considered confidential and the property of the College. Personnel records and files are also available to the public under Open Records Laws in Ohio. If an employee's personnel record is requested, the employee will be notified before the record is released under the Open Records Law and personal information (social security number, address, telephone, etc.) will be redacted from the released record.

4.1 Employment Definitions

Fulltime employees include Staff and Administrative (Managerial) and Professionals employed forty (40) hours per week. Employees covered under AAUP 1 and AAUP 2 collective bargaining agreements are also defined as fulltime.

Fulltime employees may seek additional part-time assignments such as adjunct instruction, tutoring, proctoring etc., provided such additional assignments do not interfere with the full discharge of employee's primary work assignment and/or assigned work schedule for the primary job.

A **part-time employee** is employed in a position working twenty-nine (29) hours or less per week. This definition includes co-op employees. Should a part-time employee seek or be offered an additional assignment inside or outside of his/her primary division/department, the employee will need to confirm eligibility for additional assignments with Human Resources and the employee's immediate supervisor. Part-time employees cannot exceed working 29 cumulative hours per week at the college in any combination of teaching and/or supplemental assignments.

A **student worker** is either an employee in the federal student aid program or the college work study program. Both must be enrolled in for-credit classes in the college at all times and employed twenty (20) hours or less per week when classes are in session, and twenty-nine (29) hours or less per week between semesters and during spring break, for the duration of their funding or end of the fiscal year, whichever comes first. (International student workers are subject to federal requirements relevant to visa status which may differ.) The hiring of student workers by Cincinnati State is premised on eligibility guidelines for federal work study employment: eligible applicants must be high school graduates or have attained a GED. Additionally, eligible applicants for work study positions at Cincinnati State must be at least 16 years of age on or before the date of hire.

An **Adjunct instructor** is hired on a semester-by-semester basis, as needed, and may teach no more than eleven (11) units per semester.

An **Administrator** is a fulltime, non-bargaining professional/manager.

A **temporary** employee is hired on a short-term basis for a specified period of time to provide additional support to a department at peak times, and/or to cover for the absence of another employee. Placements of temporary professionals must be coordinated through the Human Resources Office and those placed must complete HR paperwork prior to placement. The College will not ordinarily employ any individual as a temporary employee for more than twelve (12) weeks in any twelve-month period.

Consultants or independent contractors are hired by the College to perform a specific service, give advice or render assistance within a specific time period. However, consultants or independent contractors are legally different from employees. The IRS has issued other specific criteria to differentiate employees from independent contractors. These distinctions can be highly technical, and the College expects managers to consult with Human Resources prior to contracting with an individual to determine whether an individual is properly classified as an employee or a consultant. Under no circumstances will the College hire a current student, employee, or faculty member as an independent consultant/contractor.

Exempt or Nonexempt Status

All positions at the College are classified in one of two pay categories: (1) exempt (not eligible for overtime pay) or (2) non-exempt (eligible for overtime pay). All determinations concerning exempt or non-exempt status are determined by Human Resources.

If you believe that your position has been classified incorrectly, you should immediately report this information to your direct supervisor. If, after discussion with your direct supervisor, you continue to have questions about the appropriateness of your job classification, you should contact Human Resources immediately. Human Resources will promptly review your classification.

If you believe the College has failed to pay you for hours worked (including overtime hours), or if you believe the College has made improper reductions in pay, you should speak with a member of the Human Resources staff. If Human Resources determines that an error has been made, the College will promptly correct the error.

Revised: January 1, 2019

4.2 Employment Screening & Hiring Process

This reference guide outlines the process for selecting and screening candidates for employment. It is the policy of the college to select and hire the candidate who possesses the skills, knowledge, and abilities to best perform the duties and responsibilities of the position. In accordance with each of the six (6) collective bargaining agreements ([AAUP 1](#), [AAUP 2](#), [SEIU](#), [FOP](#), [IUOE 1](#), [IUOE 2](#)), the following processes guide the screening and hiring of full-time faculty, adjunct/adjunct of record faculty, and full/part-time staff.

Full-Time Faculty:

In compliance with the current [AAUP I](#) contract, the following actions are required to fill a full-time faculty vacancy.

- Division develops draft job description and attaches to “Request to Fund a Vacancy” eform to HR; HR routes eform to Provost, President, and CFO for approvals; CFO verifies appropriate GL to be charged.
- Once approved at all levels, HR emails Dean and Faculty Senate President to request names of Screening Team members. HR reviews and refines draft job description with Dean/Associate Dean. HR schedules kick-off meeting with Hiring Manager and Screening Team to review job description, timeline, and screening process.
- Screening Team approves of final job description; HR posts job consistent with AAUP contractual requirements.
- Screening Team reviews applicants and recommends candidates to be interviewed; develops interview questions and as applicable, teaching demonstration requirements; interview questions are subject to HR review and approval.
- HR schedules interviews; Screening Team interviews, makes recommendations of finalist(s) to be forwarded for further consideration; all interview documents, including scoring sheets must be returned to HR prior to moving forward with the finalist process.
- HR schedules finalists’ interviews with Dean, Provost, President as appropriate, from which final candidate is recommended to be made offer by HR.
- HR initiates offer letter, pre-hire paperwork, authorization for background check; HR responds to any questions the candidate may have relative to the offer terms and conditions, in consultation with the hiring manager.
- Candidate authorizes background check, orders transcripts to be sent to HR.
- HR receives transcripts, archives in WebNow.
- HR receives background check results, reviews and determines acceptance.
- HR receives all satisfactory documentation (acceptable background check, transcripts), as well as receives all pre-hire paperwork, including I-9 documentation completed by applicant in person or via authorized proxy authority.
- HR enters into HR Colleague, generates ID number, and Change of Status (COS) to Division.
- Division initiates eform “Request for Network Services”; Division signs and returns COS to HR.

Adjunct Faculty:

The following actions are required to fill an adjunct faculty vacancy.

- Divisions are responsible for ensuring Adjunct job postings are current and active; if updates to an existing posting are needed, the Division notifies HR of updates; if a new adjunct job description is required, the Dean/Associate Dean will submit the “Authorization to Fund a

Vacancy-Adjuncts” eform with a draft job description attached; HR will approve eform and job description and then post the adjunct position.

- Division reviews applicants, and arranges interviews, involving at least 2 interviewers.
- Divisions initiate “Request to Hire Adjunct” eform; route to Provost if exception review required; otherwise route to HR.
- HR initiates offer letter, pre-hire paperwork, authorization for background check; HR responds to any questions the candidate may have relative to the offer terms and conditions, in consultation with the hiring manager.
- Candidate authorizes background check, orders transcripts to be sent to HR.
- HR receives transcripts, archives in WebNow.
- HR receives background check results, reviews and determines acceptance.
- HR receives all satisfactory new hire documentation (acceptable background check, transcripts), as well as receives all pre-hire paperwork, including I-9 documentation completed by applicant in person or via authorized proxy authority.
- HR enters into HR Colleague, generates ID number, and COS to Division.
- Division initiates eform “Request for Network Services”; Division signs and returns COS to HR; Division issues written assignment of workload each semester as needed, with a copy to HR.

College Credit Plus (CCP) Adjunct of Record:

The following actions are required to fill an adjunct of record faculty vacancy.

- Applicants apply via [Cincinnati State Careers](#).
- CCP Office and Divisions review prospects, gather documentation and credential information.
- Divisions archive credential documentation in WebNow.
- Divisions initiate eform “Request to Hire Adjunct of Record”; route to Provost if exception review required; otherwise route to HR.
- HR verifies credential documentation is archived in WebNow; creates position in HR Colleague, generates ID number, and Change of Status (COS) eform to Division.
- Division initiates eform “Request for Network Services”; Division signs and returns COS to HR.

Full/Part-Time Staff:

In compliance with each of the current [SEIU](#), [FOP](#), [IUOE I](#), [IUOE II](#) contracts as well as the [Operations Manual](#) for Non-Bargaining positions, the following actions are required to fill a full/part-time vacancy.

- Department develops draft job description and attaches to “Request to Fund a Vacancy” eform to HR; HR routes eform to appropriate VP/Dean, and CFO for approvals and verification of GL.
- HR reviews draft job description with appropriate Administrator/Hiring Manager; identifies prospective representatives for screening team. Hiring Manager approves final job description; HR posts position and notifies Collective Bargaining Unit if required.
- HR schedules kick-off meeting with Hiring Manager and Screening Team to review job description, timeline, and screening process.
- Screening Team reviews applicants and recommends candidates to be interviewed, and develops interview questions which are subject to HR review and approval.
- HR schedules interviews; Screening Team interviews, makes recommendations of finalist(s) to be forwarded for further consideration.

- HR schedules finalists' interviews with Hiring Manager, VP or President as appropriate from which final candidate is recommended to HR.
- HR initiates offer letter, pre-hire paperwork, authorization for background check; HR responds to any questions the candidate may have relative to the offer terms and conditions, in consultation with the hiring manager.
- Candidate authorizes background check.
- HR receives background check results, reviews and determines acceptance.
- HR receives all satisfactory documentation, as well as receives all pre-hire paperwork, including I-9 documentation completed by applicant in person or via authorized proxy authority.
- HR enters into HR Colleague, generates ID number, and COS to Division.
- Department initiates eform "Request for Network Services"; Department signs and returns COS to HR.

Kick-Off Meeting:

A Kick-Off meeting is required for all fulltime and part-time positions, except in the case of Adjunct hiring. The Kick-Off Meeting serves multiple important administrative purposes. It is the opportunity to introduce members of the screening team, to provide orientation as to the screening process, and to permit the hiring manager to provide insight as to the competencies, skills and qualifications needed for the position. The Kick-Off meeting must occur prior to selecting applicants and/or scheduling interviews.

HR will schedule a kick-off meeting for all screening team members to cover the following topics:

- Selection of Screening Team Chair – The Chair serves as the liaison between the Screening Team and HR. All communication from the Team goes to the Chair. The Chair communicates to Human Resources.
- Review final job description prior to posting (AAUP only).
- Determination of timelines for Internal/External Posting, in compliance with collective bargaining agreements and/or as advised by Hiring Manager.
- Accessing job posting and candidates via ApplicantPRO.
- Reviewing applicants in ApplicantPRO.
- Acceptable processes for the Team to discuss applicants and determine applicants to be interviewed.
- Determining interview schedule.
- Confidentiality: All communication among Screen Team members regarding potential candidates should be done via conference call or in-person meeting. Discussion of applicants and/or interviews outside of the Screening Team is prohibited.
- Determine what type of interview to conduct (question/answer, demonstration, presentation) and whether virtual interviews will be permitted.
- Submit interview details, names of candidates and interview dates and times to HR to schedule (allow a minimum of one week lead time for candidates; HR will send Outlook meeting invites to Team).
- Determine logistics such as location of interviews (HR Conference Room or other locations, depending on needs/availability), and whether someone from the Team will come to HR to meet the candidate and escort to the interview location.

- Develop interview questions and submit to HR at least two (2) business days prior to interviews to allow time for HR to review and approve questions, and prepare packets. Interview packets include resume for each candidate, questions and scoring sheet for each candidate, job description and master scoring sheet for the Chair packet only. Screening Team will need to mutually decide and agree on scoring rubric.
- Interview documentation is public record and applicants may request to review after the process has concluded; Screening Team members should record information related to the applicant's responses to each question.
- After interviewing the candidates, each Team member will score the candidate's questions independently. The Chair will complete the master scoring sheet.
- The Chair is responsible for maintaining all packets; Team members are not permitted to possess packets outside of the interview process. If Chair is not able to return packets in between interviews, he or she is responsible for safeguarding the documents in the interim, keeping all folders in a locked cabinet/desk until returning all the packets and scoring sheets to HR.
- Screening Team members are to refer any questions the candidate may have about terms of employment and/or benefits to HR.
- The Team will recommend candidates, based on the interview process; HR will review scoring documentation and the Team's recommendations prior to forwarding finalists on for subsequent interviews; should the Screening Team have questions about making such recommendations, the Chair will confer with HR. The number of subsequent interview rounds may vary, depending on the position and hiring manager. The final interviewer communicates recommendations to HR.
- HR prepares and communicates all employment offers.

Origin Date: March 18, 2019

4.3 Guidelines for Adjunct Instructors

When a division dean determines the need, adjunct faculty members may be retained on a semester-by-semester basis only. The essence of the adjunct status is the semester-by-semester appointment; no repetition of semester-by-semester appointments will ever convert an adjunct faculty member into a full-time faculty member. Likewise, a high level of weekly contact hours will not convert an adjunct faculty member into a full-time faculty member.

Adjunct faculty provide the students with a broad range of perspectives and experiences that would not be available from a faculty composed entirely of full-time associates. For this reason, deans are encouraged to employ part-time faculty through a formal hiring process, in consultation with Human Resources. Human Resources shall maintain complete personnel files for all adjuncts.

Adjunct instructors may teach no more than eleven (11) weekly units per semester unless authorized by the Provost with justification provided by the Academic Deans. The total weekly units, with special approval, may not exceed thirteen (13).

Should an adjunct instructor seek or be offered an additional assignment inside or outside of his/her primary division, the adjunct will need to confirm eligibility for additional assignments with Human Resources and the adjunct's immediate supervisor. Adjunct instructors cannot exceed working 29 cumulative hours per week at the college in any combination of teaching and/or supplemental assignments.

Adjunct instructors are required to participate in the State Teachers Retirement System (STRS) but will not be eligible for any other benefits such as health/dental insurance, life insurance, paid leave, etc. (See also **Tuition Waivers**.)

Adjunct instructors are employed on a semester-by semester basis. Employment begins at the start of the semester and terminates at the end of the semester. Adjunct instructors will be evaluated periodically.

Revised: January 1, 2019

4.4 Hours of Work, Compensatory Time, Overtime

Rates of compensation and periods of leave for hourly and salaried personnel are based upon full-time employment which is defined as working forty hours per week in five eight-hour work days.

While lunch periods are not time for which employees are paid, each employee shall be entitled to a duty-free lunch period of 1/2 hour, but not to exceed one hour. The time of the lunch period will be determined by the immediate supervisor and may be changed with his/her approval. If there is a necessity for a longer time or if the lunchtime is to be changed, the immediate supervisor should be notified.

Each hourly employee is entitled to a paid fifteen-minute break within each four-hour period worked. The supervisor will assign break times. These breaks cannot be used in conjunction with the lunch period to extend the lunch period.

Breaks or lunch periods may not be used to accommodate the employee's plan to take a course during regularly scheduled work time nor to accommodate the employee's plan to teach a course during regularly scheduled work time. An amended work schedule signed by the employee and the supervisor and approved by Director of Human Resources would be required to accommodate the above mentioned activities.

Supervisors must consult with Human Resources regarding a need to modify an employee's assigned work schedule. Changes to assigned work schedules including shifts and/or days of the week must be approved in advance by Human Resources.

Compensatory Time: The College does not provide a compensatory time program.

Overtime: If approved in advance, an hourly employee shall receive overtime payment at the rate of one-and-one-half (1 1/2) times his/her regular hourly rate of pay for all time worked (including any paid leave and/or holidays) in excess of 40 hours in any one week. Under no circumstances will paid leave be approved such that it would cause an employee to accumulate overtime within a pay period. Overtime must be scheduled and approved by the employee's immediate supervisor.

Revised: January 1, 2019

4.5 Grant Funded Employment

Grant-funded employment, often referred to as soft-money employment, is employment for the term of the funding. There is no expectation of continued employment beyond the source of the funding. Should grant funding be extended, the employment may be extended respectively.

Eligibility for benefits shall be in accordance with the classification of employment and the grant-funded employment process of describing, classifying, posting, and filling shall be in accordance with College practices. The one exception is that grant funding may not be available to pay terminal vacation beyond the term of the grant, requiring the employee to schedule vacation prior to the end of the grant funding period.

4.6 Probationary Employment

The probationary period is an important time in the relationship between the employee and the supervisor. The probationary time provides the employer the opportunity to adjust to the job. All new employees, unless otherwise covered by a collective bargaining agreement, shall be considered to be on probation for a period of 180 days from the date of hire. Employees who are transferred or promoted shall be on probation for 90 days.

During the probationary period, the employee shall receive regular feedback from the supervisor and the person training her/him. If an employee is not meeting expectations and/or there is a likelihood that the employee will not successfully complete the probationary period, the supervisor will provide the employee with written notification to that effect.

Time spent on any approved leave may extend the length of the probationary period. Employees who are in their initial probationary period as a new hire are subject to Cincinnati State's disciplinary policy/procedure and may be removed during the probationary period. Such termination shall not be subject to appeal or grievance.

Revised: January 1, 2019

4.7 Off-Duty Employment

Generally, Cincinnati State regards the off-duty activities of employees to be their own personal matter rather than that of the College.

Self-employment is considered off-duty employment and falls under the same conditions as other off-duty employment, with the addition of the restriction that employment does not involve ownership of a private business that is incompatible with an employee's College position. (See also **Code of Ethics**.)

However, certain types of off-duty activities by employees represent the potential of a material business concern to the College, and for that reason the following is established with the intent to specify conditions and guide employees.

Employees may engage in off-duty employment, provided that:

- The employment does not conflict with the employee's work schedule, duties, and responsibilities.
- The employment does not create a conflict of interest or incompatibility with Cincinnati State employment.
- The employment does not create a detrimental effect upon the employee's work performance with Cincinnati State.
- The employment does not involve conducting business during hours of employment with Cincinnati State.
- The employment does not compete with services currently offered by Cincinnati State.

The College may disallow off-duty employment at any time when it is determined that it is in the best interest of Cincinnati State to do so. Such a decision will generally be based upon a finding that the conditions set forth herein have not been met.

An employee who sustains an injury or illness in connection with off-duty employment which results in inability or failure to report to work at the College must confer with Human Resources regarding options consistent with FMLA, Worker's Compensation and other applicable laws and College policies. Such circumstances may lead to unpaid leave, interruption of benefits and/or termination due to lack of availability for work.

4.8 Telecommuting

Telecommuting is a work arrangement in which some or all of the work is performed at an off-campus work site such as the home or in office space near the home. Telecommuting is an alternative method of meeting the needs of Cincinnati State and eligible employees. A telecommuting arrangement is not available for all employees, and is only available to those employees whose job duties and responsibilities can be successfully performed offsite or at a remote location.

Administrators or their designees have the authority and responsibility to establish telecommuting arrangements, in consultation with Human Resources. Arrangements should be authorized only when it is in the best interest of the College and where work can be documented easily.

Non-bargaining unit employees may be eligible for telecommuting as a work alternative. Employees may be approved on a suitability basis and an evaluation of their manager's ability to manage remote employees. A signed Telecommuting Work Agreement must be on file with Human Resources prior to telecommuting. Generally, to be eligible, an employee must have:

- Satisfactorily completed their probationary period;
- A history of reliable and responsible performance of duties; and
- No pending disciplinary action.

The employee's compensation, benefits, work status, and work responsibilities will not change due to participation in the telecommuting program. There shall be no additional pay for telecommuting nor shall mileage be paid for transportation between an employee's telecommuting site and Cincinnati State Campuses/Sites. The amount of time the employee is expected to work per day or pay period will not change as a result of participation in the Telecommuting Program.

The availability of telecommuting as a flexible work arrangement for employees can be discontinued at any time at the discretion of the college. Every effort will be made to provide thirty (30) days notice of such a change to accommodate commuting, child care and other circumstances that may arise from such a change. There may be instances, however, where no notice is possible. A telecommuter's failure to fulfill both qualitative and quantitative work requirements while working under a Telecommuting Agreement may be cause for disciplinary action, up to and including termination.

4.9 Additional Compensation

Any additional compensation that follows initial employment is accomplished through the Change of Status request process initiated by the supervisor. Requests for additional compensation arising from the assignment of additional duties to back-fill a temporarily vacant position will be reviewed and approved by Human Resources within 30 days of the additional assignment commencing. Human Resources shall determine the rate of all additional compensation. A typical additional compensation assignment should not exceed six-months in duration.

Interim Appointments: When an administrative or director-level position is declared vacant and a replacement appointment is not anticipated for more than 30 days, an acting or interim appointment may be made. At the discretion of the College, in cases involving temporary absence of an administrative or director-level position for a period anticipated to be 30 days or more, an acting or interim appointment may be made. If the interim appointee regularly holds a position with a lower classification than the vacant position, a salary adjustment will be made for the period of the interim appointment. If the interim appointee regularly earns a salary greater than the vacant position minimum rate, no salary adjustment will be awarded. Typically, interim assignments should not exceed one year in duration. All adjustments will be as a stipend, and said stipend will cease at the conclusion of the interim appointment.

Additional Responsibilities: When an exempt (salaried) employee is requested to assume some of the primary performance requirements assigned to another position for a period in excess of 30 working days, the employee will be eligible to receive an increase in salary of up to 10 percent during the period such duties are assigned. The increase must be recommended by the employee's immediate supervisor and the appropriate vice president/president and forwarded to the Director of Human Resources for review and determination. All adjustments will be as a stipend, and said stipend will cease at the conclusion of the additional responsibilities and typically would not exceed 6 months in duration.

When a non-exempt (hourly) employee is requested to assume some of the primary performance requirements assigned to another position, that employee is eligible for overtime for the performance of work in excess of 80 hours per pay period hours of eligible hours. Overtime eligible hours include worked hours, vacation, or personal time. Sick time is not included in the overtime calculation. In the event that a non-exempt employee is requested to assume supervisory responsibility for a period in excess of 30 working days, the employee will be eligible to receive an increase in salary up to 10 percent during the period such duties are assigned. The increase must be recommended by the employee's immediate supervisor and the appropriate vice president/president and forwarded to the Director of Human Resources for review and determination. All adjustments will be as a stipend, and said stipend will cease at the conclusion of the additional responsibilities and typically would not exceed 6 months in duration.

Teaching and Coaching: Exempt (salaried) Administrative and professional employees may receive additional compensation for coaching and teaching activities for no more than six (6) units per semester at the adjunct rate. Additional compensation for teaching or coaching activities must be approved by the appropriate Dean or Vice President. Each employee, upon accepting such assignment(s) will certify that this activity will not interfere with the full discharge of his/her administrative/professional duties.

To receive compensation for teaching and/or coaching, a non-exempt (hourly) employee may perform the teaching/coaching duties within the regularly scheduled work day thereby reducing eligibility for overtime or perform the teaching/coaching duties as outside the normal work schedule for additional compensation. Any alteration of the regularly scheduled workday requires the prior approval of the immediate supervisor and the Director of Human Resources. Lunch periods and break periods cannot be used to perform this additional function. The revised work schedule should accompany any Change of Status form submitted to Human Resources in order to have payment approved for this work.

Non-College Functions: Certain exempt (salaried) employees may be scheduled to provide additional services outside of their regularly scheduled workdays when external groups or organizations are using College facilities. Although these employees are not eligible for overtime compensation, they are eligible for additional compensation for services performed outside their normal work schedules for non-College activities or functions. This compensation will be in the form of a flat rate based upon the length and type of service performed by the employee. This flat rate is determined by Human Resources.

Non-exempt (hourly) employees may be scheduled to provide additional services outside their regularly scheduled workdays when external groups or organizations are using College facilities. Non-exempt employees are eligible for overtime if this additional work extends the work week beyond 40 hours. Overtime eligible hours include worked hours, vacation, or personal time. Sick time is not included in the overtime calculation.

Off-site College Functions: Off-site College work is typically not eligible as an additional compensation category and is considered part of the normal work schedule.

Revised: January 1, 2019

4.10 Non-Bargaining Employee Benefits

The College shall provide a benefit plan with the College providing a predetermined amount of benefit dollars sufficient for each eligible full-time employee to “purchase” the following benefits:

- 89% of the PPO health insurance plan; 100% of the High Deductible Health Plan (employee & dependents)
- 100% of dental and basic vision plans (employee & dependents)
- 100% of an employee assistance plan (EAP & dependents)
- 100% of short-term disability coverage (employee only)
- 100% of basic group life insurance at 2 times the annual salary with a \$50,000 minimum coverage (employee only); this policy will also include an accidental death and dismemberment rider

Should an employee make elections that exceed the predetermined amount of benefit dollars allocated, the employee must pay the difference through payroll deduction.

An employee may revise his or her election upon a qualifying event in accordance with the terms of the plan. Employees may waive coverage for themselves and/or dependents, but must provide proof of alternative coverage at the time of waiver. Employees may not waive coverage in the Employee Assistance Plan.

Revised: March 18, 2019
 January 1, 2019
 April 25, 2018

4.11 Spousal Eligibility for Employee Benefits (Board Resolution 17.16)

To provide equal benefit opportunities for employees with same-sex partners at a time when they did not have the right to marry, Cincinnati State Technical & Community College previously articulated criteria by which the same-sex domestic partner or domestic partner of a covered employee would qualify for health insurance coverages.

On June 26, 2015, the United States Supreme Court ruled that same-sex couples may marry in any state. Under the Supreme Court ruling, same-sex couples may marry and receive traditional healthcare benefits, and this obviates the need for employers to offer domestic partner benefit coverage.

As such, the Board of Trustees amended its definition of “eligible dependent” under its healthcare plan to eliminate eligibility for same-sex domestic partners or domestic partners, as of March 1, 2017. The same-sex or domestic partners of eligible employees enrolled prior to March 1, 2017 shall be grandfathered under the College’s healthcare plan until such time that the eligible employee waives College benefits, or otherwise ceases to be eligible for College benefits.

4.12 Background Check Policy

Policy Outline

Cincinnati State is committed to maintaining a safe and secure environment for the campus community. The College can better promote safety and security by obtaining information produced by **background checks**. Federal, state, and local regulations may also require background checks for specific individuals and/or positions covered under this policy. The College may, at other times, deem a background check necessary for maintaining its ongoing operations, for example at the request of an insurance carrier.

Purpose of the Policy

To maintain a safe and secure environment for the campus community and ensure background checks are conducted according to established standards.

Scope of the Policy

College employees, prospective employees, certain non-employees including contractors and volunteers, undergraduate, and prospective students.

Definitions

Term	Definition
Background Check	Any or all parts of the candidate’s employment, education, criminal, sex and violent offender, credit and license history. The nature and scope of the background check will be determined by the College and will be appropriate to the position.
Consumer Report	Any communication of information by a Consumer Reporting Agency bearing on a consumer’s credit worthiness, credit standing, credit capacity, character, general reputation, or personal characteristics. This may include background check information such as criminal history, sex offender registry checks, motor vehicle record checks, educational checks, etc.
Consumer Report Agency	Any person or entity which regularly engages in the practice of assembling or evaluating consumer credit information, for the purpose of furnishing Consumer Reports to third parties. For the purposes of this policy, a Consumer Reporting Agency refers to the vendor used by the College to conduct Background Checks.
Criminal History Check	Report of the individual’s criminal convictions in any jurisdiction where he or she has resided or where he or she currently resides.
Employee	Considered to be any person whose wages are paid directly by the College, whether full-or part-time and regardless of whether the position is benefits-eligible. This includes both faculty and staff but does not include student employees, except for student employees working in security-sensitive positions.
Enhanced Background Check	Conducted for those seeking certain positions, special appointments, or particular security clearance within the College. Includes request for information beyond that requested through a Standard Background Check.
Fingerprint-based Background Check	A background check that uses the impressions of an individual’s fingerprints coupled with a survey of the Ohio Bureau of Criminal Investigation records

	and/or Federal Bureau of Investigation records to compile information regarding an individual's criminal background.
Minor	Persons under the age of eighteen (18) who are not enrolled or accepted for enrollment at the College as a student.
Paid non-Employees	Contractors, visiting consultants who conduct their work or services on College premises or who represent the College at non-College locations, and external organizations who use College facilities/property. Such individuals receive payment either from the College (such as through an independent contractor relationship) or a third-party.
Public Safety Background Check	Conducted for those seeking employment with the College's Public Safety Department. Such checks may include information as to one's general reputation, character, personal characteristics, mode of living, work habits, job performance and experience along with reasons for termination of past employment from previous employers. The information obtained may include, but is not limited to: social security number verifications; credit reports; criminal records checks; public court records checks; driving records checks; educational records checks; employment verifications; personal and professional references checks; licensing and certification records checks; drug testing results; polygraph testing; etc. The type of information requested when conducting a Campus Safety & Security background check may change from time to time based on the College's discretion or best practices.
Security Sensitive Positions	Positions in which the individual has access to a master key to all/majority of facilities within buildings, or other on-site or off-site facilities, or works in an area of the institution which has been designated as a security-sensitive area, facility or program. A unit or department may determine that other positions are "security-sensitive," such as positions where the individual has direct responsibility for the care and safety of minors, animals, controlled substances, hazardous waste or sensitive data.
Sex and Violent Offender Registry Check	A national search to verify that the selected individual does not have undisclosed convictions of certain sex and violent crimes.
Standard Background Check	Requests for background information from reporting agencies that may include information as to one's general reputation, character, personal characteristics, mode of living, work habits, job performance and experience along with reasons for termination of past employment from previous employers. The information obtained may include, but are not limited to: social security number verifications; credit reports; criminal records checks; public court records checks; driving records checks; educational records checks; employment verifications; personal and professional references checks; licensing and certification records checks; and drug testing results. The type of information requested when conducting a Standard background check may change from time-to-time based on the College's discretion and/or best practices.
Successful Background Check	A background check of any kind that returns no criminal convictions or incidents that bear a demonstrable relationship to successful performance of the position being sought, or the work or service being performed. Assessment of whether the results of a background check are job-related and necessitate a candidate's exclusion from consideration are made by the Office of Human Resources (for employees and faculty, prospective employees and faculty, unpaid non-employees, and paid non-employees), and the Chief of Police (for prospective employees or candidates for employment in the Public Safety Department).

Unpaid non-Employees	Volunteers, interns and other individuals who provide services on campus without pay.
Visiting Scholars	Academic members of other institutions whose interaction at the College goes beyond the definition of a general visitor due to: (1) being provided with financial support (beyond honorarium) or administrative support such as housing, wages (whether paid directly to the individual or to their “home” institution), visa sponsorship, computer network access, office space, key access, etc.; (2) interacting with (conducting research, lab work, etc.) or teaching students for a period in excess of ten consecutive business days; (3) working with minors; or (4) working in a security-sensitive position.
Volunteers	Individuals who offer their services without cost to or compensation by the College for civic reasons and whose services are not typically performed by College employees. Examples include serving as a tour guide at a College educational facility, working on a College advisory or development committee, or otherwise performing duties that are of benefit to the College’s teaching and/or public service missions.

Policy

In conducting background checks for various individuals (or having such checks conducted on its behalf), assessing the results of background checks or requiring back ground checks, it is the College’s policy to comply with all applicable federal and state laws, regulations and guidance.

Background checks will be conducted for any individual (those under the age of eighteen (18) require parental consent), paid or unpaid, engaged by the College in any service capacity in compliance with the following:

- Background checks will be used to evaluate candidates’ eligibility to be engaged in any work or service capacity by the College, and will not be used to discriminate on the basis of age, race, color, creed, religion, ancestry, national or ethnic origin, sex/gender, sexual orientation, disability, genetic information, military status, veteran status, familial status or any other protected category under applicable local, state or federal law, ordinance or regulation.
- Adverse disclosures and/or findings will not automatically disqualify an individual from employment, employment consideration, or eligibility to be engaged in any work or service capacity by the College. The College will consider the nature and gravity of the offense(s); time since conviction; completion of sentence or any other remediation; relevance to the position for which the candidate is being considered, the position the employee is performing, or the position for which the individual is offering his or her services; the individual’s employment record if currently employed by the College; and discrepancies between the background check and what the candidate/employee self-reported.
- Background checks for employment decisions at the College will be facilitated by the Office of Human Resources or the Public Safety Department based on the position description, job responsibilities or other service requirements or expectations. A successful background check must be completed prior to the first day of work/engagement with the College in the position

identified. Any exceptions to this pre-engagement background check must be approved in consultation with the Office of Human Resources or Public Safety, as applicable.

- Background checks for current employees at the College will be facilitated by the Office of Human Resources or the Public Safety Department at the discretion of the College. For those current employees within the Office of Human Resources, background checks will be facilitated by the Vice President of Administration.

The College, in its sole discretion, retains the right to require a background check in any and all cases. The minimum process to be followed in conducting background checks is set forth in Appendix A.

A. Standard Background Checks

1. Prospective Employees

Prospective employees or candidates for employment will be informed that any offer of employment is contingent on a satisfactory background check that will be conducted by a consumer reporting agency for review by the College. Candidates for employment who fail to participate fully or who provide inaccurate information in a standard background check may have any offer for employment rescinded. When an offer is rescinded, the candidate may not reapply for any College position until one year has passed since the candidate was notified of the adverse background check information. Candidates may decline to authorize a background check; in such cases, no background check will be performed, but the candidate will not be considered further.

Executives or administrators hired through an executive search firm or staffing agency must complete either a College background check consistent with position requirements or have confirmation of a background check of the required criteria having been completed by the staffing agency.

A background check is required for all staff rehires that have been separated for longer than ninety (90) days; the Office of Human Resources will determine whether a “separation” exists or whether an exception to the general ninety (90) day rule is justified.

Unpaid non-Employees and Paid non-Employees

All paid non-employees (e.g., contractors) may have to successfully complete a standard background check before performing services on the College’s campus, unless a background check exemption applies. Examples of background check exemptions can be found in Appendix B of this policy. With respect to unpaid non-employees, i.e., volunteers may be required to successfully complete a standard background check prior to performing services, depending on the services provided.

Such individuals can fulfill this background check requirement if their employer or agency can verify that they have undergone successful background checks (per the protocol of their respective employer or agency) that meet or exceed the background check standards of the College. Such third-party non-employees’ employer or agency must be able to furnish such records upon request. Whether a

background check meets or exceeds the standards of the College will be determined by the Office of Human Resources.

B. Enhanced Background Checks

From time to time, circumstances may arise on campus that require more information -- such as by additional testing or screening -- than is provided by a Standard Background Check. Those circumstances may depend on job description, responsibilities and location.; for example, College personnel working with any government unit may be subject to additional requirements in compliance with the policy and procedure of the host site, government contractor, supervising unit, or College department. Such circumstances will be handled on a case-by-case basis by the Office of Human Resources, all in cooperation with the host site, contractor, unit or department, as may be necessary.

C. Public Safety Department Employees

Prospective employees or candidates for employment in the Public Safety Department will be informed that any offer of employment is contingent on a satisfactory Public Safety Background Check. The Public Safety will determine whether the background test results are acceptable, consistent with the process outlined in Appendix A.

Candidates for employment who fail to participate fully or who provide inaccurate information in a background check may be eliminated from consideration for the position. Candidates may decline to authorize a background check; in such cases, no background check will be performed, but the candidate will not be considered further.

D. Employees and Volunteers Working with Minors

Individuals working with minors may be subject to a background check or fingerprint background check. The individual who is a non-employee and can verify that he or she has undergone a successful criminal background check that is comparable to the standard background check or fingerprint-based check conducted by or on behalf of the College within a year of participation in a program involving minors, may be exempt within the discretion of the Office of Human Resources.

E. Special Circumstances and Events

1. Heightened Security Clearance or Recent Verification

For individuals who have recently been authorized or cleared for a heightened government or other security clearance, the requirements for which meet or exceed those of the College's Standard background check, a College-initiated background check may still be required at the discretion of the Office of Human Resources or the Public Safety Department.

2. Student Applicants

At the discretion of the Provost's office, background checks may be conducted for applicants to undergraduate programs who self-disclose certain criminal or misdemeanor convictions, to verify

information that becomes available to the College, or to assess or gather information specific to a program's unique requirements.

3. Other Unique Circumstances

Situations not addressed elsewhere in this policy may arise where a College department/unit determines a need to perform background checks for individuals seeking a particular relationship with the department/unit, and for efficiency or other reasons, that department/unit may desire to manage the background check process itself. The background check must be conducted consistent with the minimum process set forth in Appendix A.

Appendix A: Process for Background Checks

1. The subject of the background check will be required to complete a consent form authorizing the College, or an entity acting on behalf of the College, to complete the background check process.
2. The College will provide the subject of any background check access to a copy of his or her background check report upon request, regardless of outcome and without charge to the candidate.
3. When a finding adversely impacts employment eligibility, the candidate will be notified and may be withdrawn from employment consideration. When a finding adversely impacts employment eligibility of a current employee, the employee will be notified and may be removed from his or her position at the College.
4. In cases in which information in a Consumer Report, such as a background check showing criminal convictions affecting the candidate's ability to perform the specific job in question, will result in an adverse employment decision, the College will provide the candidate or current employee with all required notifications pursuant to the Fair Credit Reporting Act and other applicable law(s).
5. An employee will be subject to corrective action up to and including termination if the employee refuses the background check and/or fingerprint testing, sends an imposter, or refuses to cooperate in the background or testing process in such a way that prevents completion of the test or check.

This process may be modified at the discretion of the Office of Human Resources.

Appendix B:

Background check requirement exemptions for paid non-employees include but are not limited to:

- Paid speakers and guest lecturers;
- Deliveries such as food, florists, water, etc.;

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- Escorted (by College personnel) or otherwise chaperoned low-risk services such as caterers, artists, sporting officials, etc.;
- Services that do not require key or system access to perform work

This list may be modified at the discretion of the Office of Human Resources.

Approved by Executive Team: April 20, 2021

Effective: May 20, 2021

5.0 College Calendar & Paid Time Off

The Board of Trustees approves and/or revises the College Calendar, determining closure dates, dates for employee convocation and/or professional development, dates for class recess, and holiday observances. At the discretion of the Board of Trustees, fulltime employees may be granted paid days off in addition to the paid holidays listed below.

Employees shall be entitled to nine (9) paid holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day

In the event a holiday falls on a Saturday, it shall be observed on the preceding Friday. In the event a holiday falls on a Sunday, it shall be observed on the following Monday.

Revised: January 1, 2019

5.1 Paid Leave

Employees shall be eligible for paid leave as described below. The restrictions governing each class of paid leave is also articulated below. Individual collective bargaining agreements take precedence for the members of each bargaining unit.

Personal Days: Fulltime regular employees shall receive 40 hours of personal leave at the start of each fiscal year. This amount shall be pro-rated for new hires, based on hire date. Unused personal days shall convert to sick leave at the conclusion of the fiscal year at a 1:1 conversion rate. Unused personal time at the time of voluntary or involuntary termination or retirement is not eligible for pay out. Use of personal leave should be requested in advance to the greatest extent possible.

Sick Leave: Fulltime regular employees who are in an active pay status are eligible for 80 hours of sick leave at the start of each fiscal year. New employees who may have earned sick leave balances at another public Ohio institution may transfer those balances to Cincinnati State. Such transfers are available for use only after the Cincinnati State sick leave balances are exhausted each fiscal year.

It is the policy of Cincinnati State to grant sick leave to employees when requested. However, employees are required to submit in advance, or as soon as possible in the case of an unforeseen circumstance, a request for leave to his/her supervisor and/or to Human Resources. It is also the policy of the College to take corrective action for unauthorized use of sick leave and/or abuse of sick leave.

Sick leave is an absence granted for medical reasons. An **unauthorized** use of sick leave may consist of any or all of the following:

- Failure to notify supervisor of medical absence
- Failure to complete standard sick leave form
- Failure to provide physician's verification when required
- Fraudulent physician verification
- Use of sick leave for other absences

A pattern of sick leave abuse occurs when periods of sick leave are used, for example:

- Before and/or after holidays
- Before and/or after weekends or regular days off
- After pay days
- Any one specific day of the week
- Absence following overtime worked
- Continued pattern of maintaining zero or near zero leave balances; or excessive absenteeism-
-use of more leave than granted.
- Combination of any of the above.

Authorized Return to Work: Should an employee claim sick time for three (3) consecutive work days, a physician's written authorization to return to work is required and must be submitted to Human Resources in advance of reporting to work. Once an employee exhausts his or her sick leave, the employee shall be required to submit a doctor's excuse for each absence from work. Any additional time taken off due to sickness shall be deducted from that employee's personal leave balance, and once that is exhausted, it shall be deducted from the employee's vacation balance. However, those deductions from personal and vacation leave balances will not be considered approved leave. Employees that have found to abuse or fraudulently use sick leave could be subject to disciplinary action up to and including termination.

Sick Leave Upon Separation: Sick leave does not pay out at termination unless the separation is a retirement. Sick leave may transfer to another Ohio agency, organization or institution.

Any full-time employee, regardless of length of service at Cincinnati State, who formally retires per the regulations of the OPRS, STRS, SERS or ARP, and is eligible and will draw retirement benefits from the system, may convert accumulated sick leave up to a maximum of sixty-five (65) days [thirty (30) days for persons employed or re-employed by Cincinnati State on or after March 1, 1990] at the rate of one (1) day for every three (3) days of sick leave into a lump sum payment upon the effective official day of retirement. When the lump sum cash payment amount an eligible employee may receive is computed, the rate shall be computed as .00384 times the employee's current annual salary times the number of eligible days.

Any retiree electing to convert accumulated sick leave into a lump sum payment who subsequently is employed by another agency, organization or institution shall have forfeited all sick days earned at Cincinnati State and the transferring of any accumulated sick leave to any other employer. Days transferred into Cincinnati State from prior employment are not eligible for cash conversion.

Sick & Personal Leave Redemption: At the end of the fiscal year, any employee may exercise one of two (2) options regarding any current fiscal year sick leave/personal leave days not used during the fiscal year:

- Allow the balance to remain intact for possible future need. (Accumulate it.)
- OR convert up to one-half (1/2) of the unused balance for the year (a maximum of 6.5 days into a cash payment computed 0.00192 times the current annual salary times the number of eligible days.

The cash payment will apply only to the portion of the annual fiscal year credit allowances not used during that fiscal year. Only days accumulated during the current fiscal year at Cincinnati State may be cashed in pursuant to this provision.

No employee may exercise the cash payment provision until he/she has exceeded thirty-five (35) days of accumulated sick leave/personal leave. The number of days "cashed in" cannot result in a remaining accumulated balance of fewer than thirty-five (35) days.

Vacation/Annual Leave Salaried Exempt Employees: Fulltime exempt personnel shall be eligible for an annual vacation accrual of up to one hundred sixty (160) hours per fiscal year. Vacation time is accumulated at a rate of .769 days per pay period and is recorded as accumulated hours on each pay

advice. Vacation/annual leave balances may accumulate to a maximum of three times the annual allowance. The amount of vacation allowance available or used for any pay period shall not exceed the amount standing as a credit at the beginning of the period.

If an observed paid holiday occurs during the vacation of any employee, the holiday shall not be counted as part of the vacation of the employee.

Vacation or other avoidable absences shall be staggered in such a manner that normal college operations are properly carried out and accomplished without interruption.

Vacation/Annual Leave Hourly Employees: Hourly personnel shall be granted vacation/annual leave accrual according to the following schedules:

After 1 full year of service	80 hours per fiscal year
After 5 full years of service	120 hours per fiscal year
After 10 full years of service	160 hours per fiscal year

Vacation/Annual leave time are accrued each pay period and recorded on each pay advice. Vacation/annual leave balances may accumulate to a maximum of three times the annual allowance. The amount of vacation allowance available or used for any pay period shall not exceed the amount standing as a credit at the beginning of the period.

Vacation or other avoidable absences shall be staggered in such a manner that normal college operations are properly carried out and accomplished without interruption.

Vacation/Annual Leave Redemption: Employees who have a vacation balance of 50 days or more may redeem up to 10 vacation days per fiscal year for cash, at 90% of their value. Such redemption cannot reduce the resulting vacation balance to less than 50 days. Requests for payment may be made at any time, but payments will be disbursed once per quarter. Requests must be made in writing (eform) to Human Resources no later than May 31 of each fiscal year. Redemption will be paid based on the employee's current per diem rate of pay.

Earned Vacation at Termination of Employment: Unused vacation/annual leave balances shall be paid out in full to an employee who voluntarily terminates employment in good standing per Policy 7.3.

Unused vacation/annual leave balances of an employee who is assigned to a position in which the employee does not accrue vacation benefits, or who enters upon an officially approved leave of absence extending beyond the fiscal year shall have the unused balance convert to a terminal balance at the time of the new assignment/leave of absence. In such cases, the employee will not continue to accrue vacation, but may exercise any or all of the following options:

- Use the balance to cover leave of absence and/or approved time off from work.
- Redeem balance for cash payment.
- Keep it until actual termination of employment/retirement.

Compensation for the unused vacation time credited to an employee whose employment is terminated by death shall be paid to the employee's spouse or estate.

When computing the lump sum cash payment amount an eligible employee may receive for conversion of accumulated vacation allowance upon retirement or termination, the College will use a divisor of 261 days to determine the per diem rate of pay. The employee's most recent annual salary base will be used as the dividend.

Absence Notification: Good attendance is essential to the competent performance of your job. Good attendance is also essential to ensure the efficient operation of the College's business. Attendance is one factor considered when you become eligible for salary increase or a promotion.

When an employee is unable to come to work because of sickness or an emergency, the employee is required to notify the supervisor within the first working hour or as soon as possible. Failure to report and/or properly notify the College is an unauthorized absence. An unauthorized absence may result in a loss of pay for the time of absence. When possible, a Leave Request should be completed in advance of an absence. In the event of an unplanned absence, complete the required Leave Request form immediately upon your return to work.

An employee absent for five (5) consecutive work days or more for medical reasons must provide Human Resources with a physician's authorization that the employee is able to resume work. This authorization must be received in writing by Human Resources prior to the employee returning to work.

Revised: January 1, 2019
 May 2, 2018

5.2 Other Leave

Death in the Family: A fulltime employee shall be allowed three days of absence, chargeable to any available accrued leave at the employee's discretion, in the event of the death of a parent, child, spouse, sister, brother, or in the event of the death of any relative mentioned in the next paragraph who is a permanent resident in the employee's home. An employee shall be allowed one day of absence, chargeable to any available accrued leave at the employee's discretion, to attend the funeral of an aunt, uncle, nephew, niece, grandparent or grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law or the spouse of the employee's child.

Jury Duty: A fulltime employee summoned for jury duty will immediately notify his/her supervisor and Human Resources, providing a copy of the jury summons notice. During jury duty, the employee must communicate with the immediate supervisor concerning each day of jury service.

It is common for a citizen to be summoned to be available for jury duty for a period of several weeks; however, citizens are not actually scheduled for jury service each and every day of that period. Typically, prospective jurors report for a few hours on day one and are instructed to telephone the Jury Office nightly for the remainder of the period to learn whether or not they are expected to report the following day. If the employee is not expected to report the following day, the College expects the employee to work as scheduled.

For those days and times for which a College employee is actually present at the Courthouse on Jury Duty, no work is required at the College but the employee will need to provide written proof of jury duty and to be paid. If the time absent from work does not match the time at the Courthouse, the College will charge the difference to either: 1) vacation; or 2) personal days; or 3) time-off without pay, in the order listed. The College will allow time off for travel from the Courthouse to the College.

Military Leave: A fulltime employee may request approval for a leave of absence without loss of pay for military service not exceeding 31 days as specified by law and without pay for military service exceeding 31 days.

The employee on leave without loss of pay must submit proof of his/her military pay to the Payroll Office of the College. If the military pay is less than the regular pay, the College will pay the difference. Allowance for travel, food, housing, or uniforms are not considered.

If the employee takes paid vacation leave for military service, the employee is entitled to keep the total military pay and full vacation pay from the College.

5.3 Family and Medical Leave (FMLA)

The Family and Medical Leave Act (FMLA) assures that, if leave is taken in accordance with these policies and procedures, eligible faculty and staff can take twelve weeks of leave during a given twelve-month period and, with limited exceptions described below, be entitled to reinstatement to the same or an equivalent position at the conclusion of this leave. Employees without twelve weeks of accumulated paid leave available to them (sick, vacation, personal) may take FML as unpaid leave with the same reinstatement assurance. The Director of Human Resources is responsible for the implementation, administration, and compliance with FMLA and policies established by the College that are affected by this legislation.

Leave Eligibility: Employees under FMLA are entitled to 12 work weeks of leave during any 12-month period. For example, if an eligible employee takes 12 weeks of leave beginning September 1, 2016, additional leave under FMLA is not available until a date 12 months after the leave period began--September 1, 2017.

Employees seeking to use FML are required to provide at least a 30-day advance notice of the need to take the leave when the need is foreseeable and such notice is possible. When the need for leave is not foreseeable, the employee must provide notice as soon as possible under the facts and circumstance of the particular case.

Leave of absence under FMLA shall be granted for one or more of the following reasons:

- Birth of and care for an employee's child during the first year following birth.
- Placement of a child with the employee for adoption or foster care.
- To care for the employee's spouse, child, or parent who has a serious health conditions.
- Due to a serious health condition that renders the employee incapable of performing the functions of his or her job.

In cases where both spouses are employed by the College, FMLA provides that the aggregate amount of leave given to the spouses is 12 weeks if the leave is for birth or placement of an adopted or foster child or to care for a parent. Any leave of absence beyond that period will be considered under existing College policy.

The law defines a serious health condition as an illness, injury, impairment or mental condition that involves (1) inpatient care in a hospital or residential medical care facility, or (2) continuous treatment by a health care provider.

Spouse is defined as a husband or wife, as the case may be.

FMLA is gender neutral. Both women and men are entitled to take family leave, if otherwise eligible.

Paid Versus Unpaid Leave: Consistent with FMLA Notice of Rights and Responsibilities, employees are to utilize accumulated paid leave for all or any part of the unpaid 12-week leave mandated by FMLA. HR can provide guidance on the eligibility of use of short term disability benefits, if applicable, once the FMLA documentation and paperwork has been submitted by the employee and/or physician. If sick and vacation leave balances are insufficient, FML may be taken as leave without pay. If an employee is

absent from work due to a work-related injury and receives lost-time compensation from the Bureau of Workers' Compensation, that employee is not eligible to use sick leave or receive pay from the College for any absence related to the work-related injury for which he/she receives lost-time compensation. However, this time will be tracked as FML time.

Leave requests that meet the FMLA criteria will be considered FML for the purpose of calculating the twelve (12)-week entitlement period. If an employee is absent from work for more than three (3) consecutive days, he/she may be eligible for FML. The employee must report his/her absence by notifying his/her supervisor of the absence within one hour of reporting time and that the absence may be, or is FML qualifying. In the event that an employee is unable to communicate with his/her supervisor or the administrator, a designated family member may make the notifications.

In the event of a planned absence, an employee must notify Human Resources at least thirty (30) days in advance of the anticipated reason, duration, and start date. If advance notice is not provided, the College may deny or delay the start of the leave.

If the need for leave is foreseeable and more than thirty (30) days in advance, the employee must provide notice as soon as possible, either the same or next business day. All employees must comply with the normal call-in procedures of their department as specified by the supervisor or unit of operation.

The employee must provide medical certification to Human Resources, within 15 calendar days after receiving the FMLA Rights and Responsibilities packet. Before approving FML, the College reserves the right to require a second medical certification from a health care provider. This will be done at College expense. If the first and second opinions differ significantly, the College reserves the right to request that the employee obtain a final and binding third opinion of a jointly selected health care provider whose fee will be paid by the college. Human Resources may request recertification with updated information if a condition persists or changes. Certifications are valid for one year from the date the initial certification is obtained.

Intermittent or Reduced Work Leave Schedule: Where a FMLA leave of absence is requested to care for a sick family member or due to the employee's own serious health condition, leave may be taken on an intermittent or on a reduced work schedule when medically necessary.

Example: An employee's child is in an accident and will be home under a doctor's care for 2 weeks. The employee may elect to work on a reduced schedule for the 2 weeks.

Intermittent or reduced leave schedule will be permitted for the birth or placement of a child for adoption or foster care only if requested by the employee and the schedule requested is agreed to by the employee's supervisor and the Director of Human Resources. Only the amount of leave actually taken while on intermittent/reduced schedule leave will be charged as FML. Employees will not be required to take more FML than necessary to address the circumstances that cause the need for intermittent leave. FML leave for periods of less than a full day will be accounted for in quarter (1/4) hour increments.

An employee needing intermittent/reduced schedule leave for foreseeable medical treatment must coordinate with his or her manager and schedule the leave so as not to unduly disrupt the operations of

the work unit, subject to the approval of the employee's health care provider. Where such leave is needed, the College may transfer the employee temporarily to an alternative job with equivalent pay and benefits that better accommodate recurring periods of leave.

Certification of Need for Leave and Return to Work: Any leave request based on a family member or the employee's own serious health condition must be supported by certification of a health care provider in a reasonable time after requested by the College. An employee absent for five (5) consecutive work days or more for medical reasons must provide Human Resources with a physician's authorization that the employee is able to resume work. This authorization must be received in writing by Human Resources prior to the employee returning to work.

If the employee is unable to return to his or her job at the scheduled termination of the leave, but still has available FML, the employee must contact Human Resources to provide additional information to support the need for additional FML leave.

Health Insurance & Benefits: Health insurance and other benefits will be continued during FML according to the prevailing coverage provisions, subject to changes that may occur within the group plan while the individual is on leave. Employees taking FML using unpaid leave will be responsible for their portion of health care benefits. An invoice will be sent to the employee from the College to indicate the amount required for payment in order to continue coverage.

Consistent with College policy for all types of leave, you will not accrue vacation or other benefits while you are on unpaid FMLA leave. However, the leave period will be treated as continuous service (i.e., no break-in-service) for purposes of service accumulation, salary calculation, promotional consideration and eligibility to participate in the College's retirement plan.

FMLA Military Family Leave Provisions: The military family leave provisions of the Family and Medical Leave Act (FMLA) entitle eligible employees of covered employers to take FMLA leave for any "qualifying exigency" arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces, or to care for a service member with a serious injury or illness if the employee is the service member's spouse, son, daughter, parent or next of kin.

Qualifying Exigency Leave: A covered employer must grant an eligible employee up to 12 work weeks of unpaid, job-protected leave during any 12-month period for qualifying exigencies that arise when the employee's spouse, son, daughter, or parent is on covered active duty or has been notified of an impending call or order to covered active duty.

Covered active duty means:

- For members of the Regular Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country; or
- For members of the Reserve components of the Armed Forces (members of the National Guard and Reserves), duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.

Deployment to a foreign country includes deployment to international waters.

Qualifying exigencies for which an employee may take FMLA leave include making alternative child care arrangements for a child of the deployed military member, attending certain military ceremonies and briefings, or making financial or legal arrangements to address the military member's absence.

Military Caregiver Leave: A covered employer must grant an eligible employee up to a total of 26 work weeks of unpaid, job-protected leave during a "single 12-month period" to care for a covered service member with a serious injury or illness. The employee must be the spouse, son, daughter, parent, or next of kin of the covered service member.

A covered service member is either:

- A current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness, or
- A veteran of the Armed Forces (including the National Guard or Reserves) discharged within the five-year period before the family member first takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered service member.

For a current service member, a serious injury or illness is one that may render the service member medically unfit to perform his or her military duties. For a veteran, a serious injury or illness is one that rendered the veteran medically unfit to perform his or her military duties or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work. For veterans, it includes injuries or illnesses that were incurred or aggravated during military service but that did not manifest until after the veteran left active duty.

At the conclusion of a required or approved leave, the employee will be restored to his or her job or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

Abuse of FMLA or College Policies on Leave of Absence: If an employee who has been granted a full-time leave fails to return to work upon expiration of the leave for any reason other than a verified illness, he or she will be deemed to have voluntarily resigned as of the date the employee fails to return to work. An employee who begins working elsewhere during a leave will be subject to discipline up to and including termination.

An employee's failure to return to work at the conclusion of the twelve (12) weeks provided for in this policy may result in the employee being terminated for cause. However, if the employee has other leave (sick, vacation, or personal) available to cover the additional time needed for a serious medical condition of the employee or an immediate family member, the employee's employment will continue pursuant to the policies and procedures governing the leave requested. As long as the employee has sufficient paid leave available to cover the additional leave, he or she will be afforded the same reinstatement rights he or she would have upon returning at the conclusion of the twelve (12) weeks of FML. If an employee cannot return to work and is without additional leave, he or she may apply for an unpaid leave of absence pursuant to Operations Policy 5.4 or apply for disability retirement through the appropriate retirement system. The denial or granting of a request for such leave will be based upon the considerations set forth in that policy and its procedures.

Revised: January 1, 2019

5.4 Leave of Absence

The College recognizes that occasionally some fulltime employees may need to take a leave of absence from their jobs to address illness or disability not covered by sick leave and/or Family Medical Leave policy.

Leave of absence is defined as a pre-authorized, extended absence from employment for employees for which regular compensation is not paid.

Full-time employees granted a long-term leave of absence who are currently enrolled in the medical, vision, and/or dental plans offered by the College are eligible to continue the plans at their own expense, through COBRA, for the period of the leave of absence or as specifically stated in the terms of the approved leave of absence or as may be restricted by the benefit plan and/or by the applicable law.

Employees returning from a leave of absence who have complied with all aspects of the College's Leave of Absence Procedure will be reinstated in either their original job, if vacant, or another job within a similar classification.

Requests for leave of absence must be in writing and state the reason for which the leave is requested. The length of the requested leave and a statement that the employee does, in fact, intend to return to regular employment status with the college at the end of the leave of absence must also be included in the request.

Reasons for and conditions pertaining to a leave of absence include:

Illness or Disability: An employee may request a leave of absence for his or her own illness or disability or the illness or disability of an immediate family member. Such leave may be granted for no more than six (6) months (including any time taken pursuant to the Sick Leave or Family and Medical Leave policies for the illness or disability).

Request for Leave: A request for such a leave must be accompanied by a statement from a health care provider certifying the basis for leave (or for additional leave if it is an extension of FML) and that the length of time requested is reasonably necessary given the medical condition.

Reinstatement: Before the employee can be reinstated, he or she must submit to the Human Resources Department a health care provider's statement, certifying that the employee has been examined and is able to resume the essential functions of his or her job. In addition, the Human Resources Department may request that the employee be examined by a physician appointed by the college.

Personal Needs: A leave of absence for personal reasons may be requested and approved for a period not to exceed six (6) months.

Leaves of absence shall be classified as either short-term or long-term. Both require the approval of the employee's immediate administrator and the Human Resources Director.

Short-term leave of absence shall be for a period of 30 calendar days or less and shall be requested in writing. Credit for service accumulation, salary calculation, promotional consideration, and payment of benefit premiums by the college will not be affected. The employee on unpaid leave of absence may elect to continue receiving fringe benefits by paying the employee's portions of this premium, except as may be provided elsewhere in this procedure or as may be restricted by the benefit carrier.

Long-term leave of absence shall be for a period of more than 30 calendar days and shall be requested in writing. Credit for service accumulation, salary calculation, sick leave, personal leave, vacation leave, and promotional consideration will not be accrued. The employee on unpaid leave of absence may elect to continue receiving fringe benefits by paying both the College's and employee's portions of this premium, except as may be provided elsewhere in this procedure or as may be restricted by the benefit carrier.

Amendments to an approved long-term leave of absence must be requested in writing. Amendments require approval by the employee's immediate administrator and the concurrence of the Human Resources Director.

Upon completion of not more than three-fourths of the approved long-term leave of absence, the employee on leave will notify the Human Resources Department of his/her intention to return to employment with the college. Failure to make such notification could delay reinstatement or result in the employee's not being reinstated.

For all leaves of absence, the factors to be considered in determining whether to grant or deny the leave of absence will include, but will not be limited to, the following:

- whether the work unit can function effectively without the employee for the time of leave requested;
- whether the employee's work can effectively be accomplished in his or her absence by someone else within the work unit;
- whether the employee's work can effectively be accomplished by the short-term hire of another employee;
- the availability of other employees or potential employees with similar skills and experience necessary to accomplish the employee's work;
- whether denial of the leave serves the best interests of the work unit or the college; or
- ability of the college to reinstate the employee at the conclusion of the requested leave to his or her original job or another job at a similar level of responsibility.

Failure to return from a leave of absence on the scheduled date of leave termination, or failure of the employee to abide by the terms of the leave of absence, shall be just cause for discharge of the employee, effective on the day following the last day worked. Benefits eligibility, if any, shall be based on benefits due the employee on the last day worked.

6.0 Longevity & Educational Attainment Adjustments (Board Resolution 96.73)

Longevity Adjustments: Fulltime non-bargaining employees shall receive longevity increases to the base pay in the month following the individual employee anniversary date in accordance with the following schedule:

10 years of service	3 percent
15 years of service	2 percent
20 years of service	2 percent
25 years of service	2 percent

Education Attainment Adjustments: Fulltime non-bargaining employees attaining advanced degrees after employment shall be entitled to the following adjustments to the base pay:

Master's Degree	5 percent
Doctorate Degree	10 percent

The adjustment shall be effective as of the date the Human Resources office receives written verification of conferral of the degree.

6.1 Educational Benefits

Tuition Waiver: A waiver of Cincinnati State tuition is made available to employees and retirees in good-standing, and consistent with the terms and conditions of current collective bargaining agreements. Employees and/or retirees with unpaid debts to the College must first pay their debt in order to participate in the tuition waiver program.

Fulltime and part-time benefit-eligible employees are eligible after completing six (6) months of continuous employment.

Retirees from fulltime employment out of SERS, STRS or ARP plans are eligible immediately upon retirement.

Adjuncts are eligible after completing 2 consecutive semesters of teaching, and thereafter, teaching at least one course per semester. However, Deans have discretion in granting waivers in cases which may impact instructional needs. In such cases, the Dean shall so advise the Office of Human Resources.

Use of Tuition Waiver Guidelines:

- Non-waiver students have priority enrollment in courses/courses section which may have limited enrollment caps. A non-waiver student will never be displaced by an employee or retiree seeking to use a waiver.
- Employees and retirees are eligible to enroll in up to three (3) courses, or a maximum of twelve (12) credit hours per semester without payment of the tuition fee and the registration fee, whether in-state or out-of-state. The pricing for programs and courses offered through the Workforce Development Center are based on industry models and the College waiver will cover only the standard tuition rate and registration fee. Eligible employees are responsible to pay the difference if the cost exceeds this allowance. Any course or supplemental fees are due from the employee/retiree at the time of registration and /or prior to the semester payment deadline to avoid any late payment penalty.
- Spouses, dependent children (per I.R.S. definition), and/or dependents (per I.R.S. definition) of employees, adjuncts, and/or retirees may receive a waiver of tuition, whether in-state or out-of-state. Proof of dependency is required and any fraudulent use of dependent waivers will result in revocation of the benefit. All other fees outside of tuition must be paid at the time of registration. Spouses, dependent children, and/or dependents are eligible for institutional scholarship support only through specifically designated dependent need-based scholarship funds. Spouses, dependent children, and/or dependents are limited to a total of 75 attempted credit hours not including academic foundations course work. The pricing for programs and courses offered through the Workforce Development Center are based on industry models and the College waiver will cover only the standard tuition rate and registration fee. Eligible waiver recipients are responsible to pay the difference if the cost exceeds this allowance. Any course or supplemental fees are due from the eligible waiver recipient at the time of registration.
Expectation of Service to the College: Dependents of employees granted tuition waivers are requested to provide a minimum of ten (10) hours of service to the college each semester tuition waivers are granted.
- All waiver recipients must maintain a 2.0 grade point average. If the GPA falls below a cumulative 2.0, the subsequent enrollment costs will not be waived until the GPA returns to 2.0 or better.

Requesting Waivers: The employee or retiree must submit to the Human Resources Office, a “CSTCC Tuition Waiver Authorization” e-form for each eligible individual for whom a waiver is sought. **This form must be submitted for each person each academic year a waiver is requested.** The purpose of this form is to verify that the requester is eligible for tuition waiver benefits and must be signed by the Director of Human Resources or designee, prior to registration.

Tuition Reimbursement: Unless otherwise stipulated in current collective bargaining agreements, tuition reimbursement of coursework taken at accredited institutions of higher education other than Cincinnati State may be available to full-time employees who have completed one year of continuous service to the college, and have completed an Associate Degree or 75 hours of earned college credit, subject to the terms and conditions of current collective bargaining contracts.

The College offers the tuition reimbursement program to employees seeking career advancement within the College, and as such, all requests for tuition reimbursement should clearly demonstrate how the educational investment aligns to the career path of each employee, and be developed in collaboration with the employee’s immediate supervisor. An employee’s application to participate in this program must include a description of the employee’s proposed educational program. The application must be approved by the employee’s supervisor, with the advice and support of the supervisor’s Vice President, and the Director of Human Resources. Typically, tuition reimbursement is approved for progressive educational attainment, in alignment with the employee’s career pathway (i.e.: Bachelor’s, Master’s, Doctorate degrees). Tuition reimbursement is not typically approved for an employee desiring to earn in excess of one of each of these degrees. However, at the discretion of the employee’s Vice President, approval for tuition reimbursement for a supplemental degree may be warranted dependent on the business needs of the College and/or a career change supported by the College.

The following conditions apply to the tuition reimbursement program:

- The educational program must be related to the employee’s job at the College or to a job the employee might expect to hold at the College in the future.
- Employees with unpaid debts to the College must first pay their debt prior to applying to receive tuition reimbursement.
- Reimbursement will be offered for tuition only. Only courses offered through a regionally accredited institution are eligible for reimbursement. All books and fees are the responsibility of the employee.
- Any federal, state, local or private grant or scholarship shall be deducted from the total tuition expense prior to determining tuition expense eligible for reimbursement.
- Funds available for tuition reimbursement are budgeted annually and approved by the Board of Trustees. Due to the limited funds available, reimbursement will be made on a first come basis each fiscal year, contingent upon the employee having received approval to seek reimbursement, and meeting other conditions as outlined herein. Should budgeted funds available during the fiscal year be exhausted prior to the end of the fiscal year, employee requests for reimbursement shall be wait-listed in order of submission until the next available budget allocation. Wait-listed requests shall receive priority over new requests.
- The employee will be permitted reimbursement for a maximum of 15 credit hours per fiscal year. Credit hour reimbursement will be based on 75% of the tuition charged or 75% of current published in-state tuition rates of the University of Cincinnati for the relevant undergraduate or

graduate degree, whichever is less. Reimbursement for both an undergraduate and graduate degree will not be provided in the same fiscal year.

- Course enrollment must take place such that no employment time is lost. Employees may not use work time to attend classes and/or complete course assignments.
- Reimbursement will be granted only upon presentation of evidence of satisfactory completion of courses. Satisfactory completion is defined as a grade of "B" or better in graded graduate courses; "C" or better in graded undergraduate courses; or of "Pass," "Satisfactory," or "Progress" in ungraded courses. Additionally, reimbursement is contingent upon the employee maintaining at least a 2.5 GPA.
- In order to participate in the Tuition Reimbursement Program, it is the responsibility of the employee to submit a completed application for reimbursement thirty (30) calendar days prior to the anticipated start date of the first quarter/semester. An employee's application to participate in this program must include a description of the employee's proposed educational program. The application must be approved by the employee's supervisor, the appropriate Vice President, and the Director of Human Resources.
- In order to be reimbursed, the employee must submit a completed reimbursement form, along with official documentation of paid fees and financial aid received, and a final grade report, to the Human Resources Department within thirty (30) calendar days after completion of the academic quarter/semester. If an extension of this deadline is sought, written documentation regarding the nature of the extension must be submitted within the same thirty (30) days.
- Employees must maintain a minimum GPA of 2.5 and make timely progress on degree completion. Should the employee fail to complete a degree within 48 months of submission of the original application for tuition reimbursement, an updated application for tuition reimbursement shall be required prior to authorizing future reimbursements.
- Should an employee voluntarily separate from the College for other than a bona fide medical reason within 12 months of receiving tuition reimbursement, the employee shall reimburse the College the amount of the tuition reimbursement received.

Revised: January 1, 2019

7.0 Performance Management

Annually, the supervisor and employee shall establish goals (both departmental and professional) and activities that shall be performed during the review period and how the activities will be measured and documented. The plan shall describe how the goals and activities will further the needs of the employee, department, division and/or the college. The supervisor and employee should jointly develop the plan.

Throughout the review period, the supervisor and employee shall regularly meet to review the status of the plan to make necessary adjustments, clarifications and address misunderstandings or deficiencies.

After the end of the review period, the employee and the supervisor shall meet to perform a formal performance review and discuss the plan outcomes for the period. The employee shall do a self-appraisal/review documenting the activity and progress in all areas and submit it to the supervisor prior to the formal performance review. This supervisor's performance review will provide the necessary information to be used as the basis for next year's Performance Planning meeting.

The finalized performance review document and recommendations will be submitted through the formal chain of supervision and filed with the Human Resources Department prior to the end of the evaluation period.

Revised: August 20, 2019

7.1 Position Evaluation / Position Reclassification

All approved new and modified positions will be evaluated to determine the salary grade/classification/contract affiliation of such positions. The Director of Human Resources is responsible for the completion of the position evaluation process.

Prior to the posting of any vacancy, the position shall be reviewed for availability of funding and for relevance to the accomplishment of the mission, strategic plan, or daily operations of the College.

The College makes every effort to ensure the quality and integrity of the employment classification system and the review process. However, as the result of a number of factors, some position components/requirements may change over time. In recognition of this, the job description review process may be initiated by either the employee and/or the supervisor. Submissions for job reclassifications should be based on the following questions:

1. Have the job requirements changed significantly?
2. Have supervisory or leadership responsibilities been added?

Changes in the technology designed to assist in the performance of duties do not, in and of themselves, substantiate the basis for a reclassification review. The volume of activity is also not a factor in determining the basis for a reclassification of a job.

Process steps for reclassification of a position:

- The employee completes a job description questionnaire (available from Human Resources). The questionnaire should identify the essential day-to-day responsibilities, core competencies needed, and any special training or education required. The questionnaire should be signed by the employee and reviewed and signed by the employee's immediate supervisor.
- If the supervisor does not concur with the new job description, a revision must be made before the reclassification request can go forward. Once the employee and supervisor are in agreement, the signed questionnaire should be forwarded to the appropriate Vice President or Dean for review and approval. If the Vice President/Dean concurs that a reclassification review is warranted, the questionnaire should be signed and forwarded to Human Resources.
- Human Resources will notify all parties of the result of the job review. Job reclassification reviews may result in a decrease in grade, no change in grade, or an increase in grade.
- If the review warrants a pay increase, Human Resources will initiate the Change of Status form and the pay adjustment will be effective at the start of the next pay cycle. If a position is reduced in classification, the incumbent salary will not be affected. If the position is adjusted upward in classification, the reclassification adjustment will be commensurate with the applicable classification and pay grade and/or consistent with applicable collective bargaining agreements.

7.2 Disciplinary Policy

Employees of Cincinnati State Technical and Community College should maintain high standards of behavior, conduct, and work performance befitting the trust and responsibility imposed on them as public servants. Employees who fail to abide by standards established herein may be subject to appropriate corrective action.

The College abides by the principles of corrective action and progressive discipline. It is the College's position that supervisory efforts should be concentrated on preventing the occurrence of serious personnel problems rather than on disciplining employees for misconduct. It is desirable that all disciplinary questions be resolved at the lowest administrative level consistent with the scope of the problems and the rights of the employee.

Supervisors are responsible for the appropriate and consistent application of the work rules, policies, procedures, and directives of the Cincinnati State Technical and Community College. Supervisors are also responsible for initiating the request for disciplinary action as soon as they are aware of a potential situation. If disciplinary measures are warranted, it is essential that the following conditions be observed:

- 1) Human Resources is to be notified and the disciplinary action(s) to be documented in writing.
- 2) Each problem is to be investigated thoroughly so that the facts of the situation are known.
- 3) Any action taken is to be primarily corrective rather than punitive and is to be appropriate to the offense.
- 4) The dignity of the employee is to be respected.

Disciplinary actions should be imposed with the intent of giving the employee the opportunity to correct his/her behavior. If such correction does not occur, the level of discipline should become more severe. Certain offenses, by their nature, may warrant more severe disciplinary action up to and including removal, irrespective of issuance of prior discipline. Typically, disciplinary action progresses as follows: counseling, then a written reprimand, followed by suspension, and finally termination. However, depending upon the severity of the offense, and/or repetitiveness of offenses, disciplinary action may vary from this progression.

Counseling: A counseling session by the supervisor with an employee, usually pointing out an unsatisfactory element of job performance, is intended to be corrective or cautionary. A counseling session informally defines the area of needed improvement, sets up goals for the achievement of improvement, and informs the employee that failure to improve may result in more serious actions.

Written Reprimand: If the employee fails to improve, a written reprimand may be given. This is the first level of formal discipline. The written reprimand is issued by the immediate supervisor with approval of his/her supervisor, signed by the employee with a copy sent to Human Resources for placement in the employee's personnel file. Such disciplinary letter(s) shall be made a part of the permanent employee personnel report and shall be considered as a factor in the performance evaluation process.

Suspension without Pay: Based on the severity of the problem, the employee may be suspended without pay.

Termination: The offense, performance, or behavior warrants separation from employment.

In situations indicating strong action such as suspension or dismissal, the supervisor will confer with his/her supervisor and the Director of Human Resources prior to any action taking place.

Felony Conviction: Conviction of a felony is a separate basis for reduction in pay or position, suspending or removing an employee, even if the employee has already been reduced in pay or position, suspended or removed for the same conduct that is the basis of the felony. In the event any Cincinnati State Technical and Community College employee is convicted of any felony, the employee shall within ten (10) days, notify the Cincinnati State Technical and Community College Human Resources Office. Failure to notify the Human Resources Office may subject the employee to discipline up to and including removal.

Examples of Performance/Behavior-Based Violations: The following list of offenses are illustrative examples and not intended as an exhaustive list. Factors to be considered in applying the appropriate penalty for an infraction include but are not limited to: the severity of the offense, the employee's disciplinary record, and mitigating or aggravating circumstances.

Insubordination:

- Interfering with, failing to cooperate with, or lying during an official investigation or inquiry
- Willful disobedience of a direct order by a superior
- Failure to follow the written policies of the Director/Division/Office

Dishonesty:

- Lying, false/dishonest information
- Willfully falsifying or removing any official document
- Intentional misuse of federal or state funds.
- Accepting bribes in the course of carrying out assigned duties
- Theft

Neglect of Duty:

- Neglect of Duty-Minor-Disrupts department operations, services
- Neglect of Duty-Major-Endangers life, property or public safety
- Sleeping while on duty
- Exercising poor judgment
- Failure to perform the duties of the position or perform at sub-standard levels (e.g. continue to not meet performance standards)
- Reporting to work under the influence of any intoxicant (alcohol or illegal drug), other than required for medical reasons
- Failure to pass an alcohol or drug test
- Failure of supervisor to appropriately manage employee(s) or enforce work rules
- Commission of acts that impair or compromise the ability to carry out his/her duties as a public employee effectively, (e.g. allowing licensure to expire, be suspended or revoked; failing to obtain or maintain certification licenses, etc.)

Failure of Good Behavior:

- Engage in disruptive or abusive acts/language toward an employee or member of the general public
- Acts of discriminatory or offensive conduct towards any individual based upon their protected status
- Misuse of and/or carelessness with state property and equipment (e.g. phones, fax machines, keys, internet service, installation of software)
- Unauthorized use of a state vehicle
- Misuse of state vehicle including violation of traffic code
- Immoral, unethical, indecent conduct, or any act that brings discredit to the employer
- Engaging in political activities as prohibited by Ohio Revised code 124.57.
- Strike or threaten physical harm to another employee or the public or commit any act that constitutes workplace violence
- Deliberate destruction, damage and/or theft of state property, property of visitor to department facilities or property of another employee during working hours
- Participation in an illegal strike (non-exempt employees only)
- Any felony conviction
- Post or display offensive, abusive or obscene material
- Engage in unauthorized soliciting or collection of money or circulation of petitions while on the job or on State property
- Engage in employment (including self-employment) that may constitute a conflict of interest
- Violation of Ohio Ethics Laws and related statutes ORC 102 and 2921
- Intentional misuse or disclosure of confidential information or material
- Failure to abide by any and all college policies and procedures (See **Other College Policies**)
- Unauthorized use of technology or systems
- Abuse of position and/or authority
- Consensual Relationship Misconduct

Attendance:

- Absence without official leave; no call/no show (AWOL)
- Unexcused tardiness
- Misuse of approved leave
- Failure to return from an approved leave of absence
- Extending a break or lunch period without authorization
- Fail to timely notify supervisor or designee of absence or tardiness (one-half hour after start time)

7.3 Resignation

To resign in good standing, an employee must give at least fourteen (14) calendar days prior notice unless extenuating circumstances dictate otherwise, and the College agrees to permit a shorter period of notice.

7.4 Reduction in Force

If a decrease in enrollment, lack of funds, reorganization for efficiency, or discontinuation of a program requires reduction in staff or elimination of positions, dismissal will generally be on the basis of a review of performance evaluations, job performance, skills, training and qualifications, and seniority in the field of question. The administration will exert every possible effort to find a position at the College for which the employee is qualified. This stipulation shall be subordinate to the principle of Affirmative Action and the Federal and State laws and regulations.

If a program is renewed or enrollment increases, requiring additional staff, the dismissed non-bargaining staff member will be offered renewal of status according to the reverse order of dismissal unless a written release of this right is submitted by the dismissed staff member. This obligation is to be honored for one year after dismissal and is subordinate to the principle of Affirmative Action and the Federal and State laws and regulations.

7.5 Retirement & Residual Benefits

Full-time employees who retire from OPERS, SERS, STRS or ARP in good standing shall be eligible for the following benefits:

CState Retiree Email Account (Retiree must submit eform requesting retiree account.)

Tuition Waiver

Use of recreational facilities and Library

Access to free campus parking

8.0 Campus Closures

Should the President or his/her designee make the decision to cancel classes and/or close the College due to severe weather or any other emergency situation, notification to that effect will be promptly communicated to employees through the local media, phone communication, and other means. In the case of closure of campus(es), only personnel authorized by the Public Safety/Campus Police are permitted on campus premises.

In cases where classes are cancelled, but the College remains open, all College employees scheduled to work are expected to report. In the event an official closing is announced, pay for the normally scheduled hours will be granted to full-time employees, part-time employees, and co-op students. Employees will be compensated at the normal rate of pay for these days. Employees required to work on days when the College is closed, will be paid overtime at the rate of time and one half.

When the College is closed, employees who have previously submitted and received approval of requests for vacation, sick leave or personal leave during the period of time during which the College is closed will be permitted to withdraw their request for the days when the College was closed.

If an employee chooses to be absent based on a personal judgment regarding the weather, travel conditions, etc., that employee will be charged for some combination of vacation days, personal days or days without pay as the employee chooses.

In the event that the College makes the decision to close for any emergency during the course of a workday, employees shall be sent home and paid for the entire day at their regular rate of pay. The College shall notify workers on all shifts of the emergency closing.

9.0 Endorsements

Cincinnati State Technical and Community College periodically receives requests to serve as a reference, or to participate in press releases, case studies, advertisements, or product endorsements.

The use regulated by this policy refers to the identification, statement, or display of Cincinnati State Technical and Community College's name, logo, and/or trademarks in any way that may reasonably be interpreted as implying endorsement, approval, or sponsorship by the College or one of its units. Nothing in this policy is intended to discourage the fair use of Cincinnati State's name to comment on activities of the College or any of its units.

In general, Cincinnati State does not participate in such requests for commercial vendors, and does not allow the College's name/marks used in a manner that implies College endorsement for commercial purposes or for personal financial gain; acceptance of advertising in College publications; commercial use of the College name or seal; and co-sponsorship of events, programs, or activities with commercial enterprises. To do so may involve Cincinnati State in litigation if the product doesn't perform as indicated or causes injury.

Individuals working for Cincinnati State Technical and Community College in any capacity are not permitted to grant permission to use the College's name or provide any other sort of endorsement.

Promotional material that identifies some area of the College as a customer or client but does not give an opinion concerning the quality of a product is often permissible. In these cases, the name of a particular department may be used, but not "Cincinnati State" more broadly.

The use of "case studies" describing the experience of a vendor with the College or one of its units is generally discouraged when intended for promotional purposes.

Promotional material that gives an opinion about the quality of a product or service is only permissible when done by an individual in his/her personal capacity, not when done by a division, department, or other area of the College. In the case of an individual, reference to that person's College title or position may be made only if there is explicit recognition that the statements made do not officially represent views of Cincinnati State Technical and Community College or any of its units or officers.

There may be exceptions to this regulation, and approval may be granted for institutional or goodwill advertising clearly regarded as being in the best interest of the College. The Executive Team will evaluate such opportunities to determine whether authorization for use of the campus names, abbreviations, and/or insignia is warranted.

10.0 Advertising and Marketing Policy

All marketing and advertising efforts must support Cincinnati State's Strategic Plan and goals. Cincinnati State represents itself accurately and consistently to prospective students through its, publications, digital presence and other media. The college requires that all advertising (other than recruitment ads from Human Resources or meeting announcements) shall be reviewed and approved by the marketing leadership. Approval is required for display and classified advertising in newspapers and other print publications, and for advertising on radio, television, billboards, and other advertising venues. Marketing leadership evaluates advertising for accuracy, clarity, correct use of English, quality of design and photography, consistency with college brand standards, and compliance with state and federal laws.

College brand standards and other marketing and advertising resources/templates for employee use are found on the home page of the college intranet under Marketing & Communications. The Cincinnati State College Catalog is the authoritative source of information about all degree, major, and certificate programs as well as corresponding general institutional information required to comply with federal, state, and other accrediting agencies.

Published: 2/1/19

10.1 Deadly Weapons on College Property

Deadly weapons are prohibited on College property. A deadly weapon is any instrument, device or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried or used as a weapon including, but not limited to, a firearm (including unloaded, inoperable or sawed off firearms, starter pistols, zip guns, etc.), knife, club, brass knuckles, martial arts weapon, or stun gun.

Except for licensed police officers, no person shall possess or carry any firearm, visible or concealed, on College property (including College buildings, grounds, leased or owned by the College, College athletic fields, and parking lots), or in any College van or vehicle, or at College-sponsored activities. Firearms, visible or concealed, are likewise prohibited in vehicles, which are on College property, or on College-leased property, or on the property of a College-sponsored activity. No College official or employee may give consent under Ohio statute for any person, other than a licensed police officer, to carry a concealed firearm into any College facility, property, or activity. College employees, who hold concealed carry endorsement as allowed by Ohio law, may not carry or bring any firearm, visible or concealed, on College property, owned or leased, or at any College activities.

10.2 Institutional Review Board (IRB) Process & Policy

The US Department of Health and Human Services (HHS), Office of Human Research Protection (OHRP), has set forth guidelines for the determination of 'Human Subjects Research', (<https://www.hhs.gov/ohrp/regulations-and-policy>). Cincinnati State Technical and Community College (CSTCC) will adhere to these guidelines. A faculty or staff member of CSTCC who wishes to conduct research involving persons (human subjects) needs to seek approval of an Institutional Review Board (IRB). IRB protocols are informed and guided by the Federal Human Research Protection Program.

The IRB of the University of Cincinnati (UC) is the IRB of record for CSTCC. There is a Memorandum of Understanding (January 2012) between the two institutions stating this agreement, and all agreed upon arrangements therein.

CSTCC persons seeking IRB oversight are typically referred by Human Resources or the Institutional Research Office or perhaps by a division head to the CSTCC IRB liaison. The liaison then assists the CSTCC employee in obtaining an account with the UC electronic IRB database; RAP. Once an account is established, the CSTCC employee can begin the process of obtaining IRB approval for anticipated research. There are various IRB protocols available, dependent on the nature and scope of the research to be performed. The liaison is available to answer questions and guide the CSTCC employee through the application process. Help staff are also available at UC to assist in the process. Full research projects will require support documentation and outside training via the Collaborative Institutional Training Initiative (CITI).

Obtaining IRB approval may take several weeks, so applicants are encouraged to factor this into planning purposes.

In certain situations, the specifics of a research activity may fall short of the criteria prescribed for 'Human Subjects Research', as defined by federal guidelines. Nonetheless, CSTCC personnel shall seek an official IRB determination. To safeguard the integrity of the institution, for legal and potential funding reasons, and to follow established and recommended best practices, (i.e.: the OHRP has recommended that individuals do not make their own determination but rather defer to the IRB institution of record for a formal determination), CSTCC personnel are expected to secure an official IRB determination for all research efforts. This policy will include projects given a 'Non-human subjects' (NHS) research determination.

Exceptions to this policy may be made only with approval from CSTCC's IRB administrator.

Third Party Inquiries

CSTCC is committed to supporting the research efforts of its faculty and staff. However, with limited resources, CSTCC must prioritize support for internal research efforts and as a result, is generally not able to support research efforts of third parties.

Origin Date: March 18, 2019
Revised: August 20, 2019

10.3 Liability Insurance

The College will maintain coverage against liability of the College and its employees as allowed by law.

To the extent of the covered risks and coverage limits, the College will defend and indemnify employees against liability for acts and omissions within the course and scope of their duties. The College will not defend or indemnify employees against their criminal or intentional wrongful acts or any liability for any acts or omissions that occur outside the course and scope of their duties.

The College reserves the right in circumstances which the Board of Trustees deems appropriate and following a majority vote of the whole thereof, to determine whether to defend and /or indemnify an employee in a proceeding brought against the employee alleging a loss not within the covered risks, resulting from an employee's act or omission that occurs within the courses and scope of the employee's duties.

10.4 Media Relations Policy

The Institutional Advancement Office is responsible for all media relations for Cincinnati State Technical and Community College. This includes overseeing the dissemination of all press releases and responses to press inquiries. All releases intended for off-campus or external audiences should be routed through Institutional Advancement.

Since positive media solicitation is an integral element of the College's communications program, any ideas for articles or pieces that would positively portray the Cincinnati State, its work or its community should also be directed to the department. Likewise, Institutional Advancement should be notified about negative occurrences that are likely to rise to the level of a news story.

Official College statements are approved by the President and are to be issued only by Institutional Advancement to the media and other interested parties.

If news media are present on the grounds of the College, Institutional Advancement and/or the Vice President of Administration must be notified immediately by calling (513) 569-1500.

Employees contacted by any media representative to answer a question or conduct an interview should direct these inquiries to Institutional Advancement. Such notification can be particularly important if follow-up inquiries are made with other College personnel to ensure a coordinated, consistent response. It is essential that media inquiries involving issues with College-wide significance and/or those of a controversial or sensitive nature be immediately directed to Institutional Advancement.

During a crisis or emergency situation, the College's designated spokesperson will handle all contacts with the media, and will coordinate the information flow from the College to the public. In such situations, all campus departments should refer calls from the media to Institutional Advancement.

Faculty, staff, and students are never obligated to speak to the media, and have a right not to speak with the media if they do not wish to or are not comfortable doing so. In addition, any member of the College community who feels a reporter has abused their rights should contact the Institutional Advancement.

10.5 Other College Policies

The College maintains several operational policies and guidelines of relevance to all employees. The full documents are maintained on the College intranet and it is the responsibility of each employee to familiarize themselves with each policy, and to stay current on updates and revisions.

The College Facilities Use Policy

<http://web4.cincinnati.state.edu/files/Facilities/Facility%20Use%20Policy.pdf>

The Facilities Use Policy regulates the use of all campuses and all facilities, including processes to set up a table to meet students and/disseminate information. The College may charge user fees for the use of College facilities, and users must sign a facilities rental and indemnification agreement before using College facilities. College property may not be used for commercial activities except when those activities are integrally related to College-sponsored programs. One example of such commercial activity is the recruitment of students into the workforce. Any use of College premises for such career fairs, recruitment events must be coordinated through the Director of Student Activities. To acknowledge the official presence of such recruiters, it is necessary that the appropriate visitor identification be issued.

Critical Incident Management Plan

<http://web4.cincinnati.state.edu/files/Crisis%20Planning\Critical%20Incident%20Management%20Plan.pdf>

Logistics and procedures to effectively manage critical or emergency circumstances.

Acceptable Use of Technology Policies

The full Technology policy can be found on the intranet at: General guidelines for employees to keep in mind:

http://web4.cincinnati.state.edu/files/webapps/cstate_edu/its/informationsecurity/Cincinnati%20State%20-%20Information%20Security%20-%20Governance%20Policy.pdf?#page=58

- All employees shall keep passwords confidential
- Users shall not store their passwords in any automated log-on process except where authorized by the college
- Users shall not share passwords

Communications services are provided for the convenience and efficiency of users in the course and scope of performing their duties for the College. Although they sometimes may be confidential, all communications may become subject to discovery in a civil or criminal proceeding. Communications stored on College technology devices or the College network are the property of the College and individuals do not have a right of privacy as it relates to this communication. The contents of electronic (email, fax, computer files, etc.) and voice mail messages may have the same status as paper records. The following types of messages are strictly prohibited:

- Messages with threatening, harassing, abusive, embarrassing, vulgar, sexual, racially offensive, defamatory, indecent content or implication, or anything else contrary to any Cincinnati State policy which may otherwise cause distress.
- Messages proposing any type of commercial transactions, including sales or trades (such as

“want ads”), chain letters, betting pools, gambling, political announcements or solicitations, ‘junk’ email or email posted on a bulk basis to multiple recipients or other solicitations and distributions that are not related to Cincinnati State.

- Messages that violate any law, regulation or Cincinnati State policy, including copyright or employment laws.
- Messages that disclose any confidential or proprietary information of Cincinnati State to any employee, business partner, or other third party having no business-related need to know are prohibited.
- Messages or communications discussing Cincinnati State’s business or affairs (such as posting messages on internet “chat rooms”) are prohibited unless said message are authored by a designated Cincinnati State spokesperson.

Communications between employees must be carefully thought out. The ease of use and instantaneous nature of email sometimes lulls the user into making statements that he or she would never have made using written memos. Messages and material downloaded from the internet and sent by email can give rise to legal action against Cincinnati State and employees. Therefore, no one may put something into an email message that they would not put down on paper, and voice mail may not be appropriate for certain confidential communications. When using email for confidential communication, use caution and make sure that the person to whom you are sending the communication knows that you are sending a confidential message.

10.6 Personal Packages Policy

The Distribution Department prohibits the use of its resources for receipt or delivery of personal material. Personal material should be sent to the individual's home address or Post Office Box. The College reserves the right to refuse delivery or return to sender any package of a suspicious or personal nature at any time. The policy applies to both students and staff.

If personal packages are received at Distribution/Mailroom Department, the recipient will be contacted and directed on the proper procedures for receiving personal property. In the case of repeated violations of this policy, packages will be returned to the sender. The College will not be responsible for delayed, lost or stolen deliveries of a personal nature that are delivered to the College.

10.7 Purchasing Card Policy

The Purchasing Card (P-Card) is a credit card issued for business related purchases of goods and services. The P-Card is intended for small dollar purchases made by authorized employees that agree to all the rules and requirements of P-Card policies.

Upon issuance, each P-Card is assigned account codes related to budget cost centers based on the cardholder's department. P-Cardholders are expected to make sound business decisions that are in the best interest of College and to comply with the policies and procedures that are set forth in this Operations Manual. After approval, but prior to the issuance of the P-Card, the P-Cardholder is required to attend a training workshop and an online training video will also be required. The P-Cardholder will be required to sign a User Agreement prior to issuance. Each P-Card has per transaction and monthly billing cycle limits, purchases that exceed the limits will be rejected.

P-Card Abuse/Disciplinary Action: The P-Card is to be used only for official purchases as defined in this manual, no personal expenses are allowed to be charged to the Purchasing P-Card at any time for any reason. The P-Cardholder will be held personally responsible for all charges related to the use of the Card. It is the responsibility of the P-Cardholder to follow all rules and policies. Unauthorized, prohibited or any improper use of the Purchasing P-Card will result in revocation of the P-Card and could result in disciplinary action, criminal charges and/or termination of employment. The Purchasing and Accounting Departments will have access to all charges made and will perform random audits for compliance.

Obtaining a P-Card: Any College employee who is responsible for making purchases on behalf of their Division/Department and has the Division/Department head or designee approval is eligible to obtain a P-Card.

Unauthorized/Prohibited Purchases: Certain merchant transactions are blocked so that P-Card transactions are automatically declined. Division/Department heads or designees should review declined transaction reports and also review transactions on a regular basis for unusual or irregular transactions.

The P-Card shall NOT be used for the following:

- Transactions exceeding the authorized spending limit.
- Personal use (purchases must be for official College use only).
- Cash advances.
- Cash refunds for returned P-Card purchases.
- Gambling/Gaming.
- Tobacco products.
- Alcohol.
- Prescription drugs.
- Certain travel expenses and meals (See Travel Policy), the P-Card should not be used for travel meals.
- Rental cars unless rented out-of- town.

Phone, Fax and Internet Orders: Using the credit P-Card for purchases by telephone, fax, or the Internet creates additional risks. Callers, e-mailers, or websites can misrepresent themselves in order to get your P-Card information. Faxes and Internet activity, even with legitimate organizations, can be intercepted

and your P-Card information stolen. Therefore, it is essential when placing orders via phone, fax or the internet that you take great care to safeguard the security of your P-Card number and expiration date just as you do the physical P-Card. While there is no way to eliminate these risks, they can be greatly reduced. You should never place an order based on a telephone, e-mail, or fax solicitation where the caller or sender initiates the contact unless you are familiar with the individual contacting you.

Audits: Internal and/or external auditors will conduct periodic audits of each P-Cardholder's transaction file and monthly summaries. In addition, Division /Department heads or their designees are encouraged to conduct spot audits/reviews of P-Cardholder transactions.

10.8 Safety

The College strives to eliminate accidents resulting in personal injury, property damage and unnecessary human suffering, to provide and maintain safe and healthful conditions, and to follow operating practices that will safeguard all students, visitors, and staff. Students and employees are required to utilize proper and safe procedures and practices at all times, and to promptly report accidents and hazardous situations.

Injuries are to be reported immediately to Campus Police. If the injured is an employee, notification must also immediately be made to the Human Resources Office.

The College endeavors to provide consistent training for employees and employees are expected to take full advantage of all training offered.

10.9 Smoking Policy

For the purposes of this policy, smoking is defined as the burning of any type of tobacco product, including, but not limited to, cigarettes, cigars, cigarillos, pipes, e-cigarettes, vaping, and other forms of smoking substitutes which produce either a scented or unscented vapor.

Smoking is prohibited in all Cincinnati State vehicles, all college buildings, parking structures, and all exterior areas within 25 feet of building/structure entrances. This includes classrooms, lecture halls, laboratories, offices, work areas, study areas, reception areas, meeting rooms, lobbies, hallways, stairwells, elevators, eating areas, lounges, restrooms, covered walkways, breezeways and walkways between sections of buildings, bus-stop shelters, areas immediately adjacent to building and parking garage entrances, and exterior stairways and landings.

Smoking is prohibited within twenty-five (25) feet of any building entrance or HVAC intake vents, except for designated smoking areas. All tobacco products must be disposed in appropriate smoking receptacles – not on the ground. Designated smoking areas will be clearly marked with signs.

Cincinnati State reserves the right to administer sanctions through the College disciplinary process to any individual found in continuous violation of this policy. The Campus Police will oversee compliance with this policy, however, all faculty, staff, and students have a collective responsibility to promote the safety and health of the campus community and therefore, share in the responsibility of enforcement.

Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events, and athletic events using Cincinnati State facilities will be required to abide by the College Smoking Policy.

10.10 Social Media Policy

Sharing Cincinnati State news, programs, and events, or promoting faculty and student work through social media tools is an excellent, low-cost way to engage the community and build the College's brand. Due to the public and fast-paced nature of these media, and the potential implications as a result, the following policy governs the use social media for official College purposes and individual use.

Official use of social media: Institutional representation via online social media platforms can only be initiated and authorized through the College's Marketing and Communications Department(s). There can be no official Cincinnati State sites or pages on You Tube, Facebook, Twitter, etc. unless they are developed or authorized by the college marketing personnel. Any sites or pages existing without prior authorization will be subject to review when discovered and may be amended or removed.

Cincinnati State official sites on social media platforms can have pages or content areas that are assigned to departments, divisions or programs at the College. Before creating a separate social media presence for a division, department, program, or office, however, consider whether that presence would be better served by utilizing the College's primary social media presence.

To ensure the quality of Cincinnati State's online identity, individuals exploring the creation of an official College presence on a social media site must first contact College marketing personnel to discuss the process and address profile naming conventions, graphics needs, etc. When requesting social media tools, the following items must be provided in writing to the College marketing point of contact:

- Name of the submitter
- Phone number and email address of submitter
- Name, phone number, and email address of the approving supervisor
- Name of the College division, department, program, office, organization or initiative to use the social media
- Type(s) of social media to be developed
- Purpose of the site
- Name, phone number, and email address of the person(s) who will be posting the information and maintaining the social media

Once the use of the social media is approved, then it is the responsibility of the unit who requested the use of the social media to assign a content manager to develop and maintain the site. Content managers, as named by their departments or department's leadership, are responsible for posting and using content, and maintaining compliance with all other applicable policies of Cincinnati State Technical and Community College. Content managers must include a member of the marketing team as an administrator to any official College page. Content managers must notify marketing if they decide to no longer use the approved social media.

Social Media as part of a course: Social media used as part of a Cincinnati State course is the responsibility of the faculty member teaching the course to develop and maintain. Classroom use of social media is not considered an official College social media site. Internet postings should not include Cincinnati State logos or word marks. The faculty member is legally responsible for his or her postings.

Cincinnati State uses social media to supplement traditional press and marketing efforts. Employees are encouraged to share College news and events that are a matter of public record with their family and

friends. Linking straight to the information source is an effective way to help promote the mission of the College and build community.

Personal use of social media: When a member of the College community might be perceived online as an agent/expert of Cincinnati State, they must make it clear to the audience that they are not representing the position of Cincinnati State or Cincinnati State policy. While the guidelines below apply only to those instances where there is the potential for confusion about a Cincinnati State employee's role as a College agent/expert versus personal opinion, they are good to keep in mind for all social media interactions.

When posting to a social media site College employees should:

- Be honest about their identity. In personal posts, employees may identify themselves as a Cincinnati State faculty or staff member. However, they should be clear that they are sharing personal views and are not speaking as a formal College.
- Use a disclaimer when necessary. Employees who publish content to any website outside of Cincinnati State that has something to do with the work they do or subjects associated with Cincinnati State, must use a disclaimer such as: "The postings on this site are my own and do not represent Cincinnati State's positions, strategies or opinions."
- Do not use College brand elements. Cincinnati State employees must not use the Cincinnati State logo, athletic logo or any other Cincinnati State marks or images on personal online sites. Employees should also not use Cincinnati State's name to promote or endorse any product, cause or political party or candidate.
- Consider the content. If the content of a message would not be acceptable for face-to-face conversation, over the telephone, or in another medium, it will not be acceptable for a social networking site.
- Be aware of liability. Participants in social media are responsible for what they post on individual sites and on the sites of others. Individual bloggers have been held liable for commentary deemed to be copyright infringement, defamatory, proprietary, libelous, or obscene (as defined by the courts). Increasingly, employers are conducting Web searches on job candidates before extending offers. Use good judgment and be aware of liability when posting.

10.11 Solicitation Policy

All solicitation of donations and official College endorsement of related activities for the benefit of a non-employee or for an outside organization are subject to the review and approval of the College's Institutional Advancement office.

All requests for the solicitation of donations for the benefit of an employee will be forwarded to the Human Resources department for review and approval.

10.12 Substance Abuse Prevention

It is the policy of Cincinnati State to provide employees with a drug-free workplace. All employees are hereby notified that the following conduct is prohibited:

- Unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance (drugs) on Cincinnati State premises, during work hours, or attending any Cincinnati State sponsored activity or function.
- Reporting to work (including returning from breaks) under the influence of alcoholic beverages or controlled substances (drugs).
- Driving any Cincinnati State vehicle, or driving any vehicle on business for Cincinnati State, while under the influence of alcoholic beverages or controlled substances.

Employees have a duty to report to Human Resources and/or Campus Police should the employee observe any of the above described activity.

10.13 Travel Policy

Cincinnati State Technical and Community College shall conduct its business-related travel activities in an efficient and cost-effective manner that supports the mission of the College while maintaining compliance with applicable state and federal laws and regulations. Employees who travel on College business are encouraged to incur the lowest practical and reasonable expense while still traveling in an efficient and timely manner. More restrictive policies and procedures may apply to travelers receiving funding from restricted sources (e.g., federal, private and/or state grants).

Employees are responsible for following this policy. Should an expense be incurred that is subsequently determined to be improper or in excess of normal costs of travel, the traveler may not be fully reimbursed.

College Approved Travel: College approved travel is generally defined as transportation on College business in excess of one's normal commute. College approved travel includes any travel on official College business from home or primary work location to another, secondary destination, and return to home or primary work location from a secondary location.

Restricted Fund Programs (e.g., Grants & Contracts): This policy applies to all restricted fund programs. However, if specific grant fund guidelines for a restricted fund program are more restrictive than College policy, the grant rules apply. Principal investigators and others traveling on restricted funds should be familiar with the allowable cost provisions of their funded program. In no case will an amount larger than that allowed under the Colleges' policies be reimbursed. Travel expenses that do not conform to both this policy and the grant funded program guidelines will not be reimbursed or charged to the sponsoring agency.

Travel Authorization: All travel must be authorized in advance and approved by the traveler's supervisor or the grant administrator. **During periods of financial austerity, approval by the Vice President of Administration and/or Provost may be required.** An electronic travel request form (e-form) will be routed to gain the necessary approvals. For air related travel, the traveler should expect to submit this request at least one month in advance to ensure discounted air fares can be secured. A late travel request may be denied because of the additional costs that would be incurred based on the lack of timeliness.

Travel Expenditures: Generally, travel expenses should not be paid in advance (e.g., hotel, meals). However, allowable travel items charged to a College purchasing card (e.g., airfare, conference registration) may be charged in advance. Advances of College funds for individual travel purposes are not permitted. No personal travel expenditures will be reimbursed without a receipt except as permitted by the IRS. The IRS permits the following exceptions: 1) *De minimis* expenditures, e.g., individual small dollar purchases less than \$25 for items such as bridge tolls, short term parking, cab fare, etc., and 2) meal per diem.

Reimbursement is requested via submission of the Travel Expense eform. The e-form requesting reimbursement, receipts, and a copy of the conference agenda (if applicable) should be completed within 14 working days following the completion of the travel or within 7 working days of the end of the fiscal year. If expenses exceed the estimated travel authorization level, the excess may only be reimbursed based upon justification and approval by the supervisor and/or grant administrator.

The approval of the Travel Expense form by the traveler and his/her supervisor and grant administrator constitutes certification to the accuracy and appropriateness of all expenses and allowances listed as actually necessary in the performance of official College business and in conformity with College travel policy and procedures.

Air Travel--Common Carrier: College employees are expected to take advantage of the lowest airfare available and to obtain the lowest possible fare by booking travel tickets well in advance of planned travel times, whenever possible. No reimbursement will be made for first-class, business class or similar premium rates where other options are available. Expenses claimed under this section must be supported by a ticket stub, receipt, confirmation, or similar evidence of expense showing the details (destination and cost) of travel.

Private or Chartered Aircraft: The use of private or chartered aircraft needs to be noted in the travel request and must be approved in advance by the Vice President of Finance. Reimbursement shall not exceed the equivalent of the lowest available common air carrier rate available at the time the travel was authorized. The employee must submit with his/her Travel Expense form a copy of the written authorization to use a private or rented aircraft (receipts are required for rental) indicating a private or chartered aircraft was used. Note that the College's general travel risk insurance covering employees while in travel status does not provide coverage to employees while piloting an aircraft. Consistent with the way travel is managed for personal autos, it is understood that the primary insurance for aircraft hull and liability shall be the responsibility of the owner of the aircraft or the employee, if the employee is the owner. The cost to maintain this insurance is not recoverable beyond the mileage allowance that is paid.

Airport Transportation and Parking: Airport parking and airport transportation will be reimbursed based on actual receipt (unless *de minimis*). Other services that may be available at a parking facility such as car washing, detailing, oil changes, are personal in nature and are not reimbursable. VIP and Valet parking that is a premium cost to self-parking shall not be reimbursed beyond the self-parking rate. The traveler will need to provide evidence of the standard self-parking rates and expense only that amount.

Miscellaneous Transportation and Expenses: If the traveler is required to use other transportation (bus, taxi, subway, ferry, etc.) between airports, between home and the departure point, or at a destination, the actual cost of the transportation will be reimbursed. Receipts must be obtained and provided for any fare that exceeds twenty-five dollars (\$25.00).

Personal Automobile:

The use of a privately owned vehicle (POV) will be reimbursed at the current IRS rate. The IRS-specified mileage rate is intended to cover all expenses incurred for using a POV except parking fees and tolls. Per IRS regulations, College approved travel does not include commute between home and primary work location and thus is not considered eligible for mileage reimbursement. Should an employee travel on from the primary work location to another site for business purposes, and then travel home, mileage should be calculated based on the 1-way distance between the primary work site and the business meeting site. If the distance between the business meeting site and home is shorter than the distance between the primary work site and the meeting site, the shorter distance is used to calculate the round trip mileage. Otherwise, the distance between the primary work site and the business meeting site may be doubled for the roundtrip mileage. Reimbursement for the use of a personal

vehicle is limited to 250 miles round trip. For travel beyond 250 miles the traveler must use the College approved rental car program.

Failure to comply will limit the amount that can be reimbursed to a maximum of 250 miles regardless of actual miles driven in a single business trip. Mileage reimbursements for a traveler who chooses to drive rather than fly should not exceed the lowest round trip coach airfare available at the time travel was authorized. The traveler must supply documentation to support what the airfare would have been at that time of the authorization to travel. The same limits apply: if a POV is used, mileage reimbursement is limited to a maximum of 250 miles. A college approved rental car can be utilized for those that prefer to drive beyond the 250 mile round trip limit.

It is the responsibility of the owner of the POV being used for business to carry adequate insurance coverage. The owner's personal insurance on the vehicle is considered primary at all times. It is the responsibility of the vehicle owner to maintain insurance in an amount sufficient to pay for any loss and as required by the laws of the State of Ohio. The College does not provide coverage for loss of or damage to personal vehicles of employees when used in conjunction with College travel. Likewise, the College is not responsible for the loss of or damage to any personal property stored in the vehicle.

Expenses for the maintenance and repair of privately owned vehicles used for College business are the responsibility of the traveler.

Car Rental: Rental cars are authorized for all travel and typically are more economical than using a POV when traveling at least 75 miles round trip. To reserve a rental car please contact Purchasing. As noted above, ground travel in excess of 250 miles round trip will not be reimbursed.

Additional rental car guidelines:

Reimbursable expenses: Travelers may be reimbursed for a rented vehicle and for the gasoline purchased for official College business in the rental vehicle.

Vehicle Class: College guidelines do not provide for the reimbursement of luxury vehicles. The College standard is an intermediate size car or comparable vehicle.

Insurance: The employee should waive the rental company's loss/damage supplemental liability and/or personal accident insurance. Rental vehicles are covered by the College's fleet vehicle policy. This insurance adds to the cost of the rental and duplicates coverage already carried by the College. *(See exception for international rentals.)*

International rentals: An international driver's license or permit may be needed in addition to your U.S. driver's license, in which case, the cost can be reimbursed with receipt. For travel outside the United States and Canada, the employee should accept the liability and collision damage insurance offered through the rental company.

Meals: A meal allowance payment will be made to travelers in overnight travel status for actual meal expenses. In cases where a meal is provided as part of the conference or registration cost, the meal (s) allowance expense will be disallowed. Actual breakfast expense up to \$10 may be reimbursed for travel commencing before 9 a.m.; actual lunch expense up to \$10 for travel commencing before 11 a.m.; and actual dinner expense up to \$30 for travel commencing by 5 p.m. and extending past 8 p.m. Receipts are required. College travelers do not qualify for personal meal reimbursement during same-day travel. No alcoholic beverages of any kind can be reimbursed from College funds.

Lodging : Travelers will be reimbursed at the actual, reasonable single room rate for College business that is 50 miles or more from the traveler's primary work assignment. The reasonableness of the hotel will be determined by the immediate supervisor of the employee. Hotel stays in Cincinnati are not reimbursable unless part of a conference. Exceptions to the 50 mile rule will only be granted for exceptional circumstances. When travel on official business requires overnight lodging more than fifty miles from the traveler's home or primary work location, reimbursement will be made for the actual and reasonable cost plus taxes per night. When in the State of Ohio, the traveler should inquire as to the availability of a state tax exemption due to the tax exempt status of the College. A copy of the College's tax exemption certificate may be obtained from the Finance Department or through a Purchasing Card. The tax exempt number is printed on the card.

Personal expenses such as in-room movies, non-business telephone calls, in-room beverage or snack bars, child care, recreational activities, and other similar expenses will not be reimbursed.

Revised: August 20, 2019

10.14 Vehicle Operation

Only employees who have been pre-approved by the Purchasing Director are authorized to operate College-owned/leased vehicles. Pre-authorization may include verification of the employee's driver's license and driving record. Driving privileges will be granted in accordance with the following guidelines related to an employee's driving record:

- A maximum of three occurrences in the previous 36 months will be permitted. An occurrence is defined as a moving violation.
- Any driving record reflecting any one of the following in the previous 36 months will result in immediate revocation of driving privileges:
 - DWI, DUI, OVI
 - A maximum of two accidents in which the College driver has contributed to or has been at fault (in accordance with the police report)
 - Any administrative alcohol/drug suspension
 - Failure to stop and report when involved in an accident
 - Homicide or assault arising out of the operation of a motor vehicle
 - Operation of a motor vehicle without a valid license or permit
 - Any active warrant for arrest automatically suspends all driving privileges

Driving privileges will be reinstated when the following conditions are met:

- When the driving record meets the normal review criteria, the driver will be placed on 12-months driving probation. At the conclusion of the probationary period, the driver will be subject to the standard review procedures.
- If during the probationary period there are any occurrences or violations as stated in item #2 above, the driving privileges will be permanently revoked.

When driving a College-owned/leased vehicle the operator and passengers of the vehicle must wear seat belts.

The maximum driving time for one driver during a 24 hour period will be five (5) hours. Drivers must not drive when the driving conditions are hazardous. This includes, but is not limited to, fog, heavy rain, snow or ice conditions. Essential vehicles (campus police and maintenance) are exempt from this regulation. If College-owned/leased vehicles are already on the road and weather conditions become hazardous, the driver must stop the trip, delay or cancel travel planned, and ensure the safety of all passengers and drivers.

Picking up hitchhikers is not permitted.

In the event of an accident:

- Check for injuries
- Notify the local police jurisdiction
- Do not admit fault
- Complete the "In Case of Accident Form" located in the College vehicle
- Exchange driver and insurance information

All accidents involving a College vehicle are to be reported to Campus Police within 24 hours of the occurrence. This includes accidents involving pedestrians, other vehicles or stationary objects. The

information to be reported will include the time, date, and location of the accident, the names of other drivers, any passengers, and any other parties involved. If there are injuries, include the name of the injured party, type of injury, names of any witnesses, and the circumstances of the accident. This notification is to be by phone or email. Failure to report an accident may result in the loss of driving privileges and/or other disciplinary action.

10.15 Volunteer Policy

The College recognizes the mutual value to the College and to individuals who provide personal time toward the operations of Cincinnati State on a volunteer or other unpaid basis. This policy is meant to cover volunteers, students who provide time to the College or for educational purposes, or other service related individuals who are not paid directly or indirectly by the College for services provided directly to the operations of the College. Students who provide time on a Co-op, employee, or work-study program are covered by other sections of the Operations manual.

It the policy of the College and responsibility of each department utilizing volunteers, unpaid students or other unpaid individuals in their operations to provide suitable supervision over such persons. Each department and supervisor utilizing such unpaid individuals shall be responsible for all aspects of their operations and each department leader or supervisor shall have the ultimate decision-making for their operations, and responsibility for the activities of such volunteers or unpaid individual.

Volunteers, excluding students, who provide service related to an education program, must sign and return a volunteer waiver. It is the responsibility of the department leader or other volunteer supervisor to ensure that each volunteer has completed a volunteer waiver prior to providing any service to the College. The volunteer waiver e-form must be submitted and approved prior to volunteering services. The College expects volunteer leaders/supervisors to ensure all volunteers and unpaid individuals comply with this Operations Manual and its applicable guidelines related to the conduct of personnel and delivery of services.

10.16 Employee Statement of Personal Responsibility – COVID-19

EMPLOYEE CODE of PERSONAL RESPONSIBILITY in RESPONSE TO COVID-19 (09.01.21)

I understand that my presence on Cincinnati State Technical & Community College's campus requires that I continuously act responsibly to protect myself and other members of the campus community. This means that I will:

- Avoid coming to any campus if I exhibit any of the following:
 - A fever of greater than 100.4 degrees, body aches, and/or chills
 - Mild or moderate difficulty breathing
 - New or worsening cough
 - Sore throat
 - Vomiting or diarrhea
 - Aching throughout the body
 - Evidence of any of these symptoms should be discussed with my physician and may prevent me from returning to campus until cleared by a physician.
- If I live with or was in close contact with an individual diagnosed with COVID-19, I will contact my supervisor and/or Human Resources for guidance about returning to work.
- Wear a face mask in the manner recommended by the Centers for Disease Control before entering college buildings and parking garages, and for the duration of time that I am on campus in common areas, classrooms, restrooms, or in the presence of others.
 - When wearing a face covering, I will ensure that my mouth, nose, and chin are covered at all times and that it is secured behind the head with ties or ear loops. I will not allow the mask to slip below my nose and will not untie straps or unhook ear loops.
- Maintain a safe distance when around others and comply with social distance requirements as posted or required.
- Practice good personal hygiene by:
 - Washing hands for 20 seconds or longer with soap and warm water, using a clean towel or air drying
 - Applying hand sanitizer throughout the day, and especially after using the restroom or touching public surfaces such as vending machines, tables, stair rails, elevator buttons, doors or desks
 - Covering my mouth when coughing and/or sneezing with a tissue or my arm
 - Immediately disposing of used tissues, napkins, disposable utensils, etc., in appropriate receptacles
- Comply with the directives found on posted signage; for example, maximum number of occupants in an elevator.
- Comply with the directives for the instructional setting as conveyed by the instructor, campus police, and Cincinnati State representatives. Instructional requirements for a course, lab, or academic support may include wearing mask, eye shield, gloves, or other safety protocols to prevent transmission of COVID-19.

11.0 Records Retention and Disposal (Board Resolution 14-29)

A **Record** is defined as “any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, created or received by or coming under the jurisdiction of any public office of the state or its political sub-divisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.”

Electronic Record as defined in Section 1306.01 of the Ohio Revised Code is “a record created, generated, sent, communicated, received, or stored by electronic means”. Chapter 1306 is known as the “Uniform Electronic Transactions Act”. Such records are considered part of the records of the college.

The Vice President of Administration shall oversight the College’s records retention policy, in conjunction with the Records Retention Committee. The Records Retention Committee shall meet regularly as necessary to facilitate the compliance with the Records Retention and Disposal Policy.

The Office of Record is the department or office responsible for maintaining the official records for the total retention period. This is generally the office in which they were originally created.

Records Inventory is a repository of the records of the college which may include types, retention schedule, office of responsibility, dates, and other pertinent information.

Categories of Record:

- a) Administrative Purpose is defined as records that are created to help accomplish the functions for which an office is responsible and have administrative value as long as they assist the office in performing current or future activity.
- b) Legal Purpose is defined as records having legal value if they contain evidence of legally enforceable rights or obligations of the college, or constitute items to fulfill legal requirements. Examples of these are records that provide the basis for action such as leases; deeds; contracts; and, records of action in particular cases, such as claim papers and legal dockets.
- c) Fiscal Purpose is defined as records that pertain to financial transactions such as budgets, ledgers, payrolls, and vouchers.
- d) Historical Purpose is defined as records that document past events, such as the College’s origins and activities, could have historical value, and should be reviewed for permanent retention.

11.1 Human Resources Records

11.1 Human Resources Records	Retention and Disposition
Affirmative Action Documentation	3 Years Destroy
Application for Employment: Hired Including faculty, staff, adjuncts, student workers and co-ops	Active + 3 years Destroy
Application for Employment: Non-hired Student workers	1 year Destroy
Application for Employment: Non-hired Including faculty, staff, and adjuncts	3 years Destroy
Background Checks required by law and/or not required by law and where decision to hire is affected: Results and other materials. All other documentation and materials (background check result, letters to/from candidate, fingerprint cards, etc.) used to assess a candidates' or employee's eligibility for employment. This excludes the Background Check Disclosure, Authorization, and Release Form	3 years Destroy
Background Checks required by law and/or not required by law and where decision to hire is NOT affected: Results and other materials. All other documentation and materials (background check results, letters to/from candidate, fingerprint cards, etc.) used to assess a candidate's or employee's eligibility for employment. This excludes the Background Check Disclosure, Authorization, and Release Form	3 years Destroy
Background Checks, which become part of an employee file: Disclosure, Authorization, and Release Form Consent form used to obtain a candidate's or employee's background check information	Active + 1 year Destroy
Benefits Documentation Includes enrollment in insurance programs.	6 years Destroy
Disciplinary Documentation Removed from personnel file in accordance with applicable CBA, and maintained in a separate discipline file.	Active + 6 years Destroy
Check & Direct Deposit Distribution List & Forms	1 year Destroy
Evaluations, Personnel Evaluation of work performance of faculty and staff (See also Evaluations, Class/Course).	5 years Destroy
Immigration and Naturalization Documentation Including Form I-9 (eligibility for employment) and Form I-20 (visa).	Active + 3 years Destroy
Sick & Vacation Records	1 year
Leaves of Absence Requests and related documentation	3 years Destroy

11.1 Human Resources Records, continued	Retention and Disposition
Leaves of Absence: Family and Medical Leave Act (FMLA) Records required to be kept as per the Family and Medical Leave Act	3 years Destroy
Letters, Congratulatory	1 year Destroy
Ohio Ethics Acknowledgment Statement	Active + 1 year Destroy
Personnel Records, Faculty, Non-Faculty, and Student	Active + 3 years Destroy
Personnel Requisition Departmental request placed whenever a position within the department becomes vacant.	3 years Destroy
Position Description	Active + 3 years Destroy
Promotion & Tenure Files: Local Copy Local copy of faculty dossier that consists of copies of documentation of teaching, research, and community service.	3 years Destroy
Search Committee Records Includes job posting, lists of candidates, final report, resumes/CV, or any other documentation submitted or used by the search committee in support of a candidate.	1 year Destroy
Self-Disclosure of Criminal Convictions Documentation Documentation required of employees to self-disclose convictions if they occur while employed with the College information. This documentation may include but is not limited to: email, word processed document or handwritten note.	Active + 1 years Destroy
Labor Relations Documents Grievance, arbitration, contract negotiation documentation	Active + 4 years Destroy

11.2 Administrative Records

11.2 Administrative Records	Retention and Disposition
General Files Consists of correspondence, reports, email, and publications of other departments of CSTCC and external agencies	1 year Destroy
Incident/Accident Reports	3 years Destroy
Minutes Minutes of boards, committees, task forces, and other college units and organizations.	3 years Destroy/Archive
Motor Vehicle Records Including copies of title, maintenance & usage.	Active + 6 years Destroy
Newspaper Clippings (Local) Concerning the activities of a CSTCC department.	3 Months Destroy/Archive
Organizational Charts	Active + 10 years Destroy/Archive
Promotion and Tenure Policy Departmental guidelines, policies, procedures, notices of guidelines, administrative memos, lists of eligible faculty.	Until Superseded Destroy
Public Records Request Files	3 years Destroy
Publications Includes newsletters, news releases, brochures, publicity photographs, etc.	3 years Destroy/Archive
Records Destruction Documentation Records documenting the destruction of college records as per College General Records Retention Schedule or unit specific schedule. Includes but is not limited to the Certificate of Records Destruction.	Permanent
College Policy College Policy provides specific direction for operations, administration, or programs. Policies are applicable college-wide and are developed through applicable college policy process(es) and/or adopted by the President's Executive Team which may additionally take them to the Board of Trustees at its discretion. Policies enhance the College's mission and operational efficiency, mandate action or constraints, and must be consistent with relevant statutes, regulations, bylaws, or rules.	Until Superseded
Strategic Plans	Active + 1 year Archive
Surplus Property Records	Active + 6 years Destroy

11.2 Administrative Records, continued	Retention and Disposition
Telephone Records/Logs	1 year Destroy
Training Course Documentation Memoranda, flyers, catalogues, registration forms, rosters, and other records relating to training courses.	Until Superseded Destroy
Recruitment Materials, General Videos, publications, posters, advertisements, etc. used to recruit students to attend the institution.	3 years Destroy/Archive

11.3 Accounting & Financial Records

11.3 Accounting & Financial Records	Retention and Disposition
Accounts Payable Documentation Records related to payment of financial obligations. Includes vouchers, vendor invoices and statements; payroll and payroll deductions, contributions, and other income.	4 Years Destroy
Accounts Receivable Documentation Records related to receipt of revenues, Includes vouchers, vendor invoices and statements; payroll and payroll deductions, contributions, and other income.	4 years Destroy
Audits, External	4 years Destroy
Bad Debt Documentation Overdue accounts, such as library fines, parking tickets, loans, payment for services rendered.	4 years Destroy
Banking Documentation Including records of deposits, periodic statements of balance, canceled checks (including access to checks imaged under the authority granted in Check21) and reconciliation documentation.	4 years Destroy
Financial Accounting Statement Issued monthly by CSTCC Controller who has official record; profile records of expenses, income, and balances for each account.	4 Years Destroy
Financial Disclosure Statement “Related party/Conflict of Interest Disclosure Statement” or form to show compliance with Ohio Ethics Law, generally accepted accounting principles, and CSTCC Human Resources Policy.	4 years Destroy
Financial Reconciliation Documentation Reconciliation of department records to general ledger reports.	4 years Destroy
Financial Report, Annual Consolidated year-end report of financial documentation showing assets and liabilities, broken down by major funding areas, such as academic and student services.	4 years Destroy
Financial Reports, Interim A report of institutional assets, liabilities, expenditures, income and equities. A periodic report, not the year-end report.	4 years Destroy
Bid, Rejected For purchases	3 years Destroy
Budget Planning File	Active + 1 year Destroy
Cash Register Tapes	4 years Destroy
Chart of Accounts An institutional list of the accounts and their identification coding.	4 years Destroy

11.3 Accounting & Financial Records, continued	Retention and Disposition
Cost Accounting Documentation Records analyzing the cost of producing certain items or performing certain tasks.	4 years Destroy
Credit Card Receipts	2 years Destroy
Delivery Slips Documents sent with purchased goods indicating item(s) shipped.	3 years Destroy
Endowment Fund Reports, Annual Annual report of funds received and expended by endowment accounts. May be in form of report to donors.	Active + 6 years Destroy/Arc hive
Endowment Fund Reports, Periodic Includes documentation of staff, work-study students, and non-study students, scholarships.	Active + 6 years Destroy
Invoices	4 years Destroy
Journals, Cash Documentation of institutional cash transactions and petty cash transactions, including disbursements and receipts.	4 years Destroy
Journals/Ledgers, Annual Records used to transfer charges between accounts and for summarizing account information.	6 years Destroy
Payroll Certification Form that affirms an employee is on the payroll and should receive payment.	1 year Destroy
Payroll Processing Checklist, Bi-weekly and Monthly	4 years Destroy
Register, Check Book or original entry for all cash disbursements paid by check.	4 years Destroy
Registers, Bond Listing of bonds sold, usually for building projects, showing purchaser, date redeemed, interest due, etc.	Active + 6 years Destroy
Requisitions	4 years Destroy
Royalty Payments	4 years Destroy
Purchase Orders (POs)	Active + 8 years Destroy
Procurement Card (P-card) & Travel Card Documentation Including: statements from bank regarding P-card and Travel Card use, transaction forms, and other supporting documentation.	4 years Destroy

1.3 Accounting & Financial Records, continued	Retention and Disposition
Fixed Assets Machinery & Equipment Documentation Records related to the purchase, maintenance and disposition of machinery and equipment.	Active + 6 years Destroy
Bids, Accepted For purchases	Active - 8 years Destroy

11.4 Information Technology Records

11.4 Information Technology Records	Retention and Disposition
<p>Help Desk Logs and Reports Consists of records used to document requests for technical assistance and responses to these requests, as well as to collect information on the use of computer equipment to compile monthly and annual statistics, and for reference for planning, management analysis, and other administrative purposes.</p>	3 years Destroy
Information Systems Backup Files	Until Superseded Destroy
<p>Disaster Preparedness and Recovery Plans Records related to reestablishment of data processing services in case of a disaster.</p>	Active + 5 years Destroy
<p>Information System User Access Records Records created to control individual access to a system for administrative and security purposes.</p>	120 days Destroy
<p>Information Systems Equipment Support Files Information on data processing equipment, software, and other products and their vendors. Record of support services provided for specific data processing equipment, including site visit reports, service reports, service histories, and correspondence.</p>	Active + 3 years Destroy
<p>Information Systems Input Documents Forms used for data input and control</p>	Until Superseded Destroy
Email	90 Days Destroy
System User Logs	120 Days Destroy
System Access Logs	90 Days Destroy
User Access Logs	90 Days Destroy
User Usage Logs	90 Days Destroy
User Web Usage Logs	Until Superseded Destroy
<p>Information Systems Policies Policies for data processing, including access, security, systems development, data retention and disposition, and data ownership. Records of procedures for data entry, the operation of computer equipment, production control, tape library, system backup, and other aspects of a data processing operation.</p>	Until Superseded

11.4 Information Technology Records, continued	Retention and Disposition
<p>Information Systems Usage Files Records created to monitor computer system and network usage including but not limited to log-in files, system usage files, data entry logs, and records of individual computer program usage.</p>	<p>120 Days Destroy</p>
<p>Information Systems Backup Files Working files, not content. Copies of master files or databases, application software, logs, directories, and other documentation needed to restore a system in case of a disaster or inadvertent destruction.</p>	<p>Until Superseded Destroy</p>
<p>Information Systems Documentation Including: Application Development Files (Records created and used in the development, redesign, or modification of an automated system or application. These may include project management records, status reports, draft system or subsystem specifications, draft user requirements and specification, and memoranda and correspondence); Source Code; Information Systems Specifications (User and operational documentation describing how an application system operates from a functional user and data processing point of view. May include records documenting data entry, manipulation, output and retrieval, records necessary for using the system, including user guides, system or sub-system definitions, system flowcharts, program descriptions and documentation, job control or work flow records, system specifications, and input and output specifications); Data Documentation (Records necessary to access, retrieve, manipulate and interpret data in an automated system. May include data element dictionary, file layout, code book or table, and other records that explain the meaning, purpose, structure, logical relationships, and origin of the data elements.); Hardware Documentation (Records documenting the use, operation, and maintenance of an agency's data processing equipment); and Conversion/Migration Plans (Records that deal with the replacement of equipment or computer operating systems due to hardware/software obsolescence or maintenance).</p>	<p>Active + 3 years Destroy</p>

11.5 Legal Records

11.5 Legal Records	Retention and Disposition
Affirmative Action Policy Records documenting procedures and regulations to be followed, work force analysis, goals, timetables, statistics.	3 years Destroy
Contracts, External Contracts with parties external to CSTCC.	Active + 8 years Destroy
Grants, External State and Federal grants may have special requirements. Please check the grant language.	
Laboratory Inspection Reports Periodic inspections of laboratories.	Active + 3 years Destroy
Real Estate Records (Copies) Copies of deeds and leases, documenting real property purchased or leased by the college.	Permanent
Trademark Registrations	Permanent

11.6 Student & Course Records

11.6 Student & Course Records	Retention and Disposition
Admission Files, completed application and related correspondence.	Active + 1 year Destroy
Admission Files, incomplete application and related correspondence.	2 years Destroy
Advising Files Includes notes about student, possible courses the student would take, and correspondence with student.	Active + 1 year Destroy
Annual Interim Federal Grant Fiscal Reports Reporting to federal government on expenditures for federal grant programs.	Active + 3 years Destroy
Change of Grade Forms	8 years Destroy
Commencement Program	10 years Destroy
Course Change Requests: Local Copy Application to Registrar's Office to change, add, or delete a course.	1 year Destroy
Course Schedule: Local Copy Listing of courses actually given; original maintained permanently by scheduling office.	3 years Destroy
Student & Course Records	Permanent
Registration Forms-WDC Forms for credit course work are transmitted to the Registrar for incorporation into the student transcript.	Permanent
Registration Forms-WDC Forms for non-credit work.	Active term + 3 years Destroy
Course Syllabi	3 years Destroy
Curriculum Development Documentation Files documenting approval of new programs and degrees.	3 years Destroy
eLearning Course Records Exams, assessments, chats, discussions, blog postings, wiki posting, etc. in any web-based tools.	Active + 2 semesters Destroy
Evaluations, Class/Course Summary evaluations of course by students.	3 years Destroy
Grade Reports Faculty grade reports	Permanent
Graduation Audits	Active + 3 years Destroy

11.6 Student & Course Records, continued	Retention and Disposition
Graduation Audits	Active + 3 years Destroy
Graduation Authorizations Documents certifying completion of degree requirements.	Permanent
Graduation Petitions	Active + 3 years Destroy
Files documenting approval of new programs and degrees.	Active + 3 years Destroy
Roster, Class Contains names of students for each course; issued by registration services.	1 year Destroy
Scholarships Administered by Colleges/Departments Administrative information regarding local scholarship programs including applications, awards, recipients, etc., but not fiscal data.	3 years Destroy
Student Coursework Student tests, examinations, quizzes, papers, projects, etc. leading to a grade and to a posting on the official student record of the Registrar.	Active + 2 terms Destroy
Student Requests for Nondisclosure of Directory Information	Active + 3 years Destroy
Student's Written Consent for Records Disclosure	Active + 3 years Destroy
Subpoena Requests	Active +3 years Destroy
Transfer Credit Evaluation	Active + 1 year Destroy
Transfer (in-bound) for students who subsequently register	10 years Destroy
Transcripts (in-bound) for students who do not register	1 year Destroy
Transcript request forms	6 months Destroy

11.7 Public Safety Records

11.7 Public Safety Records	Retention and Disposition
Hazardous Materials Handling Documentation Includes applications and authorizations, documents of authorized users labs, training records, transfer and transportation documents, disposals documentation, materials incident reports, monthly exposure records, and emergency notifications.	Indefinite Permanent w/in Department or Unit
Incident/accident, arrest reports	Active + 3 years Destroy
Request for key issuance and/or card access and electronic record of issuance	Permanent
Active Warrants log	Active + 3 years Destroy
Active Warrants	Active / Return to arrest report file
Adult Arrest Reports/Jackets	25 years Destroy
Arrest Report Summary (electronic)	Current + 3 years Delete/Destroy
Arrest Summary – Other Agency	Active + 3 years Delete/Destroy
Audio Recordings of audio from investigations, interviews, interrogations, 911 calls, etc.	Filed with original record/as per disposition for original record
Auto accident reports	5 years Destroy
Computerized Criminal History Checks Chronological Log	Current + 3 years Destroy
Claims/Litigation records related to threatened or actual litigation or government investigation.	Active + 6 years Destroy
Clery Annual Crime Reports	6 years Archive
Recordings of radio dispatches and telephone calls sent and received	3 months Destroy
Computer aided dispatch records, electronic	3 years Destroy
Court notifies to officers when needed in court	Active + 1 year Destroy

11.7 Public Safety Records, continued	Retention and Disposition
Court Orders	Permanent
Crime prevention materials	Active + 3 years Destroy
Criminal Trespass Warnings	5 years from last contact Destroy
Decal Applicant file for employees	Active + 4 years Destroy
Electronic safety systems records and files	While Account is active + 2 years Delete/Destroy
Emergency preparedness plans	Superseded/Exempt from public records act
Employee daily activity reports	Current + 1 year Delete/Destroy
Evidence Logs	Active + 5 years Destroy
Evidence Property Receipts	Active/Filed with Incident Report
Evidence Submission Sheets	Active/File with Arrest Jacket
Expunged & Sealed Records by Court	50 years Destroy
Field interrogation reports (paper)	5 years from last contact Destroy
Fire inspection reports	Active + 5 years Destroy

11.7 Public Safety Records, continued	Retention and Disposition
Incident Reports, criminal	Homicide = indefinitely; Rape, Robbery, felony Assaults, Burglary = 25 years, except cases containing biological evidence relating to guidelines in ORC 2933.82 which must be kept for 30 years or longer; Misdemeanors = 7 years Destroy
Incident Reports, non-criminal	6 years Destroy
Information Pass On Logs	Active + 2 years Destroy
Investigative Case Assignment log	Active + 1 year Destroy
Juvenile arrest reports/jackets	10 years Destroy
Key Code books	Active/ Retain until key system removed from service Destroy
Leads Certifications	Active + 3 years Destroy
Minor Misdemeanors citations, traffic tickets	Active + 6 years Destroy
Missing Persons Report	Active + 2 years Destroy
NCIC stolen property records	Active/File with original report
Notary Public Commission forms	Active + 1 year Destroy
Offense Report log	Current + 20 years Destroy

11.7 Public Safety Records, continued	Retention and Disposition
RCIC reference materials	Active Destroy
RCIC print-outs	Active Destroy
Service run requests not requiring incident report	Current + 2 years Destroy
Shift Line-up lists	Computer Aided Dispatch (CAD) system = 3 years Delete Paper = until entered into CAD Destroy
Subpeona (not CSTCC cases)	1 year Destroy
Subpeona	Once served becomes part of Arrest Jacket
Traffic citation, minor misdemeanor book	Active + 4 years Destroy
Uniform inspection/request forms	Active + 3 years Destroy
Use of Force files	6 years Destroy
Vehicle & Equipment maintenance reports/logs	Gas receipts = 1 year; Maintenance Records = as long as equip/vehicle owned Destroy
Video Recordings	30 days then recorded over; copies filed with original requesting record
Violation tags files	Active + 4 years Destroy
Work Orders/systems testing reports	Retain until system no longer active + 2 years Destroy

11.7 Public Safety Records, continued	Retention and Disposition
Internal investigation case files	4 years after final disposition of case Destroy

12.0 Public Records Request

Cincinnati State Technical & Community College, as a state community college is committed to be open and responsive to public records requests from the public, and at the same time protect the privacy and security of all records in compliance with the State of Ohio governing public records laws (Ohio Revised Code 143.43 and 149.43). This policy does not apply to the use of records for official college business by authorized individuals or to persons who desire to inspect or obtain copies of their own records. Such policy and its subsequent procedures shall not be in contradiction with other laws such as Family Education Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act (HIPAA), or other federal and state regulations governing the protection of certain records.

Public Record is defined in Section 149.011(G) of the Revised Code, held by the College, and governed by Revised Code 149.43, known as the Public Records Law. Public records document the organization, functions, policies, decisions, procedures, operations, or other activities of the College. Public records are existing records; no records are required to be created in order to meet a public records request. Records excepted from this definition are listed in Revised Code 143.43 (A) (1).

All requests for public records must be immediately directed to the Vice President of Administration office. It is the responsibility of the requestor of public records to identify with clarity the records that are sought.

On-campus inspection is permitted by appointment during regular hours of 9 a.m. to 4 p.m., Monday through Friday. Not all records are available for inspection upon demand. Records must often be reviewed (inspected) and non-public information redacted before such review can be permitted. Requests for personnel records shall be made known to the person whose record is being requested. The requestor of a record will be notified if the record being supplied has been redacted unless the redaction is plainly visible. There is no cost for viewing public records.

Records will be made available for inspection within a reasonable period of time following the request. The amount of time will depend upon the number of records requested, the location of the records, the medium in which the records are stored, the need for legal review, and the need to redact non-public information.

Copies of public records will be provided on paper, on the medium on which they are kept, or on any other medium the College determines. If portions of a record are public and portions are exempt, the excepted portions will be redacted. Copies of public records shall be charged at 10 cents per page plus postage if delivery by mail is requested. Documents downloaded to a disc or portable drive are \$5.00 per disc/portable drive. Payment is by check or money order only. All charges for records must be processed before documents are released.

To make a public records request, complete the public eform **Public Records Request** by clicking on the link: https://web3.cincinnati.state.edu/eforms/eform.aspx?form_id=1974.

The link may also be found on the College website at: [Media and Public Records Inquiries - Cincinnati State](#).

This policy is incorporated in the College's **Operations Manual** which can be found on the College intranet.

Revised and Approved: July 14, 2021