



# Policy Manual

Including Administrative  
Procedures

Revised April 2016

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## CHAPTER 1: DISTRICT

### **Board Policy 1000 Institutional History**

Adoption History: 11/1/10; revised 5/21/13

At its inception in 2007, Boise was the last metropolitan area in the country lacking a community college. In March of that year, the Idaho legislature appropriated \$5m as a base budget for fiscal year 2008. In May, a supermajority of voters in Canyon and Ada counties voted to form a community college district, known as the College of Western Idaho Community College District [the District]. In June, the Albertson Foundation pledged a donation of \$10m to launch the College of Western Idaho [the College]. In July, the Idaho State Board of Education appointed five community members to serve as the first Board of Trustees [the Board]. With the closure of Selland College at Boise State University and the transfer of its programs, personnel, and property to the new institution, the College officially opened its doors to students at its main campus on what had been Boise State University's West Campus. Other campuses include:

- Ada County Campus Lynx Building** – 9300 W. Overland Road, Boise, ID 83709
- Ada County Campus Mallard Building** – 9100 W. Black Eagle Drive, Boise, ID 83709
- Ada County Campus, Pintail Center** - 1360 South Eagle Flight Way, Boise, ID 83709
- Ada County Campus, Quail Court** – 1450 S. Eagle Flight Way, Boise, ID 83709
- Canyon County Center** - 2407 Caldwell, Blvd., Nampa, ID 83651
- CWI at Boise State University** - 1464 University Drive, Boise, ID 83706
- CWI Fruitland** – 129 N Whitley Drive, Fruitland, ID 83619
- CWI Horticulture** - 2444 Old Penitentiary Road, Boise, ID 83712
- Nampa Campus Academic Building** - 5500 E Opportunity Drive, Nampa, ID 83687
- Nampa Campus Administrative Building** - 6056 Birch Lane, Nampa, ID 83687
- Nampa Campus Aspen Classroom Building** – 6002 Birch Lane, Nampa, ID 83687
- Nampa Campus Micron Center for Professional Technical Education** – 5725 E Franklin Road, Nampa, ID 83687
- Nampa Campus Multipurpose Building** – 6042 Birch Lane, Nampa, ID 83687
- Nampa Campus Professional Truck Driving** - 5252 Treasure Valley Way, Nampa, ID 83687

### **Board Policy 1010 College Vision and Mission**

Adoption History: 11/1/10; revised 12/17/10

Reference: Accreditation Standard One; CWI Comprehensive Strategic Plan 2010-2015, Educational Master Plan

The following vision and mission statements, which have been approved by the Board, are widely disseminated among members of the College's communities. These statements articulate the purpose of College as an institution of higher education and give direction to its efforts to serve needs arising in the region. To measure its institutional outcomes, the College articulates thresholds of accomplishments [see BP1020].

Vision: The College of Western Idaho provides affordable, quality teaching and learning opportunities for all to excel at learning for life.

Mission: The College of Western Idaho is a public, open-access, and comprehensive community college committed to providing affordable access to quality teaching/learning opportunities to the residents of its service area in western Idaho.

### **Board Policy 1020 Core Themes and Mission Fulfillment**

Adoption History: 11/1/10; revised 12/17/10 and 5/21/13

Reference: Accreditation Standard One; CWI Comprehensive Strategic Plan 2010-2015, Educational Master Plan

The College has identified the following themes that individually manifest essential elements of its mission and collectively encompass its mission. It has further identified meaningful, measurable outcomes which represent the threshold of mission fulfillment:

#### **Professional Technical Programs**

- In support of fostering student success in reaching their educational and/or career goals upon graduation, students will be sufficiently prepared to successfully gain employment or continue their education.
- Student success is a priority for Professional Technical Education Programs.
- Professional Technical Education develops systems to support faculty and staff.
- In support of connecting the College to the community, business and industry leaders will be highly satisfied with Professional Technical Education program.

#### **General Education Courses/Programs**

- General education prepares students for successful continuation of their education at the baccalaureate level.
- CWI delivers quality instruction through non-traditional methods to emphasize accessibility.
- General Education develops systems to support faculty and staff.

#### **Basic Skills Education**

- Basic skills education ensures student success by improving students' skills to prepare them for further education and training.
- Basic skills education sustains student success through continuous improvement.
- Basic skills education develops systems to support faculty and staff.

#### **Community Outreach**

- To meet the economic development and non-credit educational and community support needs of the ten county service region by making the College's human and physical resources available, including facilities and the expertise of faculty and staff, thereby connecting the College to the community.
- Community Outreach supports Community Engagement through educational events.
- Community Outreach develops systems to support faculty and staff.



### **Board Policy 1030 Governance**

Adoption History: 11/1/10; revised 12/17/10 and 2/4/13

Reference: Accreditation Standard Two; CWI Participatory Governance, 2012

The College operates under an effective system of governance with clearly defined authority, roles, and responsibilities. Its decision-making structures provide for the consideration of views held by district constituents, faculty, staff, administrators, and students on matters where they have direct, reasonable interest.

To describe the structure and operating agreements for making decisions, a document called “Participatory Governance 2012” has been developed. It defines the cultures of collegiality, dialogue, inclusiveness, and evidence which constitute the underpinnings of equitable, effective practices. It also describes the collegial consultation structure on which faculty and administrators agree.

## **CHAPTER 2: GOVERNANCE**

### **Board Policy 2000 Board Membership**

Adoption History: 11/1/10

The Board shall consist of five members elected at large by qualified voters of the District. Any person meeting the criteria set out in Idaho Code, 33-2106, is eligible to be elected or appointed a trustee.

### **Board Policy 2010 Trustee Authority**

Adoption History: 12/11/08

Reference: Idaho Code 33-507

The Board’s authority is subject to the provisions of the Constitution of the State of Idaho, Idaho Code, certain rules and regulations of the State Board of Education, its own policies and procedures, and the expressed will of the electorate.

The electorate grants the Board authority to develop, maintain, and operate a viable community college. Within the Board’s purview are the powers to adopt rules and regulations for governing the College, employing personnel, managing real and personal property, acting as an agent, seeking and developing financial resources, accepting grants and gifts, investing funds, making programmatic decisions, and subscribing to the rights vested by law.

Board members have authority only when acting as a Board that is legally in session pursuant to state and federal rules.

The Board will not be bound in any way by statements or action of any individual Board member or employee, except when such statement or action is promulgated on specific instructions by the Board.

### **Board Policy 2020 Trustee Responsibilities**

Adoption History: 1/1/08; revised 11/1/10

Reference: Accreditation Standard Two, Idaho Code 33-2107

The Board governs on behalf of the citizens of the District in accordance with the authority granted and duties defined in Idaho Code and the Northwest Commission on Colleges and Universities:

- to establish policies which define the mission, vision, and core themes of the College,
- to adopt strategic goals and hold the President responsible for meeting them,
- to set prudent, ethical, and legal standards,
- to hire and evaluate the President,
- to delegate power and authority to the President for leading the District,
- to assure fiscal health and stability,
- to monitor institutional performance and instructional quality, and
- to advocate for and protect the District.

In working toward the goals of providing quality education and meeting the educational needs of the community, the Board, as duly elected representatives of the electorate in the District, shall, pursuant to Idaho Code and the Northwest Commission on Colleges and Universities, have complete charge and control of [or exercise overriding authority over] all policies regarding programs of the College including, but not limited to, its property, personnel and finances. The Board sets institutional goals and hires a president to implement them through the development of administrative procedures and managerial objectives in collaboration with representatives of administration, faculty, staff, and students.

The responsibilities of the Board include:

- to approve annual budgets, which include setting tuition, fees and establishing the county property tax level of funding,
- to acquire, hold, and dispose of real and personal property including water rights,
- to engage in and approve long-range facility planning for campus site utilization and physical plant development, based upon the community's educational needs,
- to require, consider, and act on reports from the College President concerning the programs and condition of the College,
- to consider and act on the curricular offerings of the College on the recommendation of the College President,
- to consider and act on the recommendations by the College President in all matters of policy pertaining to the welfare of the College and the welfare of students,
- to provide for and review the annual audit of all funds of the College, student organizations, and other funds handled under the supervision of the College,

- to issue general obligation or revenue bonds in the manner prescribed by law,
- to select legal counsel and other professional and nonprofessional services, to evaluate them periodically, and to prescribe their qualifications,
- to accept grants or gifts of materials on such terms as may be mutually agreed upon by the College and the grantor,
- to consider communications and requests from citizens or organizations on matters of policy, and
- to take action on any other issue consistent with Idaho Code and the inherent powers of the Board.

### **Board Policy 2030 Trustee Elections**

Adoption History: 12/11/08; revised 11/1/10

Reference: Idaho Code 33-2106

Implementation: **AP2031 Trustee Elections Procedures**

Trustee elections are held every two years in even-numbered years on a uniform day of a month to correspond with the general election, in accordance with Idaho Code § 33-2106.

Terms of trustees are staggered as practicable, to insure a portion of the Board shall be elected at each election.

To be eligible to run for election to the College of Western Idaho Board of Trustees, a candidate must be a qualified voter, 18 years or older and a resident of the District. Eligible persons must be candidates for a specific position of the Board, and each candidate must declare which position he or she seeks on the Board of Trustees. Employees of the College cannot serve as a member of the Board.

Terms expire at the first regular meeting of the Board following the election of successors; newly elected trustees take office at that meeting.

### **Board Policy 2040 Trustee Officers**

Adoption History: 12/11/08; revised 11/1/10 and 7/17/12

#### **Board Officers**

At the organizational meeting (the first regular meeting of the Board following the election of trustees), the Board will conduct the election of officers. The following term limits will apply:

- Board Chair: The Board Chair may be elected for an additional two-year term provided that the same person shall not serve as Board Chair for more than four years in succession.
- Officers: There are no term limits for any other Board Officer.

#### **Board Chair**

The duties of the Board Chair shall be to:

- chair all Trustee meetings,
- consult with the President and other Trustees in preparing agendas for Board meetings,

- call special meetings as necessary,
- act as the official voice of the Board when conditions warrant,
- communicate with other Board members regarding their duties as necessary,
- participate in orienting new Board members,
- organize Board study sessions when appropriate,
- represent Board at official events or ensure Board representation, and
- delegate duties, as needed, to other Board members.

### **Vice Chair**

The duties of the Vice Chair shall be to:

- assume the responsibilities of the Chair in the absence of the Chair, and
- carryout special assignments as requested by the Chair.

### **Secretary/Treasurer**

The duties of the Secretary shall be to:

- publish the agenda and post publicly according to Idaho State Statute,
- cause to have minutes of each meeting taken of each Board meeting and distributed in a timely manner; verify for accuracy by signature all Board minutes based upon approval of the minutes by the Board, and
- assist the President in correspondence on behalf of the Board of Trustees with parties external to the college as necessary.

### **Votes of No Confidence**

At any regular or special meeting of the Board, the Board Chair, upon a three/fifths (3/5) vote of no confidence, recorded in the minutes of the meeting by individual vote, shall resign his or her position as Chair provided that such vote of no confidence is properly included in the agenda of the meeting. In the event the Chair is removed from office following a vote of no confidence, he or she shall retain membership on the Board of Trustees.

### **Board Policy 2050 Trustee Vacancies**

Adoption History: 12/11/08

Reference: Idaho Code 33-2106

Vacancies on the Board shall be filled by appointment by the remaining members. If less than a majority of the Board remains, appointment to fill the vacancies shall be made by the State Board of Education. Any person appointed to a vacant position shall serve until the next trustee election, at which time his or her successor shall be elected.

### **Board Policy 2060 Trustee Meetings**

Adoption History: 1/1/08; revised 11/1/10 and 12/17/10

All meetings of the Board, except executive sessions, are open to the public. Pursuant to Idaho Code, the Board will meet as necessary to conduct the business of the Board at times and places necessary to fulfill the Board's duties. The President's Office of the College will provide notice of all regular meetings of the Board in advance of the meeting pursuant to the provisions of the Idaho Open Meeting Law, Idaho Code §§ 67-2340 et seq.

### **Board of Trustees Special Meetings**

The Board may hold special board meetings. Special meetings of the Board may be called at any time by the President, or ordered by the Board Chair, or upon the request of three members of the Board. The President's Office of the College will provide notice of all special meetings of the Board in advance of the meeting pursuant to the provisions of the Idaho Open Meeting Law, Idaho Code §§ 67-2340 et seq. If conditions warrant, waivers can be signed by all Board members in lieu of such a notice for a special meeting as defined by Idaho Code § 67-2343. No business may be transacted in special meetings other than that specified on the agenda, unless the agenda is amended.

### **Board of Trustees Executive Sessions**

An executive session of the Board may be held upon a two-thirds (2/3) majority roll call vote for the purpose(s) identified by the Idaho Open Meeting Law, Idaho Code § 67-2345. No executive session may be held for the purpose of taking any final action or making any final decision.

### **Quorum**

Three members of the Board will constitute a quorum for the transaction of business. An affirmative vote of the majority of all Board members present will be required for the passage of a motion except as otherwise provided by law, **Robert's Rules of Order**, or except as otherwise provided herein.

### **Rules of Decorum**

Should the orderly conduct of a meeting be disrupted, the responsible parties shall be warned and asked to curtail the behavior. If order cannot be restored, the individual(s) will be removed or the meeting room cleared.

Should a speaker use profanity or other forms of offensive language, threaten violence or act violently, or raise topics scheduled for closed session, the Board Chair may rule the individual out of order and deny him/her the opportunity to speak further.

### **Rules of Order**

All meetings of the Board will be conducted in the manner prescribed by Idaho Code. However, should an issue concerning parliamentary procedure arise that is not addressed by Idaho Code, the most current edition of **Robert's Rules of Order** will be the prevailing authority in all cases to which they are applicable and in which they are not inconsistent with other Board policy.

### **Board Policy 2070 Meeting Agenda**

Adoption History: 1/1/08; revised 11/1/10 and 2/4/13

The Board agenda will be established by the President's Office in consultation with the Board Chair. Board members may request items be placed on the agenda through the President's Office.

Agenda items submitted by members of the public must be received by the President's Office, or the Board Chair, two weeks before the publication of the agenda. Members of the public may speak on matters related to the agenda by submitting a written request (using the form provided) to the Board Secretary.

No business may be acted upon which has not appeared on the agenda, except when one or more of the following may occur:

- a majority of Board members decides an emergency exists,
- two thirds of the Board members in attendance determine immediate action is necessary,
- an item appeared on the agenda and was continued from a prior meeting, and
- agenda has been properly amended in accordance with the Idaho Open Meeting Law.

The general order of business, which may be changed by consent of the Board, at a regular meeting of the Board will include:

- Convene the Meeting
- Public Forum
- Reports
- Future Agenda Topics
- Adjournment

### **Board Policy 2080 Minutes**

Adoption History: 11/1/10

The College President shall see that written minutes are taken of all meetings of the Board. As a public record, all minutes shall be available to the public within a reasonable time after the meeting. If requested, the minutes shall be made available in alternative formats to provide accessibility to disabled persons.

Minutes shall include at least the following information:

- all members of the Board present,
- all motions, resolutions, orders and their disposition, and
- the results of all votes.

All minutes approved by the Board must be signed by the Board Secretary and a file kept in the President's Office.

Minutes of executive sessions shall be limited to specific reference to the statutory subsection authorizing the executive session and sufficient detail to convey the general subject matter, but shall not contain information sufficient to compromise the purpose of going in to executive session.

## **Board Policy 2090 Public Participation at Board Meetings**

Adoption History: 11/1/10

The Board provides opportunities for members of the general public to participate in the business of the College and discuss matters within the jurisdiction of trustees.

- At each regular Board meeting, a time is set aside for public comments. No discussion or action may be taken at the meeting on these types of items.
- Oral presentations relating to matters on the agenda, including those on the consent agenda, shall be heard before a vote is called on the item. Persons intending to speak must complete a written request at the beginning of the meeting to the Board Secretary including the item number, names, and organizational affiliation (if any). The Chair may make an exception if the person wishing to speak has failed to complete a written request. The person must state his/her name, address, and affiliation for the record.
- Members of the public may place items on the agenda in accordance with Board Policy 2070. The College President must receive a written summary of the item along with the submitter's name, address, and affiliation (if any) at least two weeks prior to the Board meeting.
- Members of the public may also write about matters of concern in care of the President's Office within five (5) working days of a regular meeting.\* Such written communications must be dated and signed by the author and contain the residence or business address of the author as well as the author's organizational affiliation (if any). Such letters become part of the public record. \*Claims for damages are NOT considered communications to the Board under this rule. They must instead be submitted to the District.

## **Board Policy 2100 Communication by Trustees**

Adoption History: 1/1/08; revised 2/4/13

Reference: Idaho Open Meeting Law, Idaho Code 67-2340 et seq.

### **Communication among Board Members**

Board members shall adhere to the Idaho Open Meeting Law in communicating among themselves.

### **Communication with the Public**

The Board recognizes the right of the public to receive information concerning all of its actions, policies and details of its educational and business operations. In accordance with this policy, copies of the agenda will be furnished to all interested persons and organizations upon request through the Office of the President.

Board members shall never speak in the community as though they represent the Board in total, unless authorized by the Board to do so. They are individuals whose authority comes from their membership in the group of Board members. The President of the College is the official voice of the College. The Board and Administration welcome the input of individuals and groups interested in the College; however, the Board alone establishes educational and fiscal policy.

### **Communication with Employees**

Official communication to the Board originating with an employee should be routed through administrative channels to the President. Absent exceptional circumstances, employees should refrain from approaching the Board individually on matters relating to College policy for the reason that any such direct communication, outside of a Board meeting, may violate the provisions of the Idaho Open Meetings Law, the Idaho Public Records Law or other applicable code or regulation.

If a direct presentation to the Board is requested, the person or group making the request shall inform the President of the substance of the communication. Such requests will be limited to matters of College policy, and in no way be construed to be a matter of grievance proceedings.

It is the policy of the Board that the faculty and staff use their respective governance structures to bring matters of interest before the Board as a whole. Concerns and suggestions should be communicated to their immediate supervisors or committee representatives and request that they be carried, if necessary, through the appropriate communication channels to the Board.

### **Board Policy 2110 Trustee Education**

Adoption History: 11/1/10

Reference: Accreditation Standard Two

The Board commits itself to continual development in trusteeship and to an educational program which includes orientation of new trustees. To that end, trustees will foster growth and development among trustees through the scheduling of study sessions, providing access to reading materials, and supporting conference attendance.

### **Board Policy 2120 Trustee Travel**

Adoption History: 6/12/09

Implementation: **AP2121 Trustee Travel Procedures**

Travel is expected and encouraged among trustees as part of their professional growth and development.

Reasonable and prudent expenses enumerated on a College expense form are reimbursed upon authorization of the Board Chair, who examines the expenditure for propriety and availability of funds. All outstanding travel claims must be processed before another request is submitted.

### **Board Policy 2130 Ethics**

Adoption History: 11/1/10; revised 12/17/10

Reference: Idaho Code 18-1356; Idaho Code 18-1359

### **Purpose and Intent**

The Trustees embody the highest ethical standards in dealing with the community and CWI, and shall abide by all laws, regulations, and policies applicable to them in their capacity as



members of the Board of Trustees (the “Board” or the “Trustees”) of the College of Western Idaho (“CWI”). Adherence to these laws and policies prohibits conflicts of interest regarding property, personnel, and politics.

### **Conflict of Interest Defined**

Neither the Board nor any Trustee shall enter into any contract or transaction whereby any Trustee has a conflict of interest, or otherwise has a pecuniary interest, directly or indirectly, in the contract or transaction. For the purpose of this policy, “conflict of interest” shall have the meaning set forth in Idaho Code § 59-703(4):

*“Conflict of interest” means any official action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit of the person or a member of the person’s household, or a business with which the person or a member of the person’s household is associated, unless the pecuniary benefit arises of the following:*

*(a) An interest or membership in a particular business, industry, occupation or class required by law as a prerequisite to the holding by the person of the office or position;*

*(b) Any action in the person’s official capacity which would affect to the same degree a class consisting of an industry or occupation group in which the person, or a member of the person’s household or business with which the person is associated, is a member or is engaged;*

*(c) Any interest which the person has by virtue of his profession, trade or occupation where his interest would be affected to the same degree as that of a substantial group or class of others similarly engaged in the profession, trade, or occupation;*

*(d) Any action by a public official upon any revenue measure, any appropriation measure or any measure imposing a tax, when similarly situated members of the general public are affected by the outcome of the action in a substantially similar manner and degree.*

### **Specific Application**

A Trustee may not accept any reward or compensation for services rendered as a trustee, including employment; and the Board may not enter into any contract with the spouse of any trustee if the terms of the contract require, or will require payment or delivery of any college funds, money, or property to the spouse.

No Trustee may serve concurrently as a paid employee of the college, receive gifts in excess of the gift limitations specified by law, nor shall he or she accept honoraria for speeches or attendance at events.

## **Exceptions**

*General:* In order to effectuate the purpose and intent of this policy, the exceptions contained in Idaho Code Sections 59-704A and 18-1361A (non-compensated appointed public servant exception), 18-1361 (scarce resource exception) and 33-507 (banking exception) shall not be available as exceptions to CWI's Conflict of Interest Policy.

*Limited Exception:* In accordance with Idaho Code Section 33-507, when any relative of any trustee or relative of the spouse of a trustee related by affinity or consanguinity within the second degree is considered for employment in a school district, such trustee shall abstain from voting in the election of such relative, and shall be absent from the meeting while such employment is being considered and determined.

## **Board Policy 2140 Delegation of Authority and Responsibilities to President**

Adoption History: 1/1/08; revised 11/1/10

Reference: Accreditation Standard 2.A.7, 2.A.10

Implementation: **AP2141 Delegation of Authority and Responsibilities to the President**

The President is appointed by the Board and shall serve as the chief executive officer of the College. Where not prescribed otherwise to the Board by law or policy, the administration of the College shall be delegated to the President. The President shall carry out as appropriate managerial responsibilities and functions in accordance with the policies adopted by the Board. The President shall attend as appropriate regular, emergency, special meetings and executive sessions of the Board. The execution of all decisions made by the Board concerning the internal operation of the College shall be delegated to the President. The President shall ensure the College complies with relevant laws and regulations submitting required reports in a timely manner. The President may delegate powers and duties to staff, but remains responsible for their execution. Where no broad policy exists, the President is authorized to act in the best interests of the College.

## **Board Policy 2150 Evaluation of College President**

Adoption History: 1/1/08; revised 11/1/10

Implementation: **AP2151 Evaluation of the President**

The Board shall annually review the President's performance in order to strengthen his or her performance, to enable the President and the Board to set mutually agreed-upon goals, and to establish compensation and other terms of employment.

The President's evaluation will include a written management review statement by the President and a written summary of progress on goals established for the previous 12 months. The review will also include suggested goals for the subsequent 12 months. Board members may submit questions to be addressed by the President concerning the condition of the college, progress on strategic goals and projects or identified concerns.

The entire Board in executive session with the President present will conduct the annual performance evaluation. After the review in executive session, the chair of the Board will provide the President with a written summary of the findings and recommendations.

### **Board Policy 2160 Policy Development and Approval**

Adoption History: 1/1/08; revised 11/1/10

Implementation: **AP2161 Policy Development and Approval**

Though policies are intended to comply with laws and regulations, they cannot encompass all laws relating to College operations. Therefore, District employees are expected to know and observe all provisions of law pertinent to their job responsibilities. Administrative procedures are to be written to conform to the intent of board policies and are developed and revised as deemed necessary by the President on the recommendation of senior administrators according to an outlined process. The President should schedule an annual or biennial review of policies and procedures. The President is to make all Board policies and administrative procedures readily available.

The Board is responsible for the establishment of policies that govern the conduct of the affairs of the College. The formulation and adoption of written policy shall constitute the basic method by which the Board shall exercise its leadership in the operation of the College. In developing and approving policies, the Board must exercise critical judgment and must be responsive to the educational needs of the community while preserving an environment of academic freedom for the administration and the staff of the College.

The President shall be responsible for proposing and developing policies, as needed, or as directed by the Board. The initiation of a proposed policy or revision of an existing policy is encouraged in order to meet the needs of the community, students and College personnel. Any member of the community may initiate a recommendation for/or revision to Board policy to the President. New policies and revisions to existing policies require a first and second reading by the Board. Between the two readings, modifications to policies can occur based upon Board discussions, legal counsel's recommendations, and students, staff and faculty input. Approval of Board policy requires a majority vote.

### **Board Policy 2170 Trustee Self Evaluation**

Adoption History: 12/11/08; revised 11/1/10

Reference: Accreditation Standard Two

Implementation: **AP2171 Trustee Self Evaluation Process**

The Board shall conduct a review of its performance annually with the intention of strengthening its performance, identifying and reaching consensus on goals, ensuring clear understandings of responsibilities, and clarifying expectations among Board members with the President.

The Chair will annually organize and convene a special meeting of the Board for evaluating Trustee performance.

## CHAPTER 3: INSTRUCTION

### **Board Policy 3010 Credit Programs and Courses**

Adoption History: 11/1/10

Reference: CWI Faculty Handbook

The Board intends that courses, degrees and programs of the College reflect the mission representing high quality relevance to community needs. The Board expects them to be evaluated regularly to insure excellent outcomes and currency. It delegates to the President the establishment of procedures for the regular development and review of offerings as well as their modification and discontinuance. The procedures shall include:

- appropriate involvement of the Faculty Senate, students, administrators and the public in all processes,
- a schedule of program review and justification of courses that analyzes as appropriate job markets/placement rates, completion of courses and sequences within program, and success of students at transfer and their rates of transfer, and
- clear and accurate course descriptions including outcomes and assessment strategies.

### **Board Policy 3020 Associate Degrees and General Education**

Adoption History: 11/1/10

Reference: CWI Catalog

An associate degree represents more than an accumulation of units. It symbolizes the commitment of the College to leading students through an array of courses designed to develop knowledge and skills associated with the completion of a pattern of college-level study. Among these are skills of thinking analytically, communicating clearly, and computing effectively along with modes of inquiry derived from the disciplines of the arts and literature as well as the social, behavioral, natural, and physical sciences. Through these studies, students are expected to broaden their understanding of others and themselves. At the same time, they are required to pursue a field of knowledge in some depth.

General Education (GE) is central to the degree. GE introduces students to a variety of disciplines by which people comprehend the world. GE presents a body of concepts and methodologies which graduates are to hold in common as educated people. They are expected to draw upon this knowledge of culture, environment, and society throughout their lifetimes to improve their understanding of the modern world. In establishing or modifying the GE program, faculty are challenged to create integration and coherence among separate requirements.

With assistance of the Faculty Senate, Curriculum Committee and appropriate administrators, the President shall establish procedures intended to assure courses used for complying with GE and associate degree requirements meet specific criteria.

### **Board Policy 3030 Professional Technical Education Degrees**

Adoption History: 11/1/10

Reference: CWI Catalog

The College makes available programs in fields of study where regional workforce demand exists. The President delegates to faculty and administration market research to ensure curricula serves the present needs and anticipates the future expectations of its service area. The College awards three different Professional/Technical certificates including Postsecondary Technical Certificate (PTC), Technical Certificate (TC), Advanced Technical Certificate (ATC), as well as an Associate of Applied Science (AAS) degree.

The President shall ensure compliance with State Board of Education minimum requirements for establish-certificates and degrees. The procedures shall assure that graduation requirements are published in the catalog and included in other resources conveniently accessible to students.

### **Board Policy 3050 Graduation Requirements**

Adoption History: 11/1/10

Reference: CWI Catalog

The College grants the following degrees: Associate of Arts, Associate of Science, and Associate of Applied Science, in addition to a Postsecondary Technical Certificate, Technical Certificate and Advanced Technical Certificate. Students must have completed the subject requirements for graduation and maintained a 2.0 grade point average in the subjects attempted. They must also complete the general education components, show computer literacy (degrees only), and comply with residency requirements as articulated in the catalog of the year they entered.

The President shall establish procedures to determine requirements for certificates and degrees, updating them as necessary with appropriate involvement of the Faculty Senate Curriculum Committee. The procedures shall assure that graduation requirements are published in the catalog and included in other resources conveniently accessible to students.

### **Board Policy 3060 Academic Standards**

Adoption History: 11/1/10

Reference: CWI Catalog

The President shall cause to be established procedures defining academic standards: grading practices, academic record symbols, grade point average, credit-by-examination, probation, suspension, renewal, course repetition, limits on remedial course work, and grade changes. The College catalog will publish this information.

### **Board Policy 3070 Academic Freedom**

Adoption History: 11/1/10

Reference: Accreditation Standard Two; Faculty Handbook

The College adheres to Board-approved standards of academic freedom and takes responsibility to protect faculty and students from inappropriate influences or pressures. Under this umbrella stand support for independent thinking and the open dissemination of knowledge. Those with teaching responsibilities are expected to present scholarship objectively and fairly. They are to reveal sources of intellectual property and identify personal opinions when they voice them.

### **Board Policy 3080 Fee-based Community Outreach**

Adoption History: 11/1/10; revised 5/21/13

The College endeavors to enrich its community by presenting short-term, non-credit courses and programs designed to enhance job skills or acquire new career skills. Classes are provided in a variety of formats including online, distance delivery, and traditional classroom. Training may be designed, developed, and presented in customized formats according to an employer's specific needs. These courses and programs are open for a fee to anyone age 16 or older and out of high school. Courses may be offered 1) for remuneration, 2) by contract, or 3) with contributions from individuals/groups.

### **Board Policy 3090 Non-credit Adult Basic Education**

Adoption History: 11/1/10

This non-college-level program is designed for adults who must learn basic academic and language skills to compete in the workplace or to bridge into credit programs.

### **Board Policy 3100 Articulation with High Schools and Transfer Institutions**

Adoption History: 11/1/10

Implementation: **AP3101 Articulation Agreements with High Schools and Transfer Institutions**

The President shall establish procedures assuring appropriate articulation of the College's educational programs with feeder high schools and nearby baccalaureate institutions as well as with those other colleges/universities which partner with the College to accept transfer students.

### **Board Policy 3110 Library Services**

Adoption History: 11/1/10

The College shall offer library services which are integral to the educational program.

### **Board Policy 3120 Academic Calendar**

Adoption History: 11/1/10

Implementation: **AP3121 Academic Calendar Development**

The President, in association with appropriate groups, annually submits to the Board for approval an academic calendar.

## **CHAPTER 4: BUSINESS AND FISCAL SERVICES**

### **Board Policy 4010 Code of Conduct**

Adoption History: 11/1/10; revised 10/28/14

Implementation: **AP4011 Fraud and Abuse; AP4012 External Compliance Reporting Hotline**

The College requires all employees to act in accordance with all state, federal and local laws and regulations. Employees are expected to be of high moral and ethical character, and utilize judgment to avoid even the appearance of impropriety.

Violations of policy will be brought to the immediate attention of the President or Vice President of Finance and Administration. Instances of fraud or abuse will be brought to the immediate attention of the President or Vice President of Finance and Administration. External independent auditors may be brought in to investigate any issue at the discretion of the President or the Board.

Interference with a review or investigation of this type is prohibited and is also subject to the same disciplinary action. Interference includes, but not limited to, such things as failing to cooperate with auditors or investigators; restricting access to College employees or property; and the destruction, alteration, or removal of documentation relating to the review or investigation.

#### **External Compliance Reporting Hotline**

Although the College does not tolerate retaliation against any individual making a report in good faith, a process has been implemented that allows an employee to make a report, anonymously, through the College's confidential reporting hotline.

### **Board Policy 4020 Delegation of Fiscal Authority**

Adoption History: 11/1/10

The Board delegates to the President authority for overseeing the general business practices of the College. The President causes administrative procedures to be written which will assure the proper management of property and contracts, the budget, audit and accounting of funds, acquisition of supplies and equipment as well as the protection of assets and personnel. All business transactions shall comply with applicable state, federal and local laws and regulations, as well as applicable College policies and procedures.

The President shall bring general business practices to the Board for approval as necessary. The President shall keep the Board fully advised of the financial status of the College.

### **Board Policy 4030 Fiscal Management**

Adoption History: 11/1/10; revised 12/17/10 and 2/21/12

Reference: Idaho Code §67-1210 et seq (Investment of Idle Moneys)

The President shall ensure that fiscal management within the College be conducted in accordance with state, federal and local laws and regulations, and with generally accepted accounting principles, including but not limited to:

- adequate internal controls are in place and periodically reviewed and updated,
- fiscal objectives, procedures, and constraints are documented and communicated to the Board and employees,
- clear description of responsibility for all College staff who are responsible for fiscal management and maintaining records,
- an enterprise resource management system (ERP) is properly utilized to provide accurate, reliable, timely fiscal data, and
- significant changes in accounting or fiscal management procedures are made when warranted, and are reported to the Board on a timely basis.

### **Board Policy 4040 Resident and Nonresident Tuition**

Adoption History: 11/1/10; revised 10/16/12

Implementation: **AP4041 Establishing Resident and Nonresident Tuition and Fees ; AP4042 Senior Citizen's Tuition; AP4043 Tuition and Fees Refund; AP4044 Establishing District Residency for Tuition and Fees; AP4045 Tuition Waivers for Non-CWI Employees**

No later than March of each year, the President shall bring to the Board for first reading an action to establish tuition for the following fiscal year. The President shall enact procedures to assure that residence determinations are made in accordance with state statute and College rules. The President shall establish procedures regarding collection, waiver, and refunds of tuition.

### **Board Policy 4050 Fees**

Adoption History: 11/1/10

Implementation: **AP4051 Guidelines for Special Course Fees**

The President shall bring to the Board for first reading an action to establish fees for the following fiscal year. The Board authorizes fees. The President shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also assure those who are exempt from or for whom the fee is waived are properly enrolled and counted.



## **Board Policy 4060 Designation of Authorized Signatures**

Adoption History: 11/1/10

Implementation: **AP4061 Purchasing and Bids; AP4062 Fixed Asset Purchasing**

The Board delegates to the President, and other College officers the President may appoint, authority to sign certain contracts, memorandums of understanding, agreements and other documents concerning financial obligations made on behalf of the College.

Pursuant to State purchasing policy, the President or any appointee may not sign binding agreements or contracts without prior Board approval which:

- involve real property transactions – lease, purchase, sale, or exchange,
- lease of personal property,
- exceed the State purchasing threshold defined in Idaho Statute 67-2806, or
- span multi-year commitments.

Additionally, the President must be kept informed to determine if these issues need to be brought before the Board.

## **Board Policy 4070 Audits**

Adoption History: 11/1/10

The President shall ensure the College undergoes an annual external audit of all funds, fiscal records, and accounts by recommending a firm of certified public accountants with whom the Board will contract.

## **Board Policy 4080 Payroll**

Adoption History: 4/4/09; revised 11/1/10

Reference: Idaho Code 45-601 through 45-621 Wages

Implementation: **AP4081 Payroll Procedures and Paydays; AP4082 Inclement Weather Pay**

Human Resources shall be responsible for administering employee classification, benefits, job description, and ensuring that pay levels are linked to position descriptions based on the Board approved salary schedule, in accordance with state and federal laws, regulations and guidelines.

## **Board Policy 4100 Budget Preparation**

Adoption History: 11/1/10

Reference: Accreditation Standard Two

Each year, the President shall present to the Board a budget prepared in accordance with standard accounting principles and the requirements of applicable governing entities. The schedule for presentation and review of budget proposals shall provide adequate time for Board study and deliberation. Appropriate opportunities for participation in planning and budgeting are accorded to constituent groups who are to work within these constraints:

- budget priorities should align with the CWI Strategic Plan, and
- budget projections address long-term strategic goals and reflect the total cost of ownership including, but not limited to equipment, furnishings, and staffing of new or renovated facilities

**Board Policy 4110 Budget Management**

Adoption History: 11/1/10

Reference: Accreditation Standard Two

The President shall establish procedures to ensure that the College is financially stable by having sufficient cash flow and reserves to support its programs and services. Resources are to be managed to ensure short-term solvency and long-term sustainability.

Prior approval by the Trustee serving on the Finance Committee is required for budget transfers between major functional expense classifications.

**Board Policy 4120 Debt Policy (To be created)**

Adoption History:

**Board Policy 4200 Establishing Bank Accounts**

Adoption History: 11/1/10

The President shall establish procedures to ensure that no College department, organization, club, budgetary unit, or group open or establish a separate bank account to conduct business affiliated with the College.

**Board Policy 4210 Investments**

Adoption History: 11/1/10; revised 10/16/12 and 6/17/14

Reference: Idaho Code 67-2327 Definition of Public Agency, State Government & State Affairs

Idaho Code §67-1210

Idaho Code §33-2107(11)

Idaho Code §67-2327

Idaho Code §33-5001, et seq.

Idaho Code §67-2328

Idaho Code §57-127

Implementation: **AP4211 Investment Procedure**

The Board of Trustees will delegate to the Vice President of Finance and Administration (VPFA) the actual investment of funds, subject to the review and oversight of the Finance Committee and compliance with the Investment Procedure (AP4211).

**Board Policy 4300 Security of College Property**

Adoption History: 11/1/10

Implementation: **AP4301 Security of College Property [To be created]**

The President shall establish procedures necessary to manage, control, and protect the assets of the College, including but not limited to ensuring sufficient security to protect property, equipment, and information from theft, loss, or significant damage.

### **Board Policy 4310 Disposal of College of Western Idaho Personal Property**

Adoption History: 11/1/10

Reference: State of Idaho Personal Surplus Property

Implementation: **AP4311 Disposal of Property**

The President is delegated authority by the Board to declare as surplus such personal property of the College that no longer serves useful purpose. The President shall establish procedures to dispose of such personal property in accordance with applicable state law. All disposal of such College property shall be reported periodically to the Board.

This policy is not to be construed as authorizing any representative of the College to dispose of surplus real property at any time. See Board Policy 4320 Real Property.

### **Board Policy 4320 Real Property**

Adoption History: 11/1/10

The President is delegated authority to act as the Board's negotiator regarding all property management matters necessary for the benefit of the College. No transaction regarding the lease, sale, use, or exchange of real property by the College shall be executed until approved by the Board.

The President shall establish such procedures as may be necessary to ensure compliance with all applicable laws relating to the sale, lease, use, disposal, construction or exchange of real property by the College.

### **Board Policy 4330 Capital Construction**

Adoption History: 11/1/10

Reference: Idaho Statute 67-5710; Permanent Building Fund Advisory Council

Pursuant to Board Policy 4320 Real Property, the President takes responsibility for planning and administrative management of the College's capital outlay and construction program. The President will report annually to the Board about progress on short- and long-range facilities projects.

The President supervises construction projects and designates a monitor to oversee progress of all construction work including inspection of workmanship, completion of work to meet specifications, the suitability of proposed changes to the scope and original design, etc. The designee shall assure compliance with laws related to use of state funds to acquire and/or convert existing buildings.

If State funding is sought for capital construction, the President must annually submit an updated six-year plan to the Board for approval, with later submission to the Permanent Building Fund Advisory Council.

### **Board Policy 4340 Safety**

Adoption History: 2/21/12; revised 10/16/12, 2/4/13 and 7/15/14

Implementation: **AP4341 Campus Disruptions and Violence; AP4342 Firearms and Weapons; AP4343 Incendiary Devices, Explosives and Fireworks; AP4344 Identifying Workplace Hazards; AP4345 Correction of Workplace Hazards; AP4346 Hazardous Materials Communication; AP4347 Injury and Illness Prevention; AP4348 Injuries and Illness Reporting**

The President shall establish administrative procedures to ensure the well-being of students, employees and the public as well as proper stewardship of college assets. These procedures shall prohibit the possession or use of weapons on the College of Western Idaho (CWI) property or at CWI activities by students, faculty, staff or visitors except for authorized law enforcement officers, authorized campus security officers, and persons exempt under Idaho State law. "Persons exempt under Idaho State law" means any person licensed to carry a concealed weapon under Idaho Code Sections 18-3302H or 18-3302K.

### **Board Policy 4350 Tobacco-Free Campus**

Adoption History: 10/16/12; 9/17/13

Implementation: **AP4351 Tobacco-Free Campus Procedures**

The College of Western Idaho is committed to providing a safe and healthy environment for its employees, students and visitors. In light of findings of the U.S. Surgeon General that exposure to secondhand tobacco smoke and use of tobacco are significant health hazards, it is the intent of the Board to establish a tobacco-free environment.

### **Board Policy 4410 Contracts**

Adoption History: 11/1/10

Reference: Idaho Code Sections 67-2801 through 67-2808 Purchasing by Political Subdivisions

Unless otherwise addressed in Board policies, the Board delegates to the President authority to enter into contracts on behalf of the College in compliance with Idaho Code and established administrative procedures.

Contracts for work to be done, services to be performed, or goods, equipment, or supplies to be sold to the College, which exceed the amounts specified by Idaho Code Sections 67-2801 through 67-2808 shall require prior approval by the Board.

### **Board Policy 4500 Travel Expenses**

Adoption History: 4/15/08; revised 11/1/10 and 10/16/12

Reference: Idaho Statute Travel

Section 67-2004 Per Diem Travel Expense Allowance

Section 67-2006 Travel Expense

Section 67-2007 Standard Travel Pay and Allowances

Section 67-2008 Determination of Rate of Allowance

Implementation: **AP4501 Travel Procedures**

Employees who travel on official College business may be reimbursed for all of or a portion of their travel expenses. Travelers must obtain supervisor's approval and complete required forms prior to travel and submit appropriate documentation for reimbursement upon return. Per Diem for meals or lodging cannot be claimed for travel within Ada or Canyon County unless pre-approved.

### **Board Policy 4520 Vehicle Use**

Adoption History: 11/1/10; revised 10/16/12

Reference: ICRMP

Implementation: **AP4521 CWI Vehicles; AP4522 Vehicle Use Responsibilities; AP453 Vehicle Operation Safety; AP4524 Motor Vehicle Records Check; AP4525 Vehicle Maintenance; AP4526 Vehicle Accident Procedures; AP4527 Driver Requirements and Guidelines**

The President shall establish administrative procedures to define guidelines, responsibilities and rules for the safe and appropriate use of all College-owned, leased, or rented vehicles by any authorized persons while conducting College business. The procedures should include the following:

- use of College provided vehicle,
- driver responsibilities,
- driver evaluation,
- seatbelt use,
- proof of insurance,
- accident reporting,
- traffic violations, and
- vehicle maintenance and repair.

### **Board Policy 4600 Legal Counsel**

Adoption History: 4/4/09; revised 11/1/10

Reference: Idaho Rules of Professional Conduct

The relationship between the legal counsel for the College is governed by the Idaho Rules of Professional Conduct. Legal counsel for the College is obtained through a formal request for proposal process, and selected by the Board of Trustees. Contracted legal counsel serves at the pleasure of the College.

### **Board Policy 4610 Public Records**

Adoption History: 11/1/10

Reference: Idaho Code 9-338

Implementation: **AP4611 Requesting Public Records**

The President shall establish procedures to accommodate requests for information from the public. Financial information shall be released only through proper channels after a formal request has been received and reviewed. The procedures shall ensure that no information of a private nature about faculty, staff, or students is disclosed. The College may charge a reasonable fee for locating and copying the records

### **Board Policy 4620 Document Retention**

Adoption History: 11/1/10

Reference: Idaho Department of Administration Higher Education Records Retention Schedules

The President shall establish procedures regarding document retention for the College in compliance with state statute. A record is recorded information, in any form, including data in computer systems, created or received and maintained by the College or an employee in the transaction of business or the conduct of affairs and kept as evidence of such activity.

### **Board Policy 4630 Red Flag Identity Theft Prevention**

Adoption History: 11/1/10

Reference: Federal Trade Commission Fair/Accurate Credit Transactions Act (FACTA) of 2003  
Red Flag Requirements

The President shall establish an Identity Theft Prevention Program and policies designed to protect against identity theft and to safeguard personal and/or financial information maintained by the College and its institutions and offices. The program shall comply with all federal and Idaho credit reporting and electronic transaction laws, shall be reviewed at least annually for effectiveness and legal compliance, and shall be widely distributed.

### **Board Policy 4640 Information Security Policy**

Adoption History: 11/1/10

Reference: Payment Card Industry Data Security Standard (PCI-DSS), PCI Standards

The President shall establish administrative procedures to address the PCI Security Standards Council requirements to protect credit card account data. The procedures include steps to:

- build and maintain a secure network,
- protect cardholder data,
- maintain a vulnerability management program,
- implement strong access control measures,
- regularly monitor and test networks, and
- maintain an Information Security Policy.

### **Board Policy 4650 Insurance**

Adoption History: 2/17/09; revised 12/15/09

The President shall take responsibility for securing insurance as required against:

- liability for damages due to death, injury, or damage/loss of property,
- personal liability of Board members, officers and employees of the College due to the death, injury to a person, or damage/property loss caused by the negligent act or omission of the member, officer, employee when acting within the scope of his/her office or employment,
- worker's compensation, and
- fire and other perils

The President may authorize coverage for persons who perform volunteer services with the College.

### **Board Policy 4660 Commercial Solicitation**

This policy establishes the parameters for acceptable commercial solicitation and advertising on CWI's campus.

This policy generally applies to all groups and individuals who wish to engage in commercial solicitation and advertising on CWI's campus. It does not apply to College sponsored activities or events which bring outside organizations to CWI's campus by invitation of the College.

As used in this policy, "commercial solicitation" means the attempted sale, lease, rental, or offer for sale, lease, or rental of any property, product, merchandise, or service, whether for immediate or future delivery; or the distribution of information in support of these activities.

Commercial solicitation and/or advertising generally will be allowed when the activity provides a clear benefit to the College consistent with its purpose and mission. Thus, CWI reserves the right to deny solicitation and/or advertising rights to any program, entity or person when such activity is not consistent with its mission, philosophy, policies or applicable law. Further, permission to solicit or advertise on CWI's campus in no way reflects CWI's endorsement, opinion or policy. In exchange for the opportunity to solicit sales on campus CWI may charge, at its discretion, a commercial solicitation fee. Except as otherwise provided below, this policy does not apply to private sales between individuals when there is no attempt to solicit or sell to the general campus population. This policy also does not apply to advertisements in the campus newspaper or any college publication which generally accepts commercial advertising.

### **GUIDELINES**

Commercial solicitation and advertising shall be permitted as provided below, subject to reasonable regulation as to time, place, and manner thereof. As used in this policy, "commercial solicitation" means the attempted sale, lease, rental, or offer for sale, lease, or rental of any property, product, merchandise, or service, whether for immediate or future delivery; or the distribution of information in support of these activities.

No student, student organization, employee, outside entity, or outside person shall engage in advertising, solicit sales or offer anything for sale to any employee or student on CWI's campus unless such activity is approved in advance by the CWI Facilities Reservations Committee or is covered under "Miscellaneous provisions" below. Further, any such solicitation and/or advertising must be sponsored by a CWI department or organization.

Approval will be granted if the proposed activity:

1. Provides a clear benefit to the College, consistent with its purpose and mission or aids in the achievement of CWI's educational objectives; and
2. Does not unreasonably interfere with the operation of the campus; and

3. Is not prohibited by law.

Particular examples of a clear benefit to CWI, consistent with its purpose and mission, include but are not limited to the following:

1. To provide educational experience for students participating in the management of certain enterprises or appropriate college activities;
2. To present recreational, cultural, or educational programs that are unique or that would not be available without commercial co-sponsorship (e.g., a “wellness fair” co-sponsored by the human resources and local businesses);
3. To enhance student recruitment or other public relations programs (e.g., use of campus facilities by commercial organizations sponsoring youth programs);
4. To permit printing of certain publications CWI would not otherwise afford (e.g., athletic event schedules or theatrical programs);
5. To provide products or services CWI could not otherwise make available (e.g., trophies, class rings, specialty items).

**Regulations:**

1. CWI reserves the right to deny solicitation and/or advertising rights to any program, entity or person when such activity is not consistent with its mission, philosophy, policies or applicable law.
2. Commercial solicitation may not interfere or compete with CWI’s commercial operations or contractual relations with its affiliates or infringe upon the CWI’s trademarks or other intellectual property rights.
3. Commercial solicitation activities are prohibited in academic or administrative buildings and may not interfere with instruction, the orderly operation of the College or the maintenance of its grounds.
4. Commercial solicitation activities may not obstruct the free flow of pedestrian or vehicular traffic, use sound amplification equipment, or in any way interfere with the rights of other persons on College property.
5. False, misleading, or illegal solicitation activities or advertising are prohibited. Further, commercial solicitors may not make any representation, implied or direct, that indicates an endorsement or guarantee of products or services by CWI.
6. Offering gifts to students for filling out credit card applications is prohibited.
7. Commercial solicitation activities may not constitute a clear and present danger jeopardizing public or individual safety.

**Miscellaneous provisions:**

1. In exchange for the opportunity to solicit sales on campus CWI may charge, at its discretion, a commercial solicitation fee.
2. Individuals who wish to distribute commercial materials must provide CWI their names and contact information, as well as a copy of the materials to be distributed. The materials must clearly indicate the name of the sponsoring person or organization.
3. If applicable, commercial solicitors must be properly licensed or otherwise authorized to engage in the activity by an appropriate governmental entity.



4. This policy does not apply to private sales between individuals when there is no attempt to solicit or sell to the general campus population.
5. This policy does not apply to advertisements in the campus newspaper or any college publication which generally accepts commercial advertising.
6. Except as otherwise provided herein, Employees and students may not solicit other employees or students to buy commercial products nor may they sell their business wares on CWI's campus.
7. Employees and students may assist in fundraising activities of their children which involve the sale of products or goods, provided that any such activity does not interfere with other employees who are working or students who are engaged in educational activities. Any such activity should not detract from the effectiveness of one's work or inconvenience other employees or students. At no time should employees engage in such activities during work time. Working time includes the working time of both the employee engaging in the activity and any employee to whom the activity is directed.

**Violations of this Policy:**

In the case of a violation of this policy, permission to engage in commercial solicitation or advertising may be revoked, and future requests may be canceled or denied. Unapproved commercial solicitors will be asked to leave the campus by CWI's Security Department. In addition, employees who violate this policy may be subject to disciplinary action up to and including termination of employment.

**Board Policy 4810 Facilities Use**

Adoption History: 11/1/10

Implementation: **AP4811 Facilities Use**

The President shall establish procedures regarding use of College property, including but not limited to facilities, equipment, and supplies by community groups or other outside contractors. These procedures shall include reasonable rules regarding time, place, and manner of such use. Public access should not interfere with scheduled instructional programs or other College activities. Fees as authorized by law may be charged.

No group which discriminates on the base of race, color, religion, ancestry, national origin, disability, or gender may use College facilities.

**Board Policy 4820 Emergency Campus Closure**

Adoption History: 1/20/09; revised 11/1/10

The President (or designee) is given authority to close the college facilities and operations or support offices in cases of emergency. Students and staff will be notified using the main local television networks, identified radio stations, the college website, electronic or other means.

## CHAPTER 5: HUMAN RESOURCES

### **NEW: BP 5008 – Free Inquiry, Expression and Assembly**

Adoption 3/3/16

#### PURPOSE:

The purpose of this policy is to establish guidelines for orderly Free Speech Activity on CWI's campuses.

#### Scope:

This policy applies to all CWI registered students, student organizations, faculty, staff, and visitors.

#### Definitions:

***“Free speech activity”*** includes constitutionally-protected pure or symbolic speech, assembly, meetings, demonstrations or rallies, marches, picketing, petitioning, distribution of written materials, mime and theater, music and singing, survey research, and religious or political activity.

#### **POLICY**

CWI has a deep commitment to constitutionally-protected Free Speech Activity. The welfare and strength of CWI and of society at large depend upon the ability to engage in free expression in the search for meaning. These ideals help to create the stimulating and challenging learning environment that should characterize higher education. In the spirit of a true educational environment, individuals are encouraged to invite, rather than inhibit, discourse on ideas. CWI is committed to providing a forum for free and open expression of divergent views by students, student organizations, faculty, staff, and visitors. To this end, CWI recognizes and protects full freedom of inquiry, discussion, study, publication, and for artists, the creation and exhibition of works of art.

CWI also recognizes its responsibility to provide a secure learning environment that allows members of the community to express their views in ways that do not disrupt the operation of CWI. Reasonable limitations may be placed on the time, place, and manner of Free Speech Activity as deemed necessary by CWI in order to serve the interests of health and safety, prevent disruption of the educational process, and protect against the invasion of the rights of others. This policy does not permit expression that is unlawful or otherwise prohibited by law. Such expression includes, but is not limited to, defamation, incitement to unlawful conduct, imminent threats of actual violence or harm, obscenity, fighting words, copyright or trademark violation, harassment, trespass, and false advertising. CWI will vigilantly protect individuals' rights against discrimination or harassment.

#### **Designated Speech and Demonstration Areas**

CWI has identified locations at our owned facilities ([map](#)) to support this free expression of ideas. Though prior approval is not required it is encouraged that individuals seeking to use the space to obtain prior approval to minimize the possibility of scheduling conflicts. On occasion, other areas and other times may be authorized, and CWI reserves the right to modify the designated speech and demonstration areas based on the operational needs of the institution.

## **Reservation Procedures for Use of Designated Speech and Demonstration Areas**

Individuals or organizations seeking to use designated speech and demonstration areas are encouraged to complete a [Free Speech Zone Request](#) form to ensure that the space has not previously been reserved and that participants do not violate other CWI policies. [Free Speech Zone Request](#) must be submitted to Facilities Planning and Management ([facilities@cwidaho.cc](mailto:facilities@cwidaho.cc)) for reservation scheduling.

There shall be no restrictions on legal Free Speech Activity based on the content of such speech or expression or on the political, religious, or other affiliations of speakers.

An individual, organization, or department hosting an event is responsible for all reasonable costs associated with the event. These costs may include but not limited to those related to security and cleanup. For questions and options related to any health, safety, fire or other regulations that must be observed by users of a facility please contact, Facilities Planning and Management.

In addressing all complaints and reports under this policy, CWI will take all permissible actions to ensure the safety of students, faculty, staff, and visitors while honoring individuals' rights to engage in Free Speech Activity.

### **GUIDELINE ENFORCEMENT**

**In order that persons engaging in Free Speech Activity not interfere with the operation of CWI or the rights of others, all Free Speech Activity must meet the following criteria:**

1. Free Speech Activity must not interfere with the free flow of traffic, vehicle or pedestrian, or the ingress and egress to buildings on campus.
2. The use of microphones, bullhorns, or any sound amplification device is not permitted.
3. Free Speech Activity must not interrupt the orderly conduct of CWI classes, scheduled college ceremonies, events, or other CWI activities.
4. CWI employees may not engage in Free Speech Activity during work time or allow their Free Speech Activity to interfere with the work time of other CWI employees.
5. Pamphlets, handbills, circulars, newspapers, magazines, and other written materials may be distributed on a person-to-person basis in the speech and demonstration areas designated above, as long as the reservation procedures for use of the free expression areas have been completed.
6. The individual or organization that reserves the speech and demonstration area shall be responsible for seeing that the area is left clean and in good repair. Persons or organizations responsible for the event may be held financially responsible for cleanup costs or destruction of property owned or operated by CWI.
7. Individuals and programs using the speech and demonstration areas must comply with all applicable state and federal laws and institutional policies, rules, and regulations.

**Violations of this policy may result in one or more of the following:**

1. A request of an individual or organization to cease and desist, relocate, or vacate the premises or property owned or controlled by CWI by law enforcement or an authorized representative of CWI.

2. Commencement of institutional disciplinary proceedings by the appropriate department or academic unit.
3. Arrest and prosecution for violation of local, state, and federal law(s).
4. Restriction of future use of, or access to, the CWI campus or free expression areas.

#### **FORMS:**

Related policy include: - political activity, academic freedom, facility use, respectful community.

Forms: [Free Speech Zone Request Form](#)

### **NEW: BP 5009 – Employee Political Activity (for all employees)**

Adoption 3/3/16

#### **POLICY**

CWI respects the rights of its employees and students as citizens to engage in local, state and national politics. However, because CWI is a public entity and to ensure the orderly operations of the College, CWI's employees and students must observe the following guidelines regarding political activity. Further, neither employees nor students may engage in political activity which is disruptive to the workplace or interferes with CWI's educational mission. This Administrative Procedure is not intended to prohibit or adversely affect CWI's employees or students from exercising their freedom of speech or political association.

#### **Guidelines**

1. Employees may not engage in the promotion of or opposition to any political organization or cause or any candidate for public office (local, state or national) on campus during regular college working hours or at official college functions.
2. Employees may not, in their official capacities, endorse candidates for public office.
3. Faculty should avoid the promotion of or opposition to any particular political organization or cause or any candidate for public office (local, state or national) in fulfilling their instructional responsibilities.
4. Employees may not be used to promote or oppose political candidates, Federal or State proposed legislation, or organizations. Similarly, CWI's supplies, materials, equipment, telephones, printing or copying services and its email service may not be used to promote or oppose a political candidate or organization. Employees may not use CWI emails when contacting any elected politician when stating a personal opinion, and should only use their personal or non-CWI email. Exceptions may be made only at the direction of the President.
5. The physical facilities of CWI may not be used by candidates who are employees of CWI, except to the extent they may be used by non-employee candidates. The use of CWI facilities for political activities shall be subject to CWI's facility use policies and procedures regardless of whether the use of its facilities is by CWI employees or non-employees.
6. Employees who are considering running for or being appointed to public office should discuss potential conflicts or work arrangements with their supervisor and notify Human Resources. Employees who are candidates for political office:
  - a. May not use CWI's personnel, equipment, supplies, services or other resources in their election efforts;

- b. May not attempt to coerce employees or students to participate in or support their candidacy;
  - c. Must ensure their candidacy does not interfere with the discharge or performance of their duties or responsibilities; and
  - d. May not depict their personal views as representing CWI.
7. Employees are permitted to campaign freely in a manner that does not violate CWI's policies and procedures nor interferes with the performance of their duties and responsibilities. Employees may choose, however, to use their PTO or request leave without compensation in order to campaign for elective office or to serve in an elective office. Requests for leave to campaign for public office will be considered on an individual basis taking into account the employee's position and the effect the leave may have on CWI's operations.

### **Board Policy 5010 At-Will Employment**

Adoption History: 3/15/11; revised 2/4/13

Implementation: **AP5011 At-Will Employment; AP5012 Faculty Appointment/Retention**

All employees of the College of Western Idaho are employed at the discretion of the Board of Trustees and shall have no right to continued employment or employment benefits, except as may be agreed in writing and expressly approved by Trustees. All provisions of this Policy and all provisions of the Employee and Faculty Handbooks shall be interpreted in a manner consistent with this paragraph. In the event of any irreconcilable inconsistencies, the terms of this paragraph shall prevail. Except as otherwise provided herein, or as required by law, all employees of CWI are at-will employees. Accordingly, employment may be terminated with or without cause or notice. Only a written contract expressly authorized by the Board of Trustees can alter the at-will nature of employment by the College of Western Idaho.

The purpose of CWI's policies is to establish a safe, efficient and cooperative working environment, to establish the responsibilities and level of performance expected of all CWI employees and to explain benefits provided to CWI employees. CWI's policies and administrative procedures are not to be construed as a contract of employment nor do they create contractual terms of employment. They are not intended to specify the duration of employment or limit the reasons for which an employee may be discharged. These policies create no rights, contractual or otherwise, on behalf of employees of CWI. CWI may, at its sole discretion, alter or amend this Policy or portions thereof at any time without prior notice to or consent by its employees.

No employee or representative of CWI has authority to enter into any written or oral agreement, express or implied, which modifies the at-will nature of employment at CWI without approval of the Board of Trustees. No contract of employment with CWI will be valid unless it is expressly approved by the Board of Trustees and is signed by and contains the name of the specific employee who would be benefited/obligated by the contract.

## **Board Policy 5020 Equal Employment Opportunity**

Adoption History: 5/4/09; revised 3/15/11

The College strives to comply with all applicable laws prohibiting discrimination in employment based on race, color, religion, national origin, gender, age, disability, veteran status, gender identity, sexual orientation or any other legally protected status. Discrimination of such a nature is inconsistent with the College's values. It may also be illegal. In addition, in accordance with applicable federal and state law, the College will attempt to reasonably accommodate qualified individuals with a disability unless doing so would create an undue hardship on the College. Any qualified applicant or employee with a disability, who requires an accommodation in order to perform the essential functions of his /her job, should contact the College's Executive Director of Human Resources.

Individuals who believe they have been the victim of discrimination should report their concerns to their supervisor, the College's Executive Director of Human Resources or any member of the College's management team. The College prohibits retaliation against any person for reporting unlawful discrimination or for cooperating or participating in any investigation of unlawful discrimination.

## **Board Policy 5030 Drug Free Workplace**

Adoption History: 6/27/11

Implementation: **AP5031 Drug Free Workplace Procedure**

CWI has a strong commitment to provide a safe, efficient and productive environment for both its employees and its students. In keeping with this commitment, CWI has a strict policy of maintaining an alcohol and drug free workplace which requires that all employees report to work fit to perform their jobs and prohibits the use, possession or being under the influence of alcohol or illegal drugs during working hours, on CWI property, or while on CWI business at any time. In furtherance of this policy, CWI has adopted Administrative Procedure 5031 for the purpose of maintaining an alcohol and drug free workplace and establishing the parameters of CWI's drug and alcohol testing program.

## **Board Policy 5050 Interview Expenses**

Adoption History: 4/15/08; revised 11/1/10

Implementation: **AP5051 Interview Expenses**

Interview expenses may be authorized by the supervising Vice President or President prior to the invitation to interview according to the procedures outlined.

### **Board Policy 5060 Moving Expenses**

Adoption History: 12/11/08; revised 11/1/10

Implementation: **AP5061 Moving Expenses**

The College will not provide moving expenses for new hires except for special recruiting efforts and difficult hiring conditions. In such cases, the President may recommend approval to the Board.

### **Board Policy 5070 Pre-employment Information**

Adoption History: 4/4/09; revised 5/16/13

Implementation: **AP5071 Pre-employment Information**

Completed new hire forms, such as background check authorization, employment eligibility verification, W-4, etc. must be received by the Human Resource Office on or before the first day of employment.

### **Board Policy 5080 Personnel Records**

Adoption History: 4/4/09

Implementation: **AP5081 Employee Personnel Files**

All interview and employment records, including evaluation summaries, are to be maintained by the Human Resources Office in accordance with college, state, and federal expectations.

### **Board Policy 5100 Employee Conduct**

Adoption History: 4/4/09; revised 2/4/13

Implementation: **AP5101 Employee Conduct**

Violation of rules of conduct as enumerated here and detailed in Administrative Procedures shall be grounds for disciplinary action, including possible dismissal from employment. Of overarching importance to the Board is the expectation that all employees exhibit positive attitudes and cooperative behaviors.

### **Board Policy 5120 Performance Review of Employees**

Adoption History: 11/1/10; revised 2/4/13

Implementation: **AP5121 Performance Review of Staff; AP5122 Introductory Period (Non-Faculty Employees)**

Employees are to be evaluated according to their position descriptions in a systematic, fair manner on a calendar maintained in the Human Resource Office. This office provides the format supervisors are to use as well as training to maintain a high level of effectiveness among supervisors. Written evaluations are also kept in Human Resource Office files.

## **Board Policy 5130 Employee Disciplinary Framework**

Adoption History: 3/15/11

If an employee violates the expectations outlined in the policy governing Employee Conduct (BP 5100), the individual shall be subject to discipline. Progressive steps as outlined below may be utilized to improve performance but are not required. Issues involving job performance or employee attitude do not provide for a hearing, but they do allow employees to file written objections as defined in Board Policy 5140:

- oral warning,
- written warning or reprimand,
- suspension without pay,
- probation,
- demotion, and
- dismissal.

CWI reserves the right to take any of the prescribed steps in any order if a supervisor deems a policy violation or action by an employee to be sufficiently serious to warrant such a step. Nothing contained in this policy limits or modifies the at-will nature of employment at CWI or creates contract or due process rights on behalf of any employee. Except as otherwise provided by Board policy, employment is at-will and may be terminated at any time with or without cause or notice.

## **Board Policy 5140 Complaint Process for Benefit-eligible Employees**

Adoption History: 6/27/11

Implementation: **AP5141 Complaint Procedure for Benefit-eligible Employees**

It is the intent of the Board to create and maintain an environment of stability and growth in the College, where employees are respectfully treated, where performance is objectively measured, and where deficiencies are fairly addressed. The Board recognizes, however, that misunderstandings may arise or occasions may occur when an employee believes that he/she has not been treated fairly or in accordance with CWI's policies and procedures. Accordingly, CWI has adopted Administrative Procedure 5141 which provides benefit eligible employees a process for addressing concerns about performance evaluations, job assignments, compensation, and discipline or any other terms and conditions of employment.

Administrative Procedure 5141 is also available to benefit eligible employees who have been discharged and take issue with their separation of employment. A complaint by any employee who believes that he/she has been the victim of illegal discrimination should be resolved in accordance with CWI's policies and procedures for addressing discrimination/harassment in the workplace.

Retaliation against any employee for accessing CWI's complaint procedures in good faith is prohibited. Neither this policy nor Administrative Procedure 5141 creates any due process or contract rights, express or implied, on behalf of any employee, or limits or modifies the at-will nature of employment at CWI.



## **Board Policy 5150 Separation from Employment**

Adoption History: 3/15/11

Implementation: **AP5151 Separation from Employment; AP5152 Reduction in Force; AP5153 Faculty Termination Procedure; AP5154 Financial Exigency and Curricular Revisions**

Personnel may leave the college for a number of reasons such as reductions in force (RIF), retirement, resignation, and termination. A RIF may occur when the College finds it necessary to reduce its work force because of a decrease in student enrollment, the elimination of a particular program or service, the consolidation of jobs, the elimination of certain job functions, the closure of a facility, the reduction of income or revenue, or other business reasons. The implementation of a reduction in force is subject to applicable administrative procedures adopted by the College.

Voluntary resignations and terminations are addressed in and subject to Administrative Procedures 5151 and 5152.

### **Involuntary Terminations**

While the decision to commence employment is consensual, the same is not always true when the time comes to end the employment relationship. Unless otherwise provided by contract in accordance with Board Policy and the College's Administrative Procedures, as an at-will employer, the College reserves the right to terminate the employment relationship at any time with or without cause or notice. Regardless of whether the termination is voluntary or involuntary, the employee is required to return all property owned by the College to his/her supervisor or Human Resources prior to departure.

## **Board Policy 5170 Employee Compensation**

Adoption History: 4/4/09

Reference: State and Federal Pay Acts

Implementation: **AP5171 Employee Compensation**

The College compensates employees in accordance with decisions by the Board as budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or *status quo* maintenance for any time period. The Administration may make suggestions about salary compensation and other pay system concerns, but the final decision regarding compensation policy rests with the Board. The Board reserves the right to make budget adjustments, and consequently pay adjustments, during the course of the budget year in order to manage cash flow or to deal with other circumstances which justify or require change in College expenditures.

### **Board Policy 5180 Employee Classification**

Adoption History: 4/4/09; revised 2/4/13

Implementation: **AP5181 Employee Classification**

For varied reasons, employee status must be organized by class or category in order to administer employee policies and benefits or otherwise address employment issues. It is generally the responsibility of the supervisor to assure that the employee is properly categorized for purposes of each issue or benefit type.

### **Board Policy 5200 Employee Benefits**

Adoption History: 4/4/09; revised 11/1/10 and 10/16/12

Reference: FLSA; FMLA, USERRA; HIPAA, COBRA; Idaho Workers' Compensation

Implementation: **AP5201 Employee Benefits**

Depending on job classification and hours worked, employees are accorded a number of benefits. At the discretion of the Board, these benefit offerings may be changed. Among those benefits currently included are vacation leave, sick leave, official holidays, bereavement leave, jury duty, or witness in court proceeding. Eligibility, descriptions, and other details of benefits are explained in Administrative Procedure AP5201.

### **Board Policy 5210 Professional Development**

Adoption History: 11/1/10; revised 2/4/13

Implementation: **AP5211 Professional Development**

The College subscribes to the view that learning must be life-long in a world where change seems constant. Therefore, the College seeks to afford its employees opportunity for growth and development which will benefit them in their work.

### **Board Policy 5220 Electronic Technology Usage**

Adoption History: 2/16/10

Reference: Idaho Public Records Act; IRS Code 274

Implementation: **AP5221 Electronic Technology Usage Procedures; AP5222 Mobile Communication Devices**

The College provides faculty, staff, and students with access to a wide variety of Electronic Technology Resources ("ETR"). The ETR are valuable tools provided for the limited purposes of advancing, enhancing and promoting College business and educational opportunities made available by the College. The purpose of this policy is to ensure compliance with applicable statutes, regulations and mandates relating to the use of electronic technology made available by the College and to establish acceptable practices and responsibilities associated with the use of ETR's.

### **Board Policy 5230 Outside Employment and Professional Consulting**

Adoption History: 2/17/09; revised 11/1/10

Implementation: **AP5231 Outside Employment and Professional Consulting Guidelines**

The College recognizes that employees may engage in outside employment of a professional and personal nature, and the sharing of professional knowledge with the community at large is encouraged. However, no employee may undertake outside employment and/or consulting that interferes with the employee's assigned duties.

### **Board Policy 5240 Emeritus Policy**

Adoption History: 2/21/12

Implementation: **AP5241 Staff Emeritus Program; Faculty Handbook, Emeriti Procedures, 3.11.02**

The College of Western Idaho desires to recognize the productive careers of its retirees and wishes to maintain the institution's history through those individuals who in one way or another have contributed faithfully and honorably to education in the state of Idaho.

Therefore, the Board of Trustees hereby establishes "Emeritus Status" for those employees of the College, or former Board of Trustee members, who meet the conditions and stipulations outlined in Administrative Procedure 5241.

### **Board Policy 5250 Volunteering at CWI**

Adoption History: 2/21/12; revised 10/16/12

Implementation: **AP5251 Volunteering at CWI**

CWI recognizes the contribution of volunteers in its pursuit of its mission and the provision of educational services to its students. CWI also recognizes that it is critical that the use of volunteers be in compliance with applicable law and that certain guidelines be followed when volunteers provide services on behalf of the College. Accordingly, the Board has adopted Administrative Procedure 5251 which sets forth the College's guidelines for the utilization of volunteers. All College departments or programs wishing to use volunteers must comply with these guidelines.

### **Board Policy 5260 Whistle Blowing Policy**

Adoption History: 6/27/11

Implementation: **AP5261 Whistle Blowing Procedures**

Pursuant to the legislative intent underlying the enactment of the Idaho Protection of Public Employees Act, CWI encourages its employees to report the existence of any waste of public funds, property or manpower or any violation or suspected violation of applicable law. In

furtherance of this policy, CWI has adopted Administrative Procedure 5261 for the purpose of establishing procedures for employees to report conduct of such a nature.

CWI prohibits retaliation against any employee who:

- reports in good faith the existence of any waste of public funds, property or manpower or any violation or suspected violation of applicable law,
- participates in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review related to any such report, or
- has objected to or refused to carry out a directive that the employee reasonably believes violates applicable law.

### **Board Policy 5270 Social Media**

Adoption History: 11/20/12

Implementation: **AP5271 Social Media Procedures**

The College encourages the use of social media to further the mission and core themes of the College, where appropriate. This policy is intended to outline proper use guidelines in order to ensure the most effective use of the social media sites.

All websites and social media pages created and maintained by College departments, divisions and officials must be approved by the Dean or Director of the department and by the Department of Communications and Marketing prior to publication and must comply with Administrative Procedure 5271 Social Media Procedures.

Currently, the College has an official presence on Facebook, MySpace, Twitter, LinkedIn, and YouTube (accessible from the CWI website). The College of Western Idaho's website (cwidaho.cc) shall remain the College's primary and predominant internet presence.

Because the technology that drives web communication changes rapidly, this policy is subject to change and may be adjusted to reflect issues that may arise in the management and implementation of the College's social media strategy or for any other reason that supports the College's priorities for social media.

## **CHAPTER 6: STUDENT SERVICES**

### **NEW: BP 6009 – Student Political Activity**

Adoption 3/3/16

#### **POLICY**

CWI respects the rights of its employees and students as citizens to engage in local, state and national politics. However, because CWI is a public entity and to ensure the orderly operations of the College, CWI's employees and students must observe the following guidelines regarding political activity. Further, neither employees nor students may engage in political activity which

is disruptive to the workplace or interferes with CWI's educational mission. This Administrative Procedure is not intended to prohibit or adversely affect CWI's employees or students from exercising their freedom of speech or political association.

## **Guidelines**

1. CWI's students are free to express their political opinions and engage in political activities so long as they do so only in their individual capacities and they avoid even the appearance that they are speaking or acting for CWI. Students taking political positions for themselves or groups with which they are associated should clearly indicate by words and actions that their positions are not those of CWI and are not being taken in an official capacity on CWI's behalf.
2. Political activities hosted at but not sponsored by CWI may be undertaken in compliance with CWI's policies and procedures. Similarly, student political clubs and organizations may invite candidates or campaigns to speak on campus. The use of CWI's facilities for such a purpose shall require compliance with CWI's facility use policies and procedures. Posters, social media, emails and websites advertising any such event should include a disclaimer that the opinions expressed will be neither the opinions of CWI nor are they sanctioned by CWI. CWI's policies and procedures regarding the use of its facilities shall not discriminate against political organizations or candidates on the basis of their particular political viewpoint.
3. Student publications may run editorials expressing the editor's views on candidates for public office, provided that the editorial page indicates that the views expressed therein are those of the student editors and not those of CWI.
4. Student clubs and organizations are prohibited from either directly or indirectly making any contribution of public funds or property to a political organization, candidate or cause.
5. The placement of political posters and banners are subject to CWI's guidelines regarding posters and banners on campus and may be limited to designated locations.
6. The distribution of campaign material may be limited to designated locations and may not be disruptive of the workplace or interfere with CWI's educational mission.
7. CWI's supplies, materials, equipment, telephones, printing or copying services and its email service may not be used to promote or oppose a political candidate or organization. Students may not use CWI emails when contacting any elected politician when stating a personal opinion, and should only use their personal or non-CWI email.

Adoption History: 11/1/10

The College welcomes anyone seeking to benefit from its educational programs and services. To meet this goal, the College shall publish annually its “open admissions policies” in the Catalog.

### **Board Policy 6020 Student Records, Directory Information**

Adoption History: 11/1/10

Reference: CWI Catalog

The President shall assure that student records are maintained in compliance with federal and state laws relating to their privacy. The President shall direct the implementation of appropriate safeguards to assure student records cannot be accessed or modified by any person not authorized to do so. Any currently enrolled or former students may access any and all of their records maintained by the College.

No College representative shall release the contents of a student record to any member of the public without the prior written consent of the students, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by the applicable federal and state laws.

Students shall be notified of their rights regarding student records, including the definition of “directory information” contained herein, and their right to limit the information. Directory information shall include student participation in officially recognized activities and sports (height, weight, and high school of graduation) plus degrees and awards received (scholarships, athletic awards, and academic recognition).

### **Board Policy 6030 Enrollment**

Adoption History: 11/1/10

Reference: CWI Catalog

All courses, course sections, and classes of the College are open for enrollment to any person who has been admitted to the College. Enrollment may, however, be subject to any priority system which has been established. Enrollment may also be limited to students meeting prerequisites and co-requisites, or due to other practical considerations such as exemptions set out in statute or regulation.

### **Board Policy 6040 Attendance**

Adoption History: 11/1/10

Reference: CWI Catalog

The President directs that standard procedures of attendance accounting be established to include computation of units of full-time equivalent students (FTES) based on the types of course, the way the course is scheduled, the length of the course, and other requirements reflecting model attendance accounting procedures. Additionally, the President requires that

procedures for adding/dropping deadlines apply uniformly to all students. Withdrawals of “no-shows” may be initiated by an instructor during the first ten (10) days of a semester; a process to facilitate these administrative withdrawals shall be established by the Registrar. While this process shall be established by the College, it is understood that it is ultimately the student’s responsibility to withdraw from classes and that this established procedure shall not release the student from this requirement.

### **Board Policy 6050 Counseling Services**

Adoption History: 11/1/10

The College shall provide all new and continuing students access to academic and career advising as relates to their education. Students may choose to participate in these advising opportunities or declare themselves a “self-advised” student.

### **Board Policy 6060 Financial Aid**

Adoption History: 11/1/10

Reference: Title IV of the Higher Education Act (HEA) of 1965; CWI Catalog

The College shall implement a program of financial aid to students which may provide, but is not limited to institutional scholarships, grants, loans, and work-study programs. The Director of Financial Aid is designated by federal definition as the institutional compliance officer for financial aid.

All financial aid programs will adhere to guidelines, procedures, and standards issued by the funding agencies, and will incorporate federal, state, and other applicable regulatory requirements.

The President shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

### **Board Policy 6070 Disabled Students Programs and Services**

Adoption History: 11/1/10

Reference: Federal and State Laws; CWI Catalog

Students with disabilities shall be assisted to participate whenever possible in the regular educational programs. The Disabled Students Programs and Services (DSPS) program shall be the primary provider for support which facilitates equal educational opportunities for disabled students who can profit from instruction as required by federal and state laws. DSPS services shall be available to students with verified disabilities. They include reasonable accommodations, academic adjustment, accessible facilities, equipment, instructional programs, rehabilitation and academic counseling, etc. No student with disabilities, however, is required to participate in the DSPS program.

The President shall assure that the DSPS program conforms to all requirements established by the relevant law and regulations.

## **Board Policy 6080 Extended Opportunity Programs and Services**

Adoption History: 11/1/10

Reference: CWI Catalog

Students with language, social, and economic disadvantages are provided support services and programs to supplement traditional student services and increase their academic success at the College. Extended Opportunity Programs and Services (EOPS) offers services which may include, but are not limited to, outreach recruitment, orientation, assessment, tutorial services, counseling, advising, and financial aid.

The President assures the EOPS program conforms to all requirements established by the relevant law and regulations. EOPS functions shall be coordinated through the Office of the Dean of Enrollment and Student Services.

## **Board Policy 6100 Associated Students Organization**

Adoption History: 11/1/10

Reference: ASCWI Bylaws

The Board recognizes the Associated Students of College of Western Idaho (ASCWI) as the official student voice in decision-making processes. ASCWI may conduct other activities as approved by the President. Such activities may not conflict with the authority and responsibility of the Board of Trustees or its officers and employees. ASCWI shall conduct itself in accordance with state laws and regulations as well as with administrative procedures established by the President.

ASCWI shall conduct annual elections in accordance with procedures established by the President, for the naming of officers. Any student elected as an officer in ASCWI shall meet both of the following requirements: enrollment in a minimum of six (6) credits at the time of election and through the term of office; standards of scholarship at a minimum to represent a grade point average (GPA) of 2.5.

ASCWI finances shall be deposited and disbursed by the College President or designee. They are subject to an annual audit. They may only be deposited or invested in ways authorized by law. All funds shall be expended according to procedures established by ASCWI, subject to the approval of each of the following persons, which shall be obtained each time before expenditure:

- a representative of ASCWI,
- the College advisor of ASCWI, and
- the President of the College or designee

## **Board Policy 6110 Standards of Student Conduct**

Adoption History: 11/1/10



Reference: CWI Student Handbook

The President shall present annually a Student Handbook for review by the Board of Trustees which shall establish the procedures for the imposition of discipline on students in accordance with the requirements, procedures and programs established therein. This document shall be updated through *Student Enrichment and the ASCWI* annually to insure compliance with established federal and state law and regulations, conformity to current recommended “best practices,” and other relevant protections of student’s rights. This document shall clearly define the conduct which is subject to discipline, shall identify potential disciplinary actions, including but not limited to removal, suspension, or expulsion of a student.

It is the Board’s desire that the College create an orderly, safe and civil environment for our community. To this end the following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension, or expulsion of students:

- causing, attempting to cause, or threatening to cause physical injury to another person;
- illegal possession, selling, or otherwise furnishing firearms, knives, explosives or other dangerous objects (including but not limited to facsimiles) without express permission of a college employee who has received approval from the College President;
- possessing , using, selling, offering to sell/furnish, or under the influence of any controlled substances, alcoholic beverage, or intoxicant of any kind;
- possessing of, offering, arranging or negotiating the sale of any drug paraphernalia;
- committing or attempting to commit robbery or extortion;
- causing or attempting to cause damage to College property or to private property on campus; and
- stealing or attempting to steal College property or private property on campus or knowingly receiving stolen College property or private property on campus.

### **Board Policy 6120 Student Rights, Grievances**

Adoption History: 11/1/10

Reference: Title IX; CWI Catalog

Any student who reasonably believes a College decision adversely affected his/her status, rights, or privileges may exercise their “rights of appeal,” as outlined in the current College catalog or Student Handbook. Examples of appealable issues include, but are not limited to:

- sex discrimination as prohibited by Title IX,
- sexual harassment,
- Financial Aid,
- illegal discrimination,
- grades, and
- rights of free expression.

Note: this policy does not apply to student disciplinary actions. Appropriate actions for these items are defined in the College Catalog or Student Handbook.

### **Board Policy 6130 Student Speech**

Adoption History: 11/1/10; revised 12/17/10  
Reference: College of Western Idaho Student Handbook

The College and its campuses are non-public forums, except for those areas which are generally available for use by students or the community as limited public forums. The President shall enact such administrative procedures as are necessary to regulate in a reasonable way the time, place, and manner for the exercise of free speech in the limited public forums. Administrative procedures as so promulgated shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the College designated as areas generally available to students and the community, and the wearing of buttons, badges, or other insignia.

Subject to the requirements of this policy, students shall be free to exercise their rights of free expression. What remains prohibited is speech which is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on College property or the violation of College policies or procedures, or the disruption of the orderly operation of the College. Unless such speech is constitutionally protected, students may be disciplined for threats, intimidation, harassment, or hate.

### **Board Policy 6140 Prevention of Student Identity Theft**

Adoption History: 11/1/10; revised 12/17/10  
Reference: Fair and Accurate Credit Transactions Act, (Pub's 108-159); Board Policy 4630 Red Flag Identity Theft Prevention; Board Policy 4640 Information Security Policy

The College is required to provide for the identification, detection, and response to patterns, practices, or specific activities ("Red Flags") which could indicate identity theft of students. Because the College serves as a creditor of students, the President is directed to develop procedures to implement an Identity Theft Prevention Program (ITPP) to control reasonably foreseeable risks to students from identify theft.

# ADMINISTRATIVE PROCEDURES

## CHAPTER 2: GOVERNANCE

### **Administrative Procedure 2031 Trustee Election Procedures**

Board Policy 2030 Trustee Elections

Adoption History: 11/1/10

CWI's Election Official is the Vice President for Finance and Administration.

#### **Election Timelines**

- CWI trustee elections will be held on the first Tuesday after the first Monday in November in conjunction with the general election.
- Petitions for candidates must be turned in to CWI's Election Official by 5:00 p.m. on the last Wednesday of August.
- In accordance with Idaho Code 34-1405, advertising the notice of the deadline for filing a declaration of candidacy must be published in the local newspapers not more than 14 nor less than 7 days prior to the filing deadline.
- The notice of election must be published the first time not less than 12 days prior to the election and the last publication must be not less than 5 days prior to the election. The deadline for the declaration of write in candidates is the 2<sup>nd</sup> Friday in October.

### **Administrative Procedure 2121 Trustee Travel Procedures**

Board Policy 2120 Trustee Travel

Adoption History: 6/12/09; revised 1/17/12

#### **Purpose**

The purpose is to establish uniform procedure for reimbursement of reasonable and prudent expenses incurred by trustees on Community College business.

#### **Expenditure Limits**

- Meals: The College will reimburse expenditure for meals by a trustee as a result of participation in a Board assigned activity based upon actual receipts.
- Use of Automobile: Mileage for business related travel by automobile will be reimbursed at a rate approved by the Board of Trustees and not to exceed the IRS publicized rate. The mileage reimbursement rate for Board travel will be approved on an annual basis. Mileage information for locations both inside and outside of Idaho will be obtained from the CWI Business Office. In addition, reimbursement will be allowed for reasonable and/or actual costs incurred by tolls and parking. Reimbursement for mileage and related expenses may not exceed second class or coach airfare for the same trip, except in extenuating circumstances.

- Lodging: Actual costs will be reimbursed at no more than the single room rate or the approved conference negotiated rate. Personal items such as in-room movies are not reimbursable.
- Gratuities: Reimbursement for gratuities shall not exceed 20% for meals. Reasonable bellhops, cab services, etc. will be allowed.
- Spouse/Guest Expenses: Reimbursement for the cost of conference, convention, travel or other official function expenses for a spouse/guest is not allowed unless the official function requires the spouse's/guest's attendance.
- Business Phone Calls: Charges for telephone calls are reimbursed if they are incurred in connection with College of Western Idaho business.
- Other: Actual costs for the purchase of supplies, rental of audio-visual materials, or other similar items will be reimbursed upon presentation of proper approvals and documentation. This process is limited to those items that cannot be handled through the regular purchasing process or items of an emergency nature. Equipment items must be handled through the regular purchasing process.

### **Outstanding Travel**

All outstanding travel must be processed before another request is submitted. The College will consider an advance overdue if the detailed expense report is not submitted on a timely basis. No new travel advances will be issued until prior travel expense reports are filed.

### **Required Approvals**

All completed forms of reimbursement must be approved by the Board Chair. It is the responsibility of the authorized signer to examine the expenditure for propriety, and assure that funds have been budgeted.

## **Administrative Procedure 2141 Delegation of Authority and Responsibilities to the President**

Board Policy 2140 Delegation of Authority and Responsibilities to the President  
Adoption History: 11/1/10; revised 2/4/13

The President may delegate any powers and duties entrusted to the office by the Board, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The President shall be responsible for reasonable interpretation of Board Policy. In situations where no policy direction exists, the President shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the President to inform the Board of such action and to recommend a policy be written if required.

The President is expected to perform the duties contained in the position description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions.

The President shall ensure all relevant laws and regulations are complied with, and that required reports are submitted in a timely fashion.

## **Administrative Procedure 2151 Evaluation of the President**

Board Policy 2150 Evaluation of College President

Adoption History: 12/17/10

The Board shall annually review the President's performance in order to strengthen his or her performance, to enable the President and the Board to set mutually agreed-upon goals, and to establish compensation and other terms of employment.

### **Responsibilities of the President**

The President is the College of Western Idaho's representative to the community, the Legislature, the governor's office, the State Board of Education, and to the state institutions of public and higher education.

The President's responsibilities include:

- initiate college policy for consideration by the Board with input from students, faculty, staff and the community;
- implement College procedures associated with College approved policies;
- provide leadership to obtain appropriate accreditation of the College and to maintain accreditation standards;
- develop and submit the annual budget to the Board for approval;
- provide reports as required and requested by local, state, and federal law;
- provide leadership for the development and achievement of short and long-range institutional plans and goals;
- foster a climate conducive to academic excellence;
- work effectively and respectfully with the elected members of CWI Board of Trustees;
- maintain full disclosure to the board and keep the Board continuously informed of progress and conditions of the College;
- prepare the agenda, support materials for all Board meetings, and attend Board meetings to provide assistance in its deliberations; and
- discharge other responsibilities and performing other duties as may be assigned by the trustees or that are required by law.

### **Evaluation Process:**

- The President's performance evaluation will occur annually in the month of June during an Executive Session of the CWI Board of Trustees.
- The President will develop a written management review statement and a written summary of progress on goals established for the previous 12 months plus suggested goals for the subsequent 12 months.
- Board members may submit to the President specific questions they'd like to have addressed during the review process.
- Within 10 business days after the review, the Board Chair will provide the President with a written summary of the findings and recommendations.

## **Administrative Procedure 2161 Policy Development and Approval**

Board Policy 2160 Policy Development and Approval

Adoption History: 12/17/10; revised 5/21/13

Administrative procedures are to be written to conform to the intent of Board Policies and are developed and revised as deemed necessary by the President on the recommendation of senior administrators according to an outlined process.

### **Submitting New/Revised Board Policies**

Requests for implementing a new policy, or revising an existing policy, must be submitted to the Executive Director of Human Resources of CWI and must include a concise rationale for the Board Policy and a general summary of its contents along with information about to whom it applies, when it applies, and the consequences (if applicable) for failure to observe it.

Next steps:

- The Human Resource Office will submit the proposed policy to President's Cabinet for approval.
- After President's Cabinet approval is received, the President will present the proposed policy to the Board of Trustees for final approval.
- After Board approval is received, the Policy Manual and Administrative Procedures will be updated and changes communicated to CWI employees.

### **Definitions**

*Board Policies* set out the "what and why" of the governing principles laid down by Trustees as overarching expectations for the College of Western Idaho. *Administrative Procedures* derive from those policies and explain "who, how, and when" they are to be implemented. In other words, the staff will craft procedures enumerating the ways trustee rules are to be practiced. As procedures do not require Board action, they should be updated and improved as necessary. Indeed, the NCCWU principle of continual quality improvement is to be employed by staff who use are expected to solicit feedback from stakeholders for improving procedures over time.

The most effective statements of policy and procedure are concise and clear. They avoid details of names, phone numbers, addresses though they indicate to which offices or to which officer of the college decisions are delegated. Preparers ask themselves these questions:

- Have I employed facts? Have I used examples (e.g.) and explanations (i.e.) wherever possible?
- Have I spelled out acronyms?
- Have I written succinctly? Have I composed in active voice, which indicates the office or position where responsibility rests?
- Have I chosen strong verbs, rather than conjugations of *to be* and *to have*?
- Have I used an objective tone, one which shows a fair explanation of the matter at hand and respect for the readers who must comprehend the material?
- Have I applied hyperlinks to ease difficulties of navigation between policies and procedures?

## **Checklist for Preparer/Developer/Editor of Policy and/or Procedure**

- Have I received authorization to write a draft policy and/or procedure?
- Have I set out only the “what” and the “why” in a draft policy for the Board of Trustees?
- Have I concentrated on step-by-step instructions for draft procedures, which will serve to implement a single current board policy?
- Have I enumerated the “who” (stakeholder and audience), the “how,” (the office or position responsible) and the “when” (without specific dates) in my draft of procedures?
- Have I used facts illustrated with examples (e.g.) and explanations (i.e.)?
- Have I indicated hyperlinks to be provided between the policy and my procedures?
- Have I convened a committee of stakeholders to brainstorm the most effective, efficient practices for implementing this policy?
- Have I asked representatives from those who would use my procedures to read drafts for clarity and conciseness?
- Have I received my supervisor’s sign off on my final draft?
- Has my supervisor submitted the final draft to the Office of the President for disposition?
- Have I checked the College’s Website to insure my work has been included in the College’s master copy of *Board Policies and Administrative Procedures*?

## **Administrative Procedure 2171 Trustee Self Evaluation Process**

Board Policy 2170 Trustee Self Evaluation

Adoption History: 12/17/10

The Board is committed to assessing its own performance as a board in order to identify its strengths and areas in which it may improve its functioning. To that end, the Board has established the following processes:

- Every April the Board shall determine the instrument or process to be used in board self-evaluation.
- Any evaluation instrument shall incorporate criteria contained in these board policies regarding the board operations, as well as criteria defining board effectiveness promulgated by recognized practitioners in the field.
- If an instrument is used, all board members will be asked to complete the evaluation instrument and submit them to the Secretary of the Board.
- A summary of the evaluations will be presented and discussed at a board session scheduled for that purpose. The results will be used to identify accomplishments in the past year and goals for the following year.

## CHAPTER 3: INSTRUCTION

### **Administrative Procedure 3101 Developing and Maintaining Articulation Agreements**

Board Policy 3100 Articulation with High Schools and Transfer Institutions

Adoption History: 12/17/10

#### **Procedures:**

- Initial contact between appropriate colleges and universities shall be conducted through the Office of the Vice President for Instruction and Student Services.
- General conditions for Articulation Agreements shall be developed through the appropriate units of the Student Services Division and maintained within the Office of the Registrar. These shall be approved by the VP Instruction and Student Services, and President of the College, approved agreements shall be forwarded to the Office of the Registrar.
- Specific program-by-program or discipline specific agreements may be developed by appointed Department Chairs or appropriate faculty as directed by the Vice President for Instruction and Student Services. Completed agreements shall be approved by the VP Instruction and Student Services and the President of the College, approved agreements shall be forwarded to the Office of the Registrar.
- At least annually, the Sr. Enrollment Specialist for Advising and Assessment shall cause to have each agreement reviewed by all appropriate campus and external institutional representatives. They will also host senior institutional representatives for advising and information days as appropriate and maintain appropriate CWI advising tools and resources.
- Specific Articulation agreements for both Dual Credit and Tech Prep opportunities shall be initiated by the Director of Dual Credit and the Region III Tech Prep Coordinator, in partnership with specific CWI Instructional units. Specific program-by-program or discipline specific agreements shall be developed with and approved by the appropriate Department Chairs. These shall be approved by the VP Instruction and Student Services, and President of the College, approved agreements shall be forwarded to the Office of the Registrar.
- No articulation agreements with high schools or transfer institutions may be initiated, developed or considered approved without the approval for the negotiations or the final products of the VP for Instruction and Student Services and the President of the College. Final approved agreements shall be forwarded to and reside within the Office of the Registrar; these documents shall provide the sole basis for the creation and maintenance of CWI transfer equivalency and the production of advising materials.



## **Administrative Procedure 3121 Academic Calendar Development**

Board Policy 3120 Academic Calendar

Adoption History: 12/17/10

### **Procedures:**

- The Registrar of the College shall annually convene an Academic Calendar Committee to develop and maintain a two year calendar for the college. This committee shall be composed of representatives from appropriate areas: Institutional Marketing, Human Resources, Enrollment & Student Services and student representation.
- This committee shall prepare and submit to the VP for Instruction and Student Services annually a calendar document that provides the “official” calendar for the coming academic year and a “working” academic calendar for the following academic year. The VP for Instruction shall submit this calendar through the College Council for review and approval; for the College Council to forward the accepted calendar to the President of the College.
- The President shall cause the calendar to be placed on the calendar of the Board of Trustees for a first reading of the calendar at the August meeting annually.
- When the Calendar is approved by the Board of Trustee, the calendar shall be forwarded by the Secretary of the Board to the Registrar of the College.

## **CHAPTER 4: BUSINESS AND FISCAL SERVICES**

### **Administrative Procedure 4011 Fraud and Abuse**

Board Policy 4010 Code of Conduct

Adoption History: 10/28/14

All instances of suspected fraud, error or omission will be properly investigated and documented. All violations of policy will be brought to the immediate attention of the Vice President of Finance and Administration. Instances of fraud or abuse will be brought to the immediate attention of the Vice President of Finance and Administration, Executive Vice President, or the President. External independent auditors may be brought in to investigate any issue at the discretion of the President or the Board of Trustees. Depending on the results of such a review, the College may take appropriate disciplinary action up to and including termination. The President or Board of Trustees may also refer such activity to law enforcement and/or pursue legal action against persons who engage in such activity.

### **Allegations of Fraud, Program Abuse, and Criminal Conduct Incident Reporting**

The detection and prevention of fraud and abuse are of the highest priority. The College of Western Idaho requires all employees to act in accordance with State, Federal and local laws and regulations. Employees are expected to be of high moral character and utilize judgment to avoid even the appearance of impropriety.

All known instances of suspected or actual fraud, abuse or criminal conduct will be properly investigated and documented. All violations will be reported to the Vice President of Finance and Administration. Instances of fraud or abuse will be brought to the immediate attention of the Vice President of Finance and Administration, Executive Vice President, or the President. External independent auditors may be brought in to investigate any issue at the discretion of the President or the Board of Trustees as per CWI Board Policy 4010 Code of Conduct.

Federal funding guidelines require an additional level of reporting for allegations of fraud, program abuse or criminal conduct involving grantees receiving federal funds. Grant recipients must immediately document allegations, suspicions and complaints involving possible fraud, program abuse, misapplication of funds, gross mismanagement, and any other incidents of known or suspected criminal or other serious activities using The Incident Report (IR) form). In addition, situations involving imminent health or safety concerns, or the imminent loss of funds exceeding an amount larger than \$50,000 are considered emergencies and must immediately be reported to the Office of Inspector General (OIG) and the Office of Financial and Administrative Management (OFAM) by telephone and followed up with a written report in the form of an IR, no later than one working day after the telephone report.

Hotline complaints concerning federally funded projects can be sent directly to the Complaints Analysis Office, Office of Inspector General, 200 Constitution Avenue, N.W., Room S-5506, Washington, D.C. 20210. They can be telephoned to the OIG on the Toll Free Hotline at 1-800-347-3756 or they can be emailed to [hotline@oig.dol.gov](mailto:hotline@oig.dol.gov). The OIG Hotline should not be used for resolving employee grievances, Equal Employment Opportunity complaints, labor disputes, or other personnel concerns.

### **Administrative Procedure 4012 External Compliance Reporting Hotline**

Board Policy 4010 Code of Conduct

Adoption History: 10/28/14

Although employees reporting in good faith are protected by the university's whistleblower policy, employees may choose to remain anonymous when making a report. Therefore, the College of Western Idaho has established a hotline to serve as an additional mechanism to report suspected compliance violations.

CWI takes all reports regarding ethics and compliance matters seriously and will investigate each report. Employees may submit a report about a compliance or ethics concern or ask for guidance related to a compliance or ethics matter. The information provided via our Hotline may be relayed to the college in a format that protects the employees' anonymity.

After filing a report, it is recommended that employees return to the reporting website or call the toll-free number again in 5-7 business days. To access an existing report, the report key provided by the Hotline and the password created during the initial contact will be required. It is important that this follow-up occurs in the event that additional information is necessary to conduct a thorough and complete investigation. Employees may continue to remain anonymous when responding to follow-up questions.

Reports of suspected violations may be submitted 24 hours a day, 7 days a week, 365 days a year. (Details on how to file reports online will be forthcoming.)

To learn more about the External Compliance Reporting Hotline, please contact the Office of Risk Management at 208-562-3298.

**CWI’s Hotline is NOT a 911 or Emergency Service**

Do not use this site to report events presenting an immediate threat to life or property. Reports submitted through this service may not receive an immediate response. If you require emergency assistance, please contact your local authorities.

**Administrative Procedure 4041 Establishing Resident and Nonresident Tuition and Fees**

Board Policy 4040 Tuition for Residents and Nonresidents

Adoption History: 10/16/12; revised 5/21/13

Reference: Idaho Code § 33-3717B

Residency determination for tuition purposes is governed by rules and regulations adopted by the College of Western Idaho Board of Trustees and Idaho Code § 33-3717B

Based on information provided by the applicant in the Application for Admission, CWI Student Services make an initial determination concerning the student’s residency status for tuition purposes (e.g. Idaho/out-of-state, in-district/out-of-district). If residency information is missing or incomplete, the student status will default to non-resident, and the tuition will default to out-of-state. The student’s residency status remains unchanged unless the student submits a Residency Redetermination form with the required documentation to Student Accounts on or before the tenth day of instruction for the fall and spring semesters and the fifth day of instruction for summer semester, and a determination is made based on the evidence supplied. Qualifications for residency must be met prior to the opening day of the semester for which reclassification is sought.

In general, a student enrolling at CWI shall not be deemed a resident of the community college district, or of a county, or of the State of Idaho, unless the student established domicile primarily for purposes other than education within said district, county, or the state, for at least twelve months continuously prior to the beginning of the term for which the student enrolls.

**State of Idaho Residency**

Students who enroll at CWI may qualify for **Idaho residency**, for tuition purposes under one or more of the following criteria (documented proof will be required):

- Any student who has one (1) or more parent or parents or court-appointed guardians who are domiciled in the state of Idaho, and the parent, parents, or guardian provide at least fifty percent (50%) of the student’s support. To qualify under this section, the

parent, parents, or guardian must have maintained a bona fide domicile in the state of Idaho for at least twelve (12) months prior to the beginning of the term for which the student matriculates.

- Any student, who receives less than fifty (50%) of the student's support from a parent, parents, or legal guardians and who has continuously resided and maintained a bona fide domicile in the state of Idaho primarily for purposes other than educational for twelve (12) months prior to the opening day of the term during which the student proposes to attend the college or university.
- Subject to nonresident qualifications below, any student who is a graduate of an accredited secondary school in the state of Idaho, and who matriculates at a college or university in the state of Idaho during the term immediately following such graduation regardless of the residence of the student's parent or guardian.
- The spouse of a person who is classified, or is eligible for classification, as a resident of the state of Idaho for the purpose of attending a college or university.
- A member of the armed forces of the United States who entered service as an Idaho resident and who has maintained Idaho resident status, but is not stationed within the state of Idaho on military orders.
- A member of the armed forces of the United States stationed in the state of Idaho on military orders.
- An officer or an enlisted member of the Idaho National Guard.
- A person separated, under honorable conditions, from the United States armed forces after at least two (2) years of service, who at the time of separation designates the state of Idaho as their intended domicile or who has Idaho as the home of record in service and enters a college or university in the state of Idaho within one (1) year of the date of separation, or who moves to Idaho for the purpose of establishing domicile; provided however, to maintain status as a resident student, such person must actively establish domicile in Idaho within one (1) year of matriculation in a public institution of higher education in Idaho.
- The dependent child of a person who qualifies as a resident student under sections (e) through (h), and who receives at least fifty percent (50%) support from such person shall also be a resident student, and shall not lose that resident status if, after he or she enters a college or university in the state of Idaho, the parent or guardian is transferred out of the state of Idaho on military orders.
- Any individual who has been domiciled in the state of Idaho, has qualified and would otherwise be qualified under the provisions of the statute and who is away from the state for a period of less than thirty (30) months and has not established legal residence elsewhere provided a twelve (12) month period of continuous residence has been established immediately prior to departure; provided however, time spent away from the state while enrolled in a postsecondary education program shall not be included in the thirty (30) months. Such time spent away from the state while enrolled shall include normal academic year breaks, such as summer breaks or breaks between semesters or quarters, that occur prior to the receipt of the postsecondary degree.
- A student who is a member of any of the following Idaho Native American Indian tribes, regardless of current domicile, shall be considered an Idaho state resident for purposes of fees or tuition at institutions of higher education: members of the following Idaho

Native American Indian tribes, whose traditional and customary tribal boundaries include portions of the state of Idaho or whose Indian tribe was granted reserved lands within the state of Idaho: (i) Coeur d'Alene tribe; (ii) Shoshone-Paiute tribes; (iii) Nez Perce tribe; (iv) Shoshone-Bannock tribes; (v) Kootenai tribe.

Nonresident students for tuition purposes do not qualify as a resident student under the above criteria and shall include:

- A student attending an institution in this state with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one (1) year after the completion of the semester for which such assistance is last provided.
- A person who is not a citizen of the United States of America, who does not have permanent or temporary resident status or does not hold "refugee-parolee" or "conditional entrant" status with the United States immigration and naturalization service or is not otherwise permanently residing in the United States under color of the law and who does not also meet and comply with all applicable requirements of the statute.

**Definitions:**

- **Domiciled** means an individual's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which he/she expects to return when he/she leaves without intending to establish a new domicile elsewhere.
- **Continuously resided** means physical presence in the state of Idaho for twelve (12) consecutive months without being absent from Idaho no more than a total of thirty (30) days during the twelve (12) months. Absence from the state for normal vacations, family travel, work assignments, short-term military training, and similar occasions totaling not more than thirty (30) days during the twelve (12) month qualifying period, in and of itself, will not be regarded as negating the continuous residence of the individual.
- **Support** means financial support given to the student during the twelve (12) months preceding the opening date of the term for which resident status is requested. Any student who receives fifty percent (50%) or more of his/her support may demonstrate this by showing that he/she is claimed as a dependent by a parent or legal guardian for income tax purposes or that a parent or legal guardian provides fifty percent (50%) or more of the cost of attending an institution according to the CWI Financial Aid Office or that other similar evidence exists of parental support.
- **Primarily educational purposes** means a student enrolled for more than six (6) credit hours in any semester during the past twelve (12) month period.
- **Armed Forces** means United States Army, Navy, Air Force, Marine Corps, and Coast Guard; it does not include National Guard from states other than Idaho and other reserve forces.

### **Request for Change to Resident Tuition and Fees**

Establishment of a new domicile in Idaho by a student who formerly domiciled in another state has occurred if the student is physically present in Idaho primarily for purposes other than educational and can show satisfactory proof there is not a present intention to relocate outside of the state of Idaho.

Any student who is enrolled for more than eight credit hours in any semester during a twelve month period shall be presumed to be in Idaho for primarily educational purposes. A student can prove establishment of domicile for purposes other than education if any of the following were completed for at least twelve (12) months prior to the term the student tries to become a resident student:

- Filing of Idaho state income tax returns covering a period of at least twelve months before the term in which the student proposes to enroll as a resident student;
- Permanent full-time employment or the hourly equivalent thereof in the state of Idaho; or
- Ownership by the student of the student's living quarters.

The following, if done for at least twelve (12) months before the term in which the student proposes to enroll as a resident student, lend support to domiciliary intent and the absence of which indicates a lack of domiciliary intent. By themselves, the following do not constitute sufficient evidence of the establishment and maintenance of a domicile in Idaho for purposes other than educational:

- Registration and payment of Idaho taxes or fees on a motor vehicle, mobile home, travel trailer or other items of personal property for which state registration and the payment of a state tax or fee is required;
- Registration to vote for state elected officials in Idaho at a general election;
- Holding an Idaho driver's license;
- Evidence of abandonment of a previous domicile;
- Presence of household goods in Idaho;
- Establishment of accounts with Idaho financial institutions; and
- Other similar factors indicating intent to be domiciled in Idaho and the maintenance of such domicile.

### **Residency Audits**

The College reserves the right to audit students at any time with regard to eligibility for Idaho resident status and to reclassify students who are registered under an improper classification. Idaho residency classification or reclassification based upon materially erroneous, false or misleading statements or omissions by or in support of the applicant shall be set aside retroactively upon the discovery of the erroneous nature of such statements. Any student having paid less than required to CWI because of an erroneous classification or reclassification that is subsequently set aside, will repay any and all amounts not properly paid because of the erroneous classification or reclassification. If a student concealed information or furnished false or misleading information and was classified incorrectly as a result, he or she will also be subject to appropriate disciplinary and/or legal action.

It shall be the responsibility of the student to notify the College of possible changes in residency and to furnish all requested documentation in a timely fashion. Students may request a review of their residency status by submitting the **Residency Redetermination** form and all required documentation to Student Accounts on or before the 10th day of instruction in the fall and spring semesters and the fifth (5<sup>th</sup>) day of instruction for summer semester. The student shall describe in detail the reasons why the original residency determination is believed to be erroneous. The burden of proof in requesting a change in residency status rests with the student. Within thirty (30) days following the receipt of the student's Residency Redetermination, Student Accounts shall issue a decision and notify the student in writing. Students are responsible for paying the tuition and fees owed on their accounts by the established due date. Resident tuition rates shall be effective for the semester in which a student is reclassified to resident status. If residency (Idaho and/or district) is granted after payment was received, the difference will be refunded within a reasonable time to the student.

If the student is not satisfied with the decision made by Student Accounts, he/she can file an Academic Appeal form. All appeals must be submitted (or postmarked), in writing and accompanied by all required documentation, within ten (10) calendar days after the date of notification of residency decision that is being appealed. Failure to comply shall constitute a waiver of all claims to reclassification for the applicable term.

### **Administrative Procedure 4042 Senior Citizen's Tuition**

Board Policy 4040 Tuition for Residents and Nonresidents  
Adoption History: 1/20/09

District residents who are 60 years of age or older will qualify for reduced "senior citizen" tuition at the College of Western Idaho. The tuition rate for senior citizens for credit classes will be a discounted rate of 50% per credit hour. Costs for materials, books, and special fees will be charged at full price.

Because non-credit classes are self-supporting, full fees for classes and materials must be charged to all persons enrolled regardless of the age of the student.

### **Administrative Procedure 4043 Tuition and Fees Refund**

Board Policy 4040 Tuition for Residents and Nonresidents  
Adoption History: 2/17/09

Students who withdraw from college or withdraw from credit courses by the third Friday of the term for fall and spring semesters, or by the Wednesday of the second week of summer term, will be given a 100% refund less a \$25 administrative fee.

Students withdrawing from a noncredit course will be refunded at 100% if the course is dropped prior to the first day of classes.

Application for a refund must be in writing and filed with the One Stop Student Services Office within 10 days after the date of withdrawal, and must be accompanied by a copy of the processed withdrawal slip which will establish the date for refund purposes. In the event there is financial aid involved or other third party funding sources, students will not receive any refund money until the third party is paid in full.

If payment was made by credit card and a credit balance arises, credit will first be returned to the credit card account, up to the amount paid on the credit card, before any excess is returned by check.

### **Administrative Procedure 4044 Establishing District Residency for Tuition and Fees**

Board Policy 4040 Tuition for Residents and Nonresidents

Adoption History: 10/16/12

Reference: Idaho Code § 33-2110, § 33-2110A and § 33-2110B

#### **District Residency**

Once a student is determined to be a **resident of the state of Idaho**, a further determination is made on **district residency**. District residency is based on the county of residence. The CWI community college taxing district is comprised of Ada County and Canyon County. Residents of Ada and Canyon counties pay in-district tuition and fees. Students whose permanent residence is in Idaho but outside of Ada, Canyon, Jerome, Twin Falls and Kootenai counties are charged out-of-district fees of up to \$500 per semester in addition to in-district tuition and fees. Idaho counties without a community college district pay the student's out-of-district fees **not to exceed** five hundred dollars (\$500) each semester for a two (2) semester year for a full-time student, up to a maximum of three thousand dollars (\$3,000) lifetime liability, provided the student completes and submits to the CWI Student Accounts department the **Certificate of Residency** form and residency can be verified by the county of residence. If residency is verified by the county, the student is responsible for paying in-district tuition and fees and the balance, if any, of the out-of-district fees above the maximum liability of the county of his/her residence. If verification is not received from the student's county of residence the student is responsible for out-of-district tuition and fees. All Idaho (in-district and out-of-district) students must complete a new Certificate of Residency form each semester.

Students who enroll at CWI may qualify for **district residency**, for tuition purposes under one or more of the following criteria (documented proof will be required):

- Student who domiciled in the county primarily for purposes other than education for at least twelve (12) months continuously prior to the opening day of the term for which the student matriculates at CWI and who receives less than fifty percent (50%) of his/her support from a parent, parents or legal guardians who are not Idaho/district residents for voting purposes.



- Student who has domiciled in the county, who has qualified or would otherwise be qualified under the provisions of this policy, and who is away from that county for a period of less than one (1) calendar year and has not established legal residence elsewhere provided a twelve (12) month period of continuous residence has been established immediately prior to departure.
- Student whose parent, parents or court-appointed guardians are domiciled in the county for at least twelve (12) months continuously prior to the opening day of the term for which the student matriculates and provide more than fifty percent (50%) of the student's support.
- Student whose spouse is classified, or is eligible for classification, as a resident of the county for tuition purposes.
- Student who is a member of the United States Armed Forces, stationed in the county on military orders.
- Student who is an officer or enlisted member of the Idaho National Guard.
- Student whose parent, parents or legal guardians are members of the United States Armed Forces and stationed in the county on military orders and who receives fifty percent (50%) or more of support from parents or legal guardians. The student, while in continuous attendance, shall not lose his/her residency status when his/her parents are transferred on military orders.
- Student who separated, under honorable conditions, from the United States Armed Forces after at least two (2) years of active service, who at the time of separation designates the county as his/her intended domicile or who has the county as the home of record in service and enters CWI within one (1) year of the date of separation.

### **Residency Audits**

The College reserves the right to audit students at any time with regard to eligibility for district resident status and to reclassify students who are registered under an improper classification. District residency classification or reclassification based upon materially erroneous, false or misleading statements or omissions by or in support of the applicant shall be set aside retroactively upon the discovery of the erroneous nature of such statements. Any student having paid less than required to CWI because of an erroneous classification or reclassification that is subsequently set aside, will repay any and all amounts not properly paid because of the erroneous classification or reclassification. If a student concealed information or furnished false or misleading information and was classified incorrectly as a result, he or she will also be subject to appropriate disciplinary and/or legal action.

It shall be the responsibility of the student to notify the College of possible changes in residency and to furnish all requested documentation in a timely fashion. Students may request a review of their residency status by submitting the **Residency Redetermination** form and all required documentation to Student Accounts on or before the 10th day of instruction in the fall and spring semesters and the fifth (5<sup>th</sup>) day of instruction for summer semester. The student shall describe in detail the reasons why the original residency determination is believed to be erroneous. The burden of proof in requesting a change in residency status rests with the student. Within thirty (30) days following the receipt of the student's Residency

Redetermination, Student Accounts shall issue a decision and notify the student in writing. Students are responsible for paying the tuition and fees owed on their accounts by the established due date. Resident tuition rates shall be effective for the semester in which a student is reclassified to resident status. If residency (Idaho and/or district) is granted after payment was received, the difference will be refunded within a reasonable time to the student.

If the student is not satisfied with the decision made by Student Accounts, he/she can appeal to the Dean of Enrollment and Student Services. All appeals must be submitted (or postmarked), in writing and accompanied by all required documentation, within ten (10) calendar days after the date of notification of residency decision that is being appealed. Failure to comply shall constitute a waiver of all claims to reclassification for the applicable term.

### **Administrative Procedure 4045 Tuition Waivers for Non-CWI Employees**

Board Policy 4040 Tuition for Residents and Nonresidents

Adoption History: 12/9/14

CWI will match Idaho public universities' and colleges' tuition benefits with a reciprocity agreement between mutual parties.

Special course charges, such as activity and lab fees, must be paid by the employee by the due date for the term in which the student is enrolled and are not included in the tuition benefit. The cost to the employee will be 10% of the tuition and fees plus a \$20 nonrefundable registration fee per semester.

This policy does not apply to any non-credit or continuing education program or class. For information on this benefit and the procedure, see the Human Resources Office. Any exceptions to this policy or the procedure must be approved in advance by the Executive Director of Human Resources.

### **Administrative Procedure 4051 Guidelines for Special Course Fees**

Board Policy 4050 Fees

Adoption History: 8/9/10; Revised 6/13/12, 5/21/13, 9/17/13 and 6/1/14

Proposing special course fees (SCF) is an annual occurrence the College should be prepared to address in a timely manner. A SCF may be charged to partially cover the cost of supplies or services in certain courses. Examples are laboratory breakage, clinical instruction costs, welding supplies, data processing supplies, ceramic materials, towel services, etc. SCFs will be listed in the course schedule.

Submissions for SCF should follow a procedure that allows time for departments, administration and the Board to review, as well as allow time for the fees to be incorporated into both the financial aid process and the schedule of classes for the subsequent semester.

Academic units that wish to propose or modify (increase, decrease or delete) a SCF, must submit a "Special Course Fee Request Form" to the Executive Vice President of Instruction and Student Services (EVP). The SCF form must contain the following information for each course affected (or each group of courses similarly affected) by the proposed fees:

- A description of the expenses that make necessary the charging of a fee.
- A description of the proposed modification.
- A projection, based on past and/or expected enrollments, of income from the proposed fee.
- A description of the proposed distribution of the collected fees among general classes of expenditures, e.g., equipment, field trips, or expendables.
- An explanation as to why departmental funds are insufficient to fund the described expenses.

The following courses are not eligible to request SCFs at this time:

- Dual Credit – unless consumables are used
- Tech Prep
- Vertical Credit
- Online Labs with No Credit Value

### **Guidelines**

- The EVP will maintain a continuous list of board approved SCFs.
- The minimum amount for a SCF will be \$5.
- The effective date of approved SCF's will be the semester (including summer) following the date of board approval:
  - SCFs approved in January will be effective the following Summer/Fall.
  - SCFs approved in August will be effective the following Spring.
- SCFs attached to courses that are inactivated or retired will be inactivated as well. A Special Course Fee Request Form **does not need** to be submitted to remove the SCF.
- SCFs will transfer with the course as long as the only change is with the title or number change. The Registrar will receive notification of title/number change via the curriculum process, and will then forward the information to Student Accounts receivable and the EVP.
- Approved fees may be charged at a level sufficient to partially or fully offset costs, but should not be used to generate a surplus.
- At the end of each academic year, department chairs will prepare a report that describes the income secured from SCFs, the balance of fees remaining at the end of the year, and plans for that balance. That report shall be reviewed by the AVP Academic Affairs (AVP) and Dean of Professional Technical Education (PTE Dean) and EVP to ascertain that the amount of fees collected is justified.

Ordinarily, special course or program fees **may** be charged for the following:

- Expendable supplies (paper, photocopying), materials such as art supplies (paint, jewelry metals, photographic paper and chemicals, etc.) or laboratory or clinical supplies (dissection specimens, disposable syringes and latex gloves, chemicals, glassware, video

- tapes or other use-intensive educational aids, etc.) and services that have broad departmental usage.
- Special services offered as a convenience or enriched experience for students (individual lessons in music, live models in drawing classes, etc.).
- Materials, supplies, tools, text books, etc. ordered in quantity by the department as a convenience or cost-saving measure for students, or when such items are not readily available locally.
- Access to specialized or enriched computer laboratory services (including hardware, software, and maintenance) that exceed the level of access and service that is basic to instruction and would thus be funded by the academic unit or campus-wide computer fee.
- Pass-through fees for malpractice insurance, certification examinations required before student clinical practice, required immunizations, or assessment examinations required by national accrediting agencies.
- Course-related student travel, such as supervised field trips and course related faculty travel, when associated with supervision of internships, externships, optional field trips, or other enrichment experiences.

Ordinarily, special course or program fees **may not** be charged for the following:

- Fixed equipment (equipment that is physically installed such as fume hoods, dishwashers, or kilns).
- Materials, supplies, and services related to the advertising and promotion of courses or workshops offered for credit.
- Books or periodical subscriptions for departmental libraries or shared use by students and faculty.
- Equipment used exclusively for instructional purposes such as microscopes, analytical equipment, anatomical models, ceramic wheels, etc.

**Special Course Fee Timeline: (approved in March, effective following fall semester):**

**October:** First week of October the EVP requests all instructional departments to submit proposals for SCF changes or additions.

**October:** The EVP reviews with AVP and PTE Dean the proposed additions or changes.

**November:** President’s Cabinet reviews proposed SCF submissions. Irregularities or questions are resolved during December.

**December:** SCF submissions appear as an agenda item for Board of Trustee meeting for first reading.

**January:** SCF submissions appear as an agenda item for Board of Trustee meeting for second and final reading.

**February:** The EVP will distribute the list of approved SCFs to the following:

- AVP of Student Services
- AVP of Instruction and Assistant Deans
- PTE Dean and Assistant Deans
- Controller

- Student Accounts Manager
- Financial Aid Director
- Registrar (2 copies in different formats)

***Departments are responsible for verifying SCFs on Summer and Fall class schedules prior to open registration.***

### **Special Course Fee Timeline for Spring Courses**

**May:** First week of May the EVP requests all instructional departments to submit proposals for SCF changes or additions.

**May:** The EVP reviews with AVP and PTE Dean the proposed additions or changes.

**June:** President’s Cabinet reviews proposed SCF submissions. Irregularities or questions are resolved during November.

**July:** SCF submissions appear as an agenda item for Board of Trustee meeting for first reading.

**August:** SCF submissions appear as an agenda item for Board of Trustee meeting for second and final reading.

**September:** The EVP will distribute the list of approved SCFs to the following:

- AVP of Student Services
- AVP of Instruction and Assistant Deans
- PTE Dean and Assistant Deans
- Controller
- Student Accounts Manager
- Financial Aid Director
- Registrar (2 copies in different formats)

***Departments are responsible for verifying SCFs on Spring class schedules prior to open registration.***

### **Administrative Procedure 4061 Purchasing and Bids**

Board Policy 4060 Designation of Authorized Signatures

Adoption History: 11/1/10

#### **Purchasing**

All purchases will be made with regard to the adopted budget of the College of Western Idaho. Administrators and professional support staff who administer budgets within their department or program are responsible and will be accountable to the Board of Trustees to ensure that purchases are made within the means of their budget, and only upon issuance of a purchase order.

Purchases for the College of Western Idaho are the responsibility of the Vice President of Finance and Administration and will be processed through the Business Office. College personnel wishing to purchase supplies, equipment, or services are required to follow outlined procedures.

## **Bids**

As a political subdivision of the state of Idaho, the College of Western Idaho is subject to the requirements of Idaho Code Sections 67-2801 through 67-2808, Purchasing by Political Subdivisions. Any expenditure for public works construction, services, and personal property anticipated to be at least twenty-five thousand dollars (\$25,000) must be accomplished pursuant to Idaho Code Sections 67-2801 through 67-2808.

The Vice President of Finance and Administration is responsible for conducting all bidding processes for the College of Western Idaho.

## **Administrative Procedure 4062 Fixed Asset Purchasing**

Board Policy 4060 Purchasing

Adoption History: 11/1/10

### **Definition of a Fixed Asset:**

A fixed asset, also known as property, plant and equipment is defined as a long-term, tangible asset held for business use and not expected to be converted to cash in the current or upcoming fiscal year. Examples could include computers, vehicles, furniture, books, heavy equipment, machinery, or scientific lab equipment. The cost of fixed assets is usually depreciated over the span of several years. Depreciation is the reduction in the value of an asset due to usage, passage of time, wear and tear and other such factors.

Another category within fixed assets is intangible assets, which is something of value that cannot be physically touched, such as a brand, franchise, trademark, or patent. The cost of computer software can also be placed in the category of intangible assets.

### **CWI Fixed Asset Guidelines:**

CWI fixed assets are classified in 2 different categories, Professional Technical Education (PTE) assets and Non PTE assets, which do not belong to any PTE program. PTE assets costing between \$500 and \$4,999, with a 2 year or longer useful life, must be tagged with a CWI asset tag and tracked within the CWI Fixed Asset System on Colleague. Non PTE assets costing between \$1,000 and \$4,999, including computers and laptops will be evaluated by the Business Office for tagging & tracking. These assets are not depreciated.

Assets in both categories costing \$5,000 and above are tagged with a CWI asset tag, and depreciated.

### **CWI Purchasing Procedure for Fixed Assets:**

The purchasing of Fixed Assets follows the same procedure as any other CWI purchase. The proper authorization must be followed. The following checklist should be followed when purchasing assets \$500 and over.

- The department purchasing should determine the need for the asset(s) and find a vendor with the best overall value.
- For purchases \$2,000 & over, a Purchase Order should be filled out, approved, and sent to Accounts Payable.
- Purchases under \$2,000 can be made with a P-card by following the CWI P-card procedure.
- When the asset(s) is delivered to the college, the department needs to fill out the Fixed Asset Information Form for single asset purchases or the Fixed Asset Information Form, Multiple Assets for 2 or more assets purchased together. Only 1 form needs filled out for each purchase. E-mail the form to the Fixed Asset/Purchasing Manager.
- The Fixed Asset / Purchasing manager will make sure the asset tag gets placed on the asset.
- The department will be in charge of safeguarding the asset(s).
- If an asset needs to be disposed or transferred to another department, the CWI Fixed Asset Disposal Form needs to be filled out by the department disposing of the asset.

These procedures are subject to change according to the needs of the College. Any questions concerning these procedures are to be directed to the Fixed Asset / Purchasing Manager.

### **Administrative Procedure 4081 Payroll Procedures and Paydays**

Board Policy 4080 Payroll

Adoption History: 4/4/09

#### **Procedures**

Employees are paid on the 10<sup>th</sup> and 25<sup>th</sup> of each month. Paychecks compensate employees for work performed from the first through the 15<sup>th</sup> and the 16<sup>th</sup> through the end of the month.

#### **Paydays**

It is the obligation of each employee to monitor the accuracy of each paycheck received. Information shown on the employee's paycheck stub is provided for information only. The paycheck is generated by a computer program that does not have the capacity to think or to understand individual circumstances. Actual practices respecting the issuance of paychecks and allocation of employee benefits must be consistent with the official policy of CWI. In the event of disagreement between the computer-generated paycheck stub and official policy as interpreted by the Department Head with the assistance of the Controller, the policy shall prevail. Employees are obligated to call to CWI's attention any discrepancies in payroll practices, whether to the advantage or disadvantage of employees.

### **Administrative Procedure 4082 Inclement Weather Pay**

Board Policy 4820 Emergency Campus Closure

Adoption History: 1/13/15

CWI will make every effort to maintain normal operating hours even during inclement weather. When CWI campus' operating hours are adjusted (late start, early closure, or full day closure) **due to weather conditions**, employees will be notified through the CWI notification system,





local television and radio stations, the college website, or other means. Employees are not expected to come in during inclement weather closures unless approval has been given by their **supervisors**.

Eligibility for compensation during an inclement weather closure is determined by the individual's role at CWI; but in most cases exempt and non-exempt employees are eligible to receive closure pay. Individuals working at CWI through a Temporary Employment Agency, as an Independent Contractor, or **as a** Work Study Program participant, are not eligible for compensation.

In the event that CWI is closed for the day due to inclement weather, all employees scheduled to work that day **will** receive their full salary for their normal hours worked. Employees who have scheduled vacation or other leave on a day when the College closes because of inclement weather, must use their accrued vacation or sick leave time **to receive compensation**.

In the event of a delayed start or early release, exempt staff and faculty will be paid for the full day if they work at all on that day. In the event of a delayed start due to inclement weather, non-exempt employees will receive their full day's pay if they arrive by the delayed start time or are working prior to the early release time. Those who arrive before the delayed start time or work beyond the early closure time will not be approved for additional pay unless they work beyond their normally scheduled hours and have their supervisor approval. If a delayed start time or early release occurs during a **part-time** employee's regular work time, they will receive their regular day's pay.

### **Administrative Procedures 4211 Investments**

Board Policy 4210 Investments

Adoption History: 10/16/12; revised 6/17/14

Reference: Idaho Code §67-1210 et. Seq.; Idaho Code §67-2327; Idaho Code §67-2328; Idaho Code § 33-5001, et seq.; Idaho Code §33-2107(11); Idaho Code §57-127

This procedure establishes and defines the authority for, the objectives of, the limitations applicable to, and the reporting and review requirements for, the College's investment program.

#### **Authority**

Investment authority for CWI funds is delegated pursuant to Board Policy 4210 Investments by the Board of Trustees to the VPFA and those persons whom the VPFA shall designate to exercise such authority. The VPFA, and his or her designees, shall have, subject to the constraints of this Administrative Procedure Statement, all power and authority as may be necessary or convenient to the investment of CWI Funds and the periodic liquidation and reinvestment of such funds.

## **Investment Objectives**

**Safety:** Preservation of principal is the single most important objective of the investment program. Investments must be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

**Liquidity:** The investment portfolio shall remain sufficiently liquid to meet all financial needs and obligations that may be reasonably anticipated. This will be accomplished by structuring the portfolio so that securities mature concurrently with anticipated cash requirements. While the College purchases securities with the intent of holding them to maturity, it may liquidate early to maximize the total return on assets, to compensate for temporary shortfalls in liquidity, or to address changes in market conditions or the credit rating of specific investments.

**Total return:** The investment portfolio shall be designed with the objective of achieving maximum yield throughout budgetary and financial cycles, subject to and consistent with the safety and liquidity objectives previously described above.

**Standard of Conduct:** The College and its investment managers shall comply with the standard of conduct in managing the investing the College's funds under the Uniform Prudent Management of Institutional Funds Act for the State of Idaho (Idaho Code §33-5001, et seq.).

## **Limitations**

Investment of CWI funds pursuant to the authority granted by this Board Policy shall be carried out by the VPFA and his or her designees in accordance with the following limitations and constraints.

**Investment Medium:** All investments will be denominated in U.S. Dollars.

**Permitted Investments:** Funds may be invested in the following (subject always to meeting the credit requirements set forth below):

- Bank accounts covered by FDIC Insurance. Certificates of Deposit of a bank, savings and loan, credit union or other financial institution organized under the laws of the United States of America or any state thereof.
- Obligations of the United States Treasury or those for which the full faith and credit of the United States of America is pledged
- Obligations issued by the agencies and instrumentalities of the United States, including but not limited to Federal Government-Sponsored Enterprises (GSEs) such as the Federal Farm Credit Banks, the Federal Home Loan Bank System, the Federal Home Loan Mortgage Corporation, and the Federal National Mortgage Association
- Repurchase agreements (covering assets otherwise constituting permitted investments under this Procedure)
- Reverse repurchase agreements (covering assets otherwise constituting permitted investments under this Procedure)
- Banker's Acceptances
- Commercial Paper

- Obligations of the State of Idaho and its Political Subdivisions
  - General obligations or revenue bond or other obligation for which the faith and credit of the state are pledged for the payment of principal and interest
  - General obligation or revenue bond of any county, city, metropolitan water district, municipal utility district, school district or other taxing district DRAFT College of Western Idaho (CWI) Investments
  - Bond, note or other similar obligation issued by public corporations of the State of Idaho including, but not limited to, the Idaho State Building Authority, the Idaho Housing Authority and the Idaho Water Resource Board
  - Tax anticipation note and/or registered warrant
  - Tax anticipation bond or note and income and revenue anticipation bond or note of governmental unit
  - Revenue bond of institutions of higher education of the State of Idaho
  - Investment vehicles and programs sponsored by the Idaho State Treasurer pursuant to Idaho Code §67-1210A, and through a joint powers agreement with the College.
- Money market funds which are rated Aaa by Moody's Investors Service;
  - have portfolio assets of at least \$5 billion;
  - and hold assets only with remaining maturities of thirteen months or less and a weighted average maturity of 90 days or less.

Further Investment Vehicle Limitation: Where CWI loan covenants, bond covenants, or applicable regulations require funds held subject to their limitations to be restricted to a subset of the forgoing investment vehicles, such restriction shall be observed in respect of the funds governed by such requirements. The fact that any such restriction may permit a broader range of investment vehicles than those set forth above shall not serve to broaden the permitted range of investment vehicles.

### **Credit Quality**

Rating Scale: The College will use the Moody's Rating Scale as the standard when evaluating investments in debt securities in order to limit the credit risk of such holdings.

At the time of acquisition, all investments must meet the following credit quality criteria:

- Non-State and non-municipal short term investment holdings will have a minimum rating of "Prime-1."
- Non-State and non-municipal long term investment holdings will have a minimum rating of "A3" or better.
- State and municipal entities short term investment holdings will have a minimum rating of "Prime-1."
- State and municipal entities' long term investment holdings will have a minimum rating of "A3" or better.
- Investment holdings in State of Idaho funds or State of Idaho-run funds (for example, Local Government Investment Pool [LGIP]) require no credit rating.

- Investment holdings in U.S. government or federal agency securities, or securities guaranteed by either the U.S. government or a federal agency require no credit rating. Investments in securities unconditionally guaranteed by the U.S. government or a federal agency whose obligations are guaranteed by the U.S. government or which are secured by a letter of credit issued by a federal agency whose obligations are guaranteed by the U.S. government shall not be required to meet the credit rating requirements set forth above (so long as the total amount secured by the letter of credit is not in excess of the amount of the letter of credit).

**Maturity**

Long-term Investment: The College will seek to control interest rate risk in long-term investments by attempting to match anticipated cash requirements to investment maturities. Generally, in conjunction with maintaining proper liquidity, the investment program should remain flexible enough in its design to enable the College to take advantage of opportunities in a changing interest rate environment.

The maximum maturity of any security purchase will be five years. The average weighted maturity of any managed portfolio will not exceed 36 months. For securities with puts or resets, the maturity date will be deemed the put or reset date of the security.

**Diversification**

Investments will be diversified in order to minimize the risk of loss resulting from the concentration of assets. Individual investments and managed portfolios shall meet the following criteria:

<b>Security</b>	<b>Individual Limit</b>	<b>Aggregate Portfolio Limit</b>
US government securities and US Government sponsored or secured thereby (including by letter of credit)	No Limit	No Limit
State of Idaho Securities	No Limit	25% of portfolio
State of Idaho investment funds (LGIP, DBF, etc.)	No Limit	No Limit
Bank accounts covered by FDIC Insurance	Limited to FDIC Insurance Amount	No Limit
Bank Certificates of Deposit	Limited to larger of FDIC Insurance Amount or amount subject to unconditional guarantee of U.S. Government or U.S. sponsored entity including pursuant to a letter of credit issued by such an entity	No Limit
Money Market funds	5% of total money market fund value	No Limit
State or Idaho and its municipalities, including any county, city, metropolitan water district, municipal utility district,	A. Limited to 20% of issue size	25% of portfolio

school district, institute of higher education or other taxing district	B. Limited by issuer (at purchase date) to 10% of the investment portfolio	
Non-Government issuers – excluding financial institutions	A. Limited to 20% of issue size B. Limited by issuer (at purchase date) to 5% of the investment portfolio	40% (Includes all non-government issuers except those secured by a letter of credit issued by the U.S. Government of an entity sponsored by the U.S. Government)
Non-government issuers – financial institutions	A. Limited to 10% of issue size B. Limited by issuer (at purchase date) to 5% of the investment portfolio	40% (Includes all non-government issuers except those secured by a letter of credit issued by the U.S. Government of an entity sponsored by the U.S. Government)

**Non-eligible investments**

This policy prohibits the College from any investment activity that would be considered speculative in nature according to principles of conservative investment management, whether or not the activity is specifically prohibited elsewhere in this policy.

**Safekeeping**

Custody: Securities shall be held in the name of the College by an independent safekeeping agent.

**Reporting and Review**

The VPFA shall prepare a written quarterly report of investment portfolio performance statistics. The report shall be reviewed by the Finance Committee and presented to the Board of Trustees and the President of the College with any comments of the Finance Committee within a reasonable time after the end of the quarter.

The VPFA’s Investment Performance Review shall consist of the following:

- List of the securities held at quarter-end
- List of transactions during the quarter that states the
  - Beginning market value for the reporting period
  - Additions and changes to the market value during the period
  - Ending market value for the period
- Statement of the market value and book value of each security at the beginning and end of the reporting period



- Statement of the maturity date of each security that has a maturity date
- Statement of the effective duration of each security held at quarter-end
- Statement of the weighted average market value, book yield, maturity, and effective duration of the investment portfolio as of quarter-end
- Report of the income accrued or received in cash during the quarter

The VPFA shall include at least annually in his or her quarterly report of investment portfolio performance statistics his or her assessment of the following factors affecting decisions concerning investment of CWI Funds:

- The College’s ongoing ability to tolerate downturns in asset value (function of financial and cash flow considerations)
- Any changes in the College’s liquidity requirements
- Any changes in the College’s income requirements
- Any changes in the College’s rate of return objectives
- Changes in the College’s priorities

**Administrative Procedures 4301 Security of College Property [To be created]**

Board Policy 4300 Security of College Property

Adoption History:

**Administrative Procedures 4311 Disposal of Property**

Board Policy 4310 Disposal of Personal Property

Adoption History: 12/17/10

Property Disposal

Any property to be disposed, no matter the method, needs to be documented with one of the Property Disposal Forms found on the CWI Portal under Business Office, Fixed Assets and communicated with the Fixed Asset/Purchasing Manager. Complete Steps for Completing a Property Disposal Form, Disposal Guidelines and Methods of Disposal are also located on the CWI Portal under Business Office, Fixed Assets.

Property Disposal Approval:

Each Department Head has the responsibility of safeguarding all CWI property within their department. The Department Head must approve the disposal, transfer, or sale of property by signing the Property Disposal Form, Property Transfer Form, Property Sale Form, or the Lost or Stolen Property Form. No college owned assets are to be given or sold to CWI employees or board members.

Disposed Property that needs documented with a disposal form includes: Electronic equipment, Computer equipment, Furniture, Large equipment, and Vehicles

Fixed Asset/Purchasing Manager must be notified of sale before the sale happens.

## **Administrative Procedure 4341 Campus Disruptions and Violence**

Board Policy 4340 Safety

Adoption History: 4/15/08

The College is committed to providing a safe work environment free from violence or threats of violence. All employees and students of the College have the right to learn, study, and work in an environment free of disruptive, hostile or violent behavior. The College will not tolerate any form of violence in the workplace including verbal or physical threats, or violence through intimidation that includes possession of weapons on the college campus or other College controlled sites.

## **Administrative Procedure 4342 Firearms and Weapons**

Board Policy 4340 Safety

Adoption History: 7/15/14; revised 10/30/14

References: Idaho Code Title 18, Chapter 33; Title 18 U.S. Code, Sections 921, 926 and 930; Idaho State Board of Education Policy (Section I, Subsection R - Campus Safety)

### **Definitions:**

- **Weapons:** These include firearms, knives, explosives, or other items which are capable of inflicting serious injury.
- **Properties owned or controlled by the College:** These include all College owned or leased buildings and surrounding areas such as sidewalks, driveways and parking lots. This policy applies to those operating College vehicles, regardless of whether they are on College property at the time.

**Procedure:** The possession, wearing, carrying, transporting, or use of weapons, including firearms, while upon properties owned or controlled by the College of Western Idaho (CWI) or where CWI activities occur, is prohibited, except for authorized law enforcement officers, authorized campus security officers, and persons exempt under Idaho State law. "Persons exempt under Idaho State law" means any person licensed to carry a concealed weapon under Idaho Code Sections 18-3302H or 18-3301K. Because weapons are capable of inflicting serious injury and pose a clear risk to persons and property, violations of this policy may result in suspension or termination from CWI and prosecution under appropriate laws.

**Violations:** Possession or use of any unauthorized weapon on College property or during College activities is a violation of this policy. Such violation may result in disciplinary action up to and including suspension or termination from CWI and prosecution under appropriate city, state, or federal laws.

**Individual Exceptions:** Prior specific written permission from the Executive Director, Facilities, Planning & Management to bring any weapon on campus may be obtained for certain activities or legitimate purposes, i.e., class projects or demonstrations, or displays of antique firearms or art objects.



Program Exceptions: Some students or instructors regularly use tools which fall under the definition of weapons. Such tools, when applied directly to a legitimate use in College programs, are exempt from this policy. Questions are to be directed to the Executive Director, Facilities, Planning & Management.

### **Administrative Procedure 4343 Incendiary Devices, Explosives, and Fireworks**

Board Policy 4340 Safety

Adoption History: 4/15/08; revised 7/15/14

Possession, wearing, carrying, transporting, or use of an incendiary device, explosive, or firework is strictly forbidden on the College of Western Idaho owned or controlled premises, including private vehicles of employees, students or campus visitors. Any person wishing to possess, carry, transport or use any of the above listed items on these premises must have the express written consent of the Executive Director, Facilities Management. Violations may result in disciplinary action up to and including suspension or termination from CWI and prosecution under appropriate city, state, or federal laws.

### **Administrative Procedure 4344 Identifying Workplace Hazards**

Board Policy 4340 Safety

Adoption History: 10/16/12; revised 9/17/14

Reference: Idaho Division of Building Safety Code 30

Workplace safety inspections of all departmental facilities, shops and laboratories must be conducted. The inspections should be noted on CWI Workplace inspection form, CWI Workplace Hazard Assessment form and CWI Laboratory Safety Inspection form, and the department should maintain copies of the documentation. Whenever new substances, processes, procedures, or equipment are introduced into the workplace, representing a new occupational safety and health hazard, or whenever supervisors are made aware of a new or previously unrecognized hazard, additional inspections will be performed.

Supervisors are responsible for:

- Identification and correction of hazards that their staff and/or students face;
- ensuring that employees and/or students are given access to hazard information pertinent to their work assignments;
- ensuring that work areas they exercise control over are inspected at least annually.

Supervisors should check for safe work practices with each visit to the workplace and should provide immediate verbal feedback where improper handling or hazards are observed. All department personnel are encouraged to communicate safety concerns to their supervisor without fear of reprisal.

## **Safety Data Sheets**

Safety Data Sheets (SDS) provides information on the potential hazards of products or chemicals. Hard copies of SDS' for the chemicals used in the department will be available to all employees. If an SDS is found to be missing, a new one can be obtained by faxing a written request to the manufacturer. A copy of this request should be kept until the SDS arrives.

## **Equipment Operating Manuals**

All equipment is to be operated in accordance with the manufacturer's instructions, as specified in the equipment's operating manual. Copies of operating manuals should be kept with each piece of equipment in the department. Persons who are unfamiliar with the operation of a piece of equipment and its potential hazards must at least read the operating manual before using the equipment. Training should also be sought from an experienced operator or supervisor.

All equipment is to be operated in accordance with the manufacturer's instructions, as specified in the equipment's operating manual. Copies of operating manuals should be kept with each piece of equipment in the department. Persons who are unfamiliar with the operation of a piece of equipment and its potential hazards must at least read the operating manual before using the equipment. Training should also be sought from an experienced operator or supervisor.

For additional information, please refer to Safety Guideline 4344.1 Identifying Workplace Hazards located at [https://mycwi.cc/college\\_resources/security/safety/Pages/default.aspx](https://mycwi.cc/college_resources/security/safety/Pages/default.aspx)

## **Administrative Procedure 4345 Correcting Workplace Hazards**

Board Policy 4340 Safety

Adoption History: 10/16/12; revised 9/17/14

Reference: Idaho Division of Building Safety Code 30

Hazards discovered either as a result of a scheduled periodic inspection or during normal operations must be corrected by:

- the supervisor in control of the work area, or
- the supervisor of the employees working in that area.

Supervisors of affected employees are expected to correct unsafe conditions as quickly as possible after discovery of a hazard, based on the severity of the hazard.

If an imminent hazard exists, work in the area should cease and the appropriate supervisor or campus security must be contacted immediately. If the hazard cannot be immediately corrected without endangering employees or property, all personnel need to be removed from the area except those qualified and necessary to correct the condition. These qualified individuals will be equipped with necessary safeguards before addressing the situation.

For additional information, please refer to Safety Guideline 4344.1 Identifying Workplace Hazards located at [https://mycwi.cc/college\\_resources/security/safety/Pages/default.aspx](https://mycwi.cc/college_resources/security/safety/Pages/default.aspx)

### **Administrative Procedure 4346 Hazardous Materials Communication**

Board Policy 4340 Safety

Adoption History: 10/16/12; revised 9/17/14

Reference: Idaho Division of Building Safety Code 111 and 301

CWI shall develop, implement, and maintain at each workplace, a written hazardous materials communication procedure. Communication includes, at least, descriptive labels and other forms of warning, safety data sheets (SDS), and additional information and training requirements. In addition CWI students, faculty, staff, and visitors will be informed about hazardous substances to which they could become exposed to through work requirements, or use in the area by the use of signs, labels and other forms of warning.

For additional information, please refer to Safety Guideline 4344.2 Hazardous Materials Communication located at MyCWI/College Resources/Security/Safety page.

### **Administrative Procedure 4347 Injury and Illness Prevention**

Board Policy 4340 Safety

Adoption History: 10/16/12; revised 9/17/14

Reference: Idaho Division of Building Safety Code 30

The Injury and Illness Prevention procedure is intended to establish a framework for identifying and correcting workplace injuries, illnesses, and hazards within the College of Western Idaho and to comply with all applicable occupational health and safety regulations.

This procedure applies to all CWI students, faculty, staff and visitors. CWI faculty and staff are required to formalize and document compliance with existing health and safety requirements, and to establish a framework for developing and implementing new programs.

For additional information, please refer to Safety Guideline 4347 Injury and Illnesses Prevention located at MyCWI/College Resources/Security/Safety page.

### **Administrative Procedure 4348 Injuries and Illnesses Reporting**

Board Policy 4340 Safety

Adoption History: 10/16/12; revised 9/17/14

Reference: Idaho Division of Building Safety Code 30

All CWI students, faculty, staff, and visitors must report an accident or incident that occurs on CWI property, immediately to their supervisor, instructor, or Campus Security at 208.562.3333 or security@cwidaho.cc.

The supervisor, instructor or Campus Security must contact Risk Management at 208.562.3948 or riskmanagement@cwidaho.cc or Human Resources at 208.562.3287, immediately, or as soon as possible and as appropriate, to report the accident or incident and complete the CWI Accident/Incident Report.

For additional information, please refer to Safety Guideline 4347.1 Injuries and Illnesses Reporting located at MyCWI/College Resources/Security/Safety page.

### **Administrative Procedure 4351 Tobacco-Free Campus**

Board Policy 4350 Tobacco Free Campus

Adoption History: 10/16/12 (Formerly AP4346 Smoking Restrictions on Campus) and 9/17/13

Reference: "Tobacco-Free Community College Campuses – A Review of Policies," Hanover Research, September 2010; Ozarks Technical Community College, Model Community College Tobacco-Free Policy <http://www.otc.edu/1129.php>

The College of Western Idaho is committed to providing a safe and healthy environment for its employees, students and visitors. In light of findings of the U.S. Surgeon General that exposure to secondhand tobacco smoke and use of tobacco are significant health hazards, it is the intent of the Board to establish a tobacco-free environment. This will be accomplished in two phases, as outlined below:

#### **Effective immediately, the following restrictions apply:**

- Smoking, the use of electronic cigarettes, the burning of any type of pipe, cigar, cigarette, or similar product, and chewing tobacco is prohibited in all campus buildings as well as in all vehicles owned, leased or rented by the College. Smoking is also prohibited within 50 feet, approximately 20 paces, of all campus buildings. Smoking is only allowed in designated smoking areas.
- Organizers and attendees at public events using CWI facilities, such as conferences, meetings, public lectures, social and cultural events will be required to abide by the College's Smoking Restrictions Procedure. Organizers of such events are responsible for communicating and enforcing this procedure.
- Distribution and advertisements of tobacco products on campus are prohibited.

#### **Effective January 2015, the following restrictions will apply:**

- The use, distribution, or sale of tobacco products, any type of pipe, cigar, cigarette, or similar product, and chewing tobacco including any smoking device, or carrying of any lighted smoking instrument, electronic cigarettes, or hookahs, in college buildings or on college premises, at events on college premises, or in college-owned, rented or leased vehicles, will be prohibited.
- All college employees, students, visitors and contractors are required to comply with this policy, which shall remain in force at all times. The College reserves the right to initiate disciplinary procedures against any individual found to be in continuous violation of 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. Individuals observed smoking are to be reminded in a professional and courteous manner of the College policy. Appropriate signage will be posted in campus facilities, on the College of Western Idaho website and elsewhere to inform members of the campus community and visitors of the Tobacco-Free Campus Policy.

- This policy will be communicated in appropriate college publications and contracts. College publications include, but are not limited to, electronic notifications, handbooks, brochures and other college-generated materials.
- The College of Western Idaho will promote prevention and education initiatives that actively support non-use and address the risks of all forms of tobacco use. CWI will offer programs and services that include practical evidence-based approaches to end tobacco use for students and employees who want to quit.
- The Department of Risk Management will coordinate all appropriate college resources for policy notification, education, promotion, support, and assessment to ensure successful implementation.

## **Administrative Procedure 4501 Travel Procedures**

Board Policy 4500 Travel Expenses

Adoption History: 4/15/08; revised 1/17/12

### **Travel authorization**

Prior to traveling, faculty/staff members must submit a travel request to their immediate supervisor. If the immediate supervisor approves the travel request, based upon the purpose of the travel and availability of funds to cover the travel expense, the individual may proceed to make the appropriate travel arrangements. Approval by appropriate Vice President is required for all international travel.

### **Allowable Travel Expenses**

- Lodging expenses for standard or moderately priced accommodations will be fully reimbursed. When making lodging reservations employees should ask for the educational/government rate.
- Meal expenses are reimbursed using a daily per diem. The amount of the per diem changes periodically. The number of meals that are reimbursed to the employee utilizing the per diem rate is based upon the time of departure and return. Employees who depart prior to 7:00 a.m. and return after 6:00 p.m. will be reimbursed for breakfast, lunch, and dinner. Employees leaving after 7:00 a.m. but prior to noon and returning after 6:00 p.m. will be reimbursed for lunch and dinner. Employees departing after noon and returning after 6:00 p.m. will be reimbursed for dinner. CWI will follow the State of Idaho per diem guidelines at:  
[http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentId=17943&contentType=GSA\\_BASIC](http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentId=17943&contentType=GSA_BASIC)
- Transportation costs by commercial transportation shall be limited to the lowest cost (coach fare) unless it is impractical or not available. If a personal automobile is used in lieu of a commercial carrier, reimbursement shall be made based on coach fare or mileage, whichever is less. Travel by privately owned automobile or airplanes will be approved when it is more practical than the use of a commercial carrier. When a private automobile is used for college travel the mileage will be reimbursed at a rate approved by the Board of Trustees and not to exceed the IRS publicized rate. Travel

awards and benefits such as frequent-flier miles awarded as a result of authorized business travel will remain the property of the traveler and will not be claimed by the College of Western Idaho.

- Car rentals should utilize the most practical and available rental equipment. Employees are encouraged to deny the insurance coverage associated with rental car insurance. In the event an employee is involved in an accident or another form of loss claim associated with a rental car, the insurance provided by the College of Western Idaho will be used to cover the costs, unless malicious intent on the part of the employee is discovered.
- Gratuities will be reimbursed up to a maximum of 20%.
- Parking fees incurred will be reimbursed in full.
- Additional reimbursable expenses may include: taxi or bus fare; transporting, handling or storing college equipment; airport parking; postage, photocopying, and the purchase of supplies or materials which are necessary for transaction of college business; registration and conference fees; and reasonable laundry expenses for trips in excess of five days.

In some circumstances where the staff member is traveling to a high-cost area, he/she may request approval to receive actual reimbursement in lieu of the daily per diem allowance for meals. In such cases, reimbursement will be based upon submission of actual receipts for all meals each day.

The College of Western Idaho will not reimburse employees for any alcoholic beverages.

Employees who attend a scheduled banquet as part of the official functions of a conference or convention may be reimbursed for the actual cost of the banquet upon presentation of the proper receipt. Such reimbursement will be in lieu of the dinner per diem allowance for that day.

### **Direct Payment to Vendor**

Employees are encouraged to submit a Prior Approval Travel form through the normal purchase order channels to pay for appropriate travel expenses such as air fare, conference registrations, and lodging prior to the date of travel.

### **Reimbursements**

Employees are responsible for the costs associated with travel and will be reimbursed upon submission of the appropriate receipts. The College of Western Idaho will reimburse the employee within 10 working days upon submission of the appropriate travel receipts.

### **Local Mileage Reimbursements**

Requests for reimbursement for local travel must be submitted within two weeks after the end of the calendar month. Forms turned in prior to the end of the month will be held until the end of the month to assure all travel miles for the calendar month will be paid on a single reimbursement. This helps Accounts Payable stay current with expenses, and to be assured that time periods are not duplicated.

CWI reimburses employees for business expenses as well as entertainment and travel expenses under an “accountable” business expense reimbursement plan. To prevent the reimbursement from being taxable, IRS rules require an employee to provide adequate accounting of expenses to the employer within a reasonable period of time.

The IRS defines “reasonable period of time” as 60 days.

To comply with these regulations, all travel, entertainment and business expense reimbursements submitted more than 60 days after the date of expense (or completed travel) will be considered taxable income to the traveler, unless a reasonable justification for an exception is provided. If a reasonable justification for an exception is not submitted and approved, the amount of the reimbursement will be forwarded to Payroll and included on the employee’s Form W-2.

### **Administrative Procedure 4521 CWI Vehicles**

Board Policy 4520 Vehicle Use

Adoption History: 10/16/12

Reference: ICRMP

#### **College-Owned or Long-term Leased Vehicles**

To ensure appropriate insurance coverage is obtained for the vehicle, it is essential that Risk Management is contacted and the New/Leased Vehicle form is completed in order to insure the vehicle.

#### **Short-term Rental Vehicle**

If departments or organizations find it necessary to rent vehicles on a short-term basis from a rental agency, the vehicle should be rented in the name of CWI.

#### **Personal Vehicles Used for CWI Business**

When an employee is using their personal auto for official campus business, the employee's auto insurance is primary. CWI's auto insurance would be excess only for liability. Physical damage to an employee's auto while driven on official CWI business, is not covered by CWI's auto insurance.

### **Administrative Procedure 4522 Vehicle Use Responsibilities**

Board Policy 4520 Vehicle Use

Adoption History: 10/16/12

Reference: ICRMP

All CWI faculty and staff are responsible for ensuring they are in compliance with the procedure at all times, for CWI owned or leased vehicles. Each department is responsible for all costs associated with the maintenance and operation of vehicles assigned to them, including regular and other maintenance and fuel, and ensuring Risk Management has the vehicle insured.

Departments must also comply with any additional recommendations made by CWI and arrange for annual inspections. Drivers must be trained and qualified prior to operating vehicles or equipment.

### **Administrative Procedure 4523 Vehicle Operation Safety**

Board Policy 4520 Vehicle Use

Adoption History: 10/16/12

Reference: ICRMP

All CWI leased and owned vehicles must be operated in accordance with all state, local and federal laws, rules and regulations as well as all other conditions determined by the College. Violation of any laws, rules, regulations and additional College conditions may be grounds for disciplinary action and could include possible termination.

Please refer to MyCWI/Risk Management/Documents for additional requirements, information and instructions on Motor Vehicle Records Check.

### **Administrative Procedure 4524 Motor Vehicle Records Check**

Board Policy 4520 Vehicle Use

Adoption History: 10/16/12

Reference: ICRMP

Departments are required to submit a list of drivers with license information to Risk Management annually for those drivers who will have routine access to departmental vehicles.

Risk Management will perform driver's license checks through the Idaho Department of Motor Vehicles to ensure that the drivers are in compliance with CWI's Vehicle Use Policy on an annual basis as well as randomly throughout the year. Negative findings on driver's license checks could affect an employee's ability to perform their job, and may lead to corrective action up to and including termination.

Please refer to MyCWI/Risk Management/Documents for additional requirements, information and instructions on Motor Vehicle Records Check.

### **Administrative Procedure 4525 Vehicle Maintenance**

Board Policy 4520 Vehicle Use

Adoption History: 10/16/12

Reference: ICRMP

All College-owned vehicles are required to have, at the minimum, an annual maintenance and safety inspection.

Please refer to MyCWI/Risk Management/Documents for additional requirements, information and instruction on Vehicle Maintenance.



## **Administrative Procedure 4526 Vehicle Accident Procedures**

Board Policy 4520 Vehicle Use

Adoption History: 10/16/12

Reference: ICRMP

The following accident procedure information should be placed in the glove compartment of all College-owned vehicles. Contact Risk Management for a copy of the accident procedures.

- Report the accident to Risk Management as soon as practical, preferably, the same day.
- Obtain a police report from the appropriate police agency if available.
- Stay calm; do not argue with others involved in the accident.
- Call an ambulance if anyone is injured.
- Make sure the area is safe prior to assisting those injured.
- Administer First Aid, only if you are qualified.
- Do not discuss what happened with anyone except the police.
- Do not admit responsibility for the accident.
- Do not disclose policy limits to anyone.

Please refer to MyCWI/Risk Management/Documents for additional requirements, information and instruction on Vehicle Accident Procedures

## **Administrative Procedure 4527 Driver Requirements and Guidelines**

Board Policy 4520 Vehicle Use

Adoption History: 10/16/12

Reference: ICRMP

All employees authorized to operate College of Western Idaho vehicles for the purpose of conducting CWI business, must have the following:

- be at least 18 years old,
- have an appropriate and valid driver's license for the vehicle being driven,
- have reasonable experience driving the type of vehicle being used,
- could reasonably be expected to operate the vehicle in a safe and prudent manner, and be in compliance with Idaho local law, the College of Western Idaho's Vehicle Use Policy and other state/federal law.

### **Driver Guidelines**

The following guidelines will be used to determine a driver's eligibility under the CWI Vehicle Use policy. Drivers will not be eligible to drive a college vehicle if their driver's license is suspended or revoked. Drivers may not be eligible to drive a college vehicle if Driver has been convicted of, but not limited to, any of the following:

- driving under the influence of alcohol or drugs,
- hit and run,
- evading the police,
- reckless or inattentive driving,

- texting while driving,
- negligent homicide arising out of the use of a motor vehicle,
- operating during a period of suspension or revocation,
- using a motor vehicle without the owner's authority (grand theft), or
- speed citations (three (3) or more in a 30 day period)

### **Designated Drivers**

No person, other than a "designated driver", may operate any CWI owned or rented vehicle either on or off campus.

The designated driver(s) must be a registered student, faculty, staff member, and/or employee of CWI. There are two categories of designated driver(s):

- Job Related: Those persons required to operate a vehicle or piece of equipment in performing their day-to-day jobs, as designated by the job description. (Note: Loss of designated driver status may affect employment.)
- Program/Function Support: Those persons who operate a vehicle in support of a department, organization or club's function, program or event. (Note: Loss of designated driver status may affect support to the organization.)

Compliance with Idaho local law, the College of Western Idaho's Vehicle Use Policy and other state/federal laws are required for any driver to be allowed to use a CWI vehicle.

Designated drivers will be determined by Assistant Vice Presidents or Vice Presidents for their designated areas. A master list will be kept by Risk Management and reviewed and updated on a quarterly basis.

### **Additional Information/Requirements**

Please refer to MyCWI/Risk Management/Documents for additional information on:

- Vehicle Return
- Back-up Alarms
- Driver Requirements and Guidelines
- Passengers
- Automobile Insurance Identification Cards
- Driver Training
- Vehicle Use Recordkeeping
- Vehicle Use Forms

### **Administrative Procedure 4611 Requesting Public Records**

Board Policy 4610 Public Records

Adoption History: 11/1/10; revised 5/25/11

Requests for public records shall be submitted in writing to the Vice President of Finance and Administration (VPFA), who is the CWI custodian of public records. Requests should be made in writing to the VPFA.

Requests to examine or copy public records shall be granted or denied, as required by Idaho Statute, within three working days of their receipt. However, the custodian of public records may take an additional 10 working days to respond to such requests if necessary.

Examination of public records must be conducted during regular office or working hours.

The custodian shall make no inquiry of any person who applies for a public record, except to verify the identity of a person requesting a record in accordance with section 9-342, Idaho Code, to ensure that the requested record or information will not be used for purposes of a mailing or telephone list prohibited by section 9-348, Idaho Code, or as otherwise provided by law, and except as required for purposes of protecting personal information from disclosure under chapter 2, title 49, Idaho Code, and federal law. The person may be required to make a written request and provide their name, a mailing address and telephone number.

Individuals requesting public records have the right to make his/her own copies of the documents using College of Western Idaho copying equipment. The custodian of public records or a designated staff member shall use whatever diligence is required to prevent alteration of any public record while it is being examined or copied. For copies totaling in excess of 100 pages, the college will establish a cost per page to be paid by the requester. Requests that require greater than two hours of staff time will be charged at a reimbursement rate according to the following table:

<b>Copying</b>	
Per page - Black & White	\$0.05
Per Page – Color	\$0.50
<b>Labor</b>	
Administrative Assistant	\$22.00/hour
Manager/Supervisor	\$38.00/hour
Director	\$44.00/hour
Vice President	\$61.00/hour
Attorney	\$250.00/hour

**Administrative Procedure 4811 Facilities Use**

Board Policy 4810 Facilities Use

Adoption History: 6/27/11

This Facilities Use procedure applies to all College of Western Idaho facilities.

**General**

As a tax supported community college, the primary missions of education and community service will have first priority in the use of facilities on campus. CWI facilities are available for rental or for community (external) use only when CWI classes are not scheduled.

The CWI Scheduling Office (scheduling@cwidaho.cc) is the point of contact for internal and external campus individuals or groups wishing to schedule use of any College room or facility.

A Facility /Event Request Form must be completed to begin the process for requesting space usage and assistance in planning and communicating event needs to appropriate resource and feature representatives as well as throughout the College community.

- Internal Requests for Facility Use
  - College sponsored events which are scheduled or requested by College faculty or staff and are planned primarily to benefit members of the College community are considered internal. These requests include division or department meetings, as well as activities, events, etc. There are no facility rental fees for these requests but other charges may apply depending on the resources requested.
  - Student sponsored events are events carried out by officially recognized student clubs or organizations or a faculty/staff member.
  - All student events should be coordinated through the Office of Student Enrichment in addition to completion of the Facility/Event Request Form.
  - There are no facility rental fees for officially sanctioned student events but charges may apply depending on the resources requested.
- External Requests for Facility Use
  - CWI welcomes the use of its space by external organizations as long as the organization's stated purpose does not conflict with the primary mission of the College.
  - Facilities at CWI are available for use to outside organizations or individuals at fees established by the College provided the following conditions are met.
    - The individual or representative of the organization signs a Facility Use agreement and provides signed documentation that all appropriate College policies will be followed.
    - The planned activity is not expected to cause property damage or personal injury.
    - The individual or organization is not in arrears to the College for prior rentals or other required payments.
    - The College may request insurance, indemnity or surety bond from anyone using College facilities.
  - For activities closely related to a College employee's professional duties, for instance employee holds a national, state or regional office of a professional organization, the President may authorize use of campus space. Employees associated with these organizations may schedule College facilities that fall within the College mission. These requests will be guided under the external request procedures.

## CHAPTER 5: HUMAN RESOURCES

### **Administrative Procedure 5011 At-Will Employment**

Board Policy 5010 At-Will Employment

Adoption History: 3/15/11

Except as may be agreed in writing and expressly approved by the Board of Trustees, all employees of the College of Western Idaho are employed at the discretion of the Board and shall have no right to continued employment or employment benefits. Unless otherwise provided by contract in accordance with Board policy and the College's administrative procedures, all employees of CWI are at-will and the College reserves the right to terminate the employment relationship at any time with or without cause or notice. No employee or representative of CWI, other than its Board of Trustees, has authority to enter into any written or oral agreement which modifies the at-will employment relationship. To be valid, any such agreement must be in writing approved by the Board of Trustees, signed by the President of CWI and contain the name of the specific employee who would be benefitted/obligated by the agreement.

The purpose of CWI's administrative procedures regarding human resources is to establish a safe, efficient and cooperative working environment, to establish responsibilities and level of performance expected of all CWI employees and to explain benefits provided to CWI employees. CWI's administrative procedures are not intended to create nor do they create an express or implied contract of employment, contractual terms of employment or a covenant, promise or representation that employment will continue for any specified period of time or limit the reasons for which an employee may be discharged. These administrative procedures create no rights, contractual or otherwise, on behalf of employees of CWI.

CWI reserves the sole right to add, change or rescind any policy, practice or administrative procedure at any time without prior notice to or consent by CWI's employees.

### **Administrative Procedure 5012 Faculty Appointment/Retention**

Board Policy 5010 At-Will Employment

Adoption History: 9/26/11; revised 5/21/13

#### **Adjunct Faculty**

Adjunct Faculty shall be appointed and serve pursuant to a Letter of Teaching Appointment signed by the adjunct faculty member and the appropriate Dean of CWI. Unless renewed in writing by CWI, the Letter of Teaching Appointment shall automatically terminate at the end of the semester. Accordingly, adjunct faculty shall have no expectation of continued employment beyond the term of the appointment. Further, employment of adjunct faculty is at-will and, upon written notice to the adjunct faculty member, may be terminated during the term of the appointment with or without cause. Adjunct faculty are allowed six (6) hours of absences per semester. Exceeding this limit without prior approval could be grounds for non-renewal.

### **Regular Faculty**

Regular faculty (full time faculty members whose primary responsibility is teaching) shall be appointed and serve pursuant to an Employment Contract signed by the faculty member and the President of CWI. Employment contracts for regular faculty members shall be issued annually for periods of one year. Further, regular faculty members shall be either on non-renewable contract status or renewable contract status as addressed below.

The College may prorate new instructor compensation in event that an instructor is removed from a class during the semester.

### **Use of Substitute Instructors**

Substitute instructors may be used at the College with the following guidelines:

- Faculty may arrange to exchange coverage with other instructors in lieu of compensation.
- Faculty may not personally compensate substitutes.
- The College will compensate a qualified substitute in the following instances:
  - to cover military absences or college-related absences (state meetings, conferences, etc.)
  - to cover extended absence for documented illness.
- Non-employees of CWI may not substitute in an instructor's absence.

### **Non-Renewable Contract Status**

The employment of regular faculty members who have not obtained renewable contract status as provided herein, i.e. who are on non-renewable contract status, is at-will and upon written notice to the faculty member may be terminated during the term of the appointment with or without cause. Further, the College reserves the right to non-renew the term of a faculty member's employment with or without cause. Faculty members who are on non-renewable contract status are not entitled to administrative review of a decision by the College to non-renew their contract except to the extent provided by Administrative Procedure 5153.

However, faculty members whose contracts are terminated prior to the expiration of the contract term may avail themselves of the complaint procedures set forth in Administrative Procedure 5141. Such access to the College's Complaint Procedure does not, nor is it intended to, create any due process or contract rights, express or implied nor does it affect the at-will nature of employment of faculty members who are on non-renewable contract status.

Employment contracts, or in the alternative and when applicable, notices of non-renewal, will be issued to faculty members on non-renewable contract status no later than May 15 of the current academic year. Faculty members on non-renewable contract status to whom contracts have been issued must return their signed contracts to CWI no later than June 1, preceding the expiration of the term of the current contract. The failure to do so may be interpreted as the declination of the offer of another contract.

Notice of nonrenewal as provided in this section is not required when CWI's Board of Trustees has authorized a reduction in force resulting from a declaration of financial exigency or for curricular reasons. In the event of such a reduction in force, notice must be provided pursuant to CWI's faculty termination procedures and its policies for reductions in force.

### **Renewable Contract Status**

Regular faculty members in good standing who have completed at least three years of service and either in the judgment of the Vice President of Instruction and the College's President are deserving of renewable contract status, or have obtained the rank of Assistant Professor, shall be eligible for renewable contract status.

Regular faculty members, who have completed at least three years of service but have not obtained the rank of Assistant Professor, must apply to the Vice President of Instruction for renewable contract status. Placement on renewable contract status is not guaranteed and is subject to the recommendation of the President and approval by the Board of Trustees.

Eligible faculty members shall be placed on renewable contract status commencing upon their execution of a contract for the next year following approval of their renewable contract status by the Board of Trustees, and thereafter shall have the right to automatic renewal of their contract for the ensuing year unless there is a non-renewal in accordance with the procedures set forth below and in Administrative Procedure 5153. Except as otherwise provided herein, notice of non-renewal of a faculty member's annual contract will be provided in accordance with Administrative Procedure 5153 and no later than March 15 of each full academic year of service if the appointment is not to be renewed at the end of the academic year; if the appointment terminates during an academic year and is not to be renewed, notice must be provided at least 90 days prior to its termination. Otherwise, employment contracts will be issued to faculty members on renewable contract status no later than May 15 of the current academic year. The execution and return of the contract to CWI shall constitute notice of the faculty member's acceptance of renewal. The failure to return a signed contract to CWI by June 1 preceding the expiration of the term of the current contract may be interpreted as the declination of the right to renewal or of the offer of another contract. The renewal or termination of contracts for faculty members on renewable contract status is subject to the termination provisions set forth below.

Any contract automatically renewed under the terms of this Policy shall be for the same length as that stated in the current contract, i.e. generally one year, and at a salary no lower than that specified therein.

Termination for Cause: The Board of Trustees may discharge a faculty member on renewable contract status, discharge upon expiration of the current contract a faculty member on renewable contract status, or renew the contract of a faculty member on renewable contract status at a reduced salary, for cause. For purposes of this policy, "cause" shall include the following:

- The consistent failure to adequately perform the duties and responsibilities for which the faculty member was employed (for example, a faculty member receiving two consecutive performance reviews with an overall rating of no greater than "Needs Improvement" may be deemed to have failed to adequately perform their duties and responsibilities for which the faculty member was employed).

- The refusal or continued failure to comply with or the willful violation of CWI policies or the refusal or continued failure to carry out specific assignments when such assignments are reasonable and within the purview of the faculty member's duties and responsibilities.
- The conviction of or plea of *nolo contendere* to any felony or any crime involving moral turpitude.
- The falsification of information on an employment application or any other employment related document regardless of when the falsification is discovered.
- The failure to maintain levels of professional excellence and ability demonstrated by other members of the faculty in the department or division of the College.
- Any conduct committed by a faculty member whom the College reasonably determines has injured the professional standing or reputation of the College.

**Notice/Administrative Review:** Upon the determination that a faculty member shall be terminated for cause, CWI will provide the affected faculty member with written notice of the intended action as well as an opportunity for administrative review as set forth in Administrative Procedure 5153.

Termination as the Result of the Declaration of a Financial Exigency or for Curricular Reasons

The Board of Trustees may discharge a faculty member on renewable contract status, discharge upon expiration of the current contract a faculty member on renewable contract status or renew the contract of a faculty member on a renewable contract status at a reduced salary as the result of the declaration of a financial exigency or for curricular reasons.

- **Financial Exigency.** A financial exigency means a *bona fide*, imminent financial crisis, the result of which is a current or projected absence of sufficient funds to reasonably maintain current programs and activities at a level sufficient to fulfill the College's educational goals and priorities and which cannot be reasonably alleviated by means other than a reduction in the employment force.
- **Curricular Reasons.** Curricular Reasons include:
  - A material decrease in student enrollment in a field where such decrease has resulted in faculty student ratios that are unacceptable either by comparison with equivalent faculty load practices in the College or by comparison with faculty loads in comparable departments or divisions at similar institutions.
  - A reorganization or consolidation compelling the elimination of the need for a particular faculty expertise or a reduction in the overall need for faculty in a department or division.
  - The termination of a program from the curriculum where such termination eliminates or reduces the need for faculty qualified in that discipline or area of specialization.

When a faculty member on renewable contract status is terminated as the result of a financial exigency or for curricular reasons, the College will attempt to relocate the faculty member to another existing vacant position for which the faculty member is qualified. The final decision with respect to relocation is within the discretion of the College's President. Upon determining that termination of one or more faculty



members on renewable contract status is warranted because of a financial exigency or for curricular reasons, the President shall decide which faculty member(s) should be terminated based upon an assessment of the educational programs of the department or division in question and the best interests of the institution pursuant to Administrative Procedure 5154.

- **Reinstatement Rights.** When the employment of a faculty member on renewable contract status is terminated because of a financial exigency or for curricular reasons, the position may not be filled by a new appointee with the same area(s) of specialization as the terminated faculty member for a period of at least three years from the effective date of the termination, unless the terminated faculty member has been offered reappointment in writing to the position at the previous rank and salary and has not accepted the appointment within 30 days after the offer is extended. Adjunct faculty members or faculty members who are not on renewable contract status are not afforded any reinstatement rights in the event their employment is terminated because of a financial exigency or for curricular reasons.
- **Notice/Administrative Review.** Upon the determination that termination of one or more faculty members is required because of a financial exigency or for curricular reasons, CWI will provide each affected faculty member to be terminated with written notice of the intended action as well as an opportunity for administrative review as set forth in Administrative Procedure 5153.

### **Administrative Procedure 5031 Drug Free Workplace Procedure**

Board Policy 5130 Drug Free Workplace

Adoption History: 6/27/11; revised 4/15/13

The following guidelines have been adopted for the purpose of maintaining an alcohol and drug free workplace and campus at CWI and establishing the parameters of CWI's drug and alcohol testing program.

#### **Definitions**

**"Illegal Substance"** means any drug, substance or immediate precursor as listed in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. § 812, as now exists or may be later amended or updated, including but not limited to amphetamines (including methamphetamines), barbiturates, opiates (including heroin, morphine and codeine), marijuana, THC, cocaine, hallucinogens and phencyclidine (PCP). For purposes of this policy, the term "Illegal Substance" does not include prescription drugs which are properly possessed and/or taken under the supervision of a licensed health care professional.

**"Reasonable Suspicion"** means circumstances related to an employee's conduct, appearance or behavior which, when taken as a whole, afford a reasonable basis to believe that an employee is under the influence of a controlled substance or alcohol or that he or she has otherwise violated the provisions of this policy. Circumstances which could give rise to a finding of reasonable suspicion include but are not limited to:

- an observation of an employee consuming alcohol and/or using an illegal substance on company premises and/or during working hours;

- a statement by the employee at or reasonably near the time of the event that the employee has consumed alcohol and/or used any illegal substance on company premises and/or during working hours;
- a reasonably observable instance or pattern of unsafe work practices by an employee and/or a reasonable observable trend of poor job performance by an employee that is not attributable to other factors;
- marked changes in personal behavior that are otherwise unexplainable; or
- the detection from an employee of an odor commonly associated with alcohol consumption or the use of an illegal substance, or the observation of one or more other characteristics commonly associated with the consumption of alcohol or an illegal substance, including, but not limited to, glassy or bloodshot eyes, slurred speech, poor balance, diminished mental faculties, or sudden incoherent behavior or thinking.

“Medical Review Officer” means a licensed M.D. or D.O. with knowledge of drugs, testing methods and drug abuse disorders. CWI will utilize the services of a Medical Review Officer (MRO) to interpret, evaluate and monitor its drug testing program.

The primary responsibility of the MRO is to review and interpret positive test results obtained through CWI’s drug testing program. Before a test is considered verified positive, the MRO must review confirmed positive test results and determine whether a legitimate alternative medical explanation could account for the positive results. As part of the review, the MRO or his/her designee may interview the affected employee, in person or by telephone. The MRO will then make the determination as to whether a test is a verified positive drug test and report his/her determination directly to CWI’s Executive Director of Human Resources.

### **Policy Violations**

The following are strictly prohibited and may subject any employee who is found to have committed any such violation to disciplinary action, up to and including termination for misconduct:

- The unauthorized possession or use of alcohol, the unlawful use, sale, attempted sale, manufacture, purchase, attempted purchase, possession or delivery of an illegal substance, or being under the influence of alcohol or an illegal substance while on the job, on CWI property or while on CWI business at any time.
- The unauthorized or improper use of legal or prescription drugs.
- Driving any vehicle or operating equipment impaired by alcohol, illegal substances or a prescription drug which warns against such activity at any time while on CWI property or while performing duties on behalf of CWI.
- Performing or engaging in any of the above off CWI property while performing duties on behalf of CWI.
- Testing positive for use of an illegal substance or for alcohol (a positive test for alcohol is indicated by a test result of not less than .02% blood alcohol content [BAC]).
- Attempting to alter or substitute a specimen or to mask the presence of alcohol or a controlled substance in a sample.

- In the absence of good cause demonstrated by the employee, failure to strictly comply with any CWI policy which results in a delay or avoidance of a substance test.
- Refusing to submit to a substance test pursuant to this policy.

Off the job illegal drug use or an employee's conviction of a charge of illegal sale, use or possession of any illegal substance while off-duty will also be considered a serious breach of the intent of this policy. Such incidents will be treated similarly to substance abuse on CWI's premises. Employees must notify CWI of any criminal drug statute conviction within five (5) days after the conviction. Similarly, employees who must maintain a valid driver's license to perform their job must notify CWI of any citation or conviction for any traffic offense involving alcohol or drugs whether on the job or off duty, within five (5) days of the citation or conviction. Failure to do so may result in disciplinary action up to and including termination. For purposes of this policy, "conviction" means a plea or finding of guilt or the imposition of a withheld judgment by any judicial body having the responsibility to adjudicate violations of federal or state criminal drug statutes.

### **Prescription Drugs**

Employees must report to CWI's Executive Director of Human Resources their use of prescription drugs if the use of the prescription drug may adversely affect their ability to perform their job or pose a significant risk of harm to the employee or others. It is the employee's responsibility to determine, in consultation with his or her physician, whether the use of the prescription drug may adversely affect his/her ability to perform his/her job or pose a significant risk of harm to the employee or others. Employees taking over-the-counter medications which could impact judgment or job performance may also be compromising their fitness for duty. Instructions provided by the manufacturer for such medications should be strictly followed.

### **Substance Testing**

In furtherance of this policy, CWI has adopted the following guidelines regarding alcohol and drug testing ("substance test"):

- Each applicant to whom an offer has been extended for employment in a safety sensitive position or a position for which a pre-employment substance test is required by law will be required to submit to a substance test before the applicant will be allowed to commence employment. Applicants testing positive or refusing to submit to such testing will not be allowed to commence employment and will be eliminated from consideration for the position for which they have applied.
  - Faculty/Staff positions that are required by accreditation standards to submit a pre-employment substance test, e.g. nursing program.
  - Instructors in the professional drivers training program.
  - Faculty/Staff positions that are required to drive CWI vehicles/equipment as part of their work activities/duties.
- Employees involved in an on-the-job accident including any accident causing injury to any person that requires medical attention beyond just first aid, or employees whose conduct, appearance or behavior creates reasonable suspicion to believe they are under

the influence of an illegal substance or alcohol, or that they have otherwise violated the provisions of this policy will be required to submit to a substance test. If feasible, the conduct, appearance or behavior should be witnessed by at least two supervisors.

- Substance testing of employees may be conducted on a random basis. However, random substance testing or additional periodic substance testing may be required as a consequence of earlier disciplinary action, as a component of a drug rehabilitation program or to the extent required by law. Employees may also be required to submit to a substance test upon returning to work after completion of a drug rehabilitation program.
- For current employees, any substance testing shall occur during or immediately after the regular work period and shall be deemed work time for purposes of compensation and benefits.
- CWI will pay all costs of testing including the costs of transportation if the testing of a current employee is conducted at a place other than the workplace. CWI is responsible for selecting an appropriate laboratory service for testing and for taking such other steps as may be necessary for the implementation of this policy.
- All substance testing will be performed in accordance with accepted professional and technical standards for testing and will include the following:
  - Testing will be performed under reasonable and sanitary conditions,
  - Testing will be performed with due regard to the privacy of the individual being tested and in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples;
  - As required for the evaluation of test results (and not for CWI's use), the laboratory conducting the test may ask persons being tested to identify all prescription and over-the-counter medications taken by the person being tested;
  - Documentation procedures related to substance testing will include:
    - The labeling of samples so as to reasonably preclude the possibility of erroneous identification of test results; and
    - Written notice to the employee or prospective employee who tests positive for controlled substances or alcohol, including the type of substance involved. Employees will be given an opportunity to discuss and explain the positive test result with a medical review officer or his or her designee.
  - Sample collection, storage and transportation to the place of testing shall be performed so as to reasonably preclude the possibility of sample contamination or adulteration.
- In the event a new hire or employee believes a substance test to be a false positive, a second test may be conducted (using the same specimen) at the employee's expense at a mutually agreed upon laboratory if requested within 7 days. If a second test is found to be negative, CWI will pay for the testing and will follow the procedures for a negative test result. If applicable, CWI will reimburse the employee for time suspended, or, if terminated solely because of the positive test, reinstate the employee with back pay.

### **CWI-Sponsored Events**

On occasion, employees may entertain persons during work hours or after work hours as representatives of CWI. These occasions may include dinners and business conferences. On any such occasion, only the moderate and limited use of alcoholic beverages is acceptable. In addition, alcohol occasionally may be served at social events sponsored by CWI. Alcohol may be served at these events only with the approval of CWI's President. Only the moderate and limited use of alcohol is acceptable, and employees are expected to conduct themselves in a responsible and professional manner at all times.

### **Disciplinary Action**

CWI reserves the right to suspend the employment of any employee during the pendency of a substance test. Unless otherwise required by law, any such suspension shall be without pay. However, if the test is confirmed to be negative, CWI will reinstate the employee and will reimburse the employee for any lost wages during the period of the suspension.

Upon receipt of a verified or confirmed positive substance test result which indicates a violation of this policy, or upon refusal of an employee to submit to a substance test, CWI may, at its sole discretion and without limitation, use the test result or refusal as the basis for disciplinary or rehabilitative action, which may include the following:

- suspension of the employee with or without pay for a period of time,
- termination of employment,
- satisfactorily participate in a drug abuse assistance/rehabilitation program as agreed upon between the employee and Human Resource, or
- other disciplinary measures in conformance with company policies and procedures.

### **Confidentiality**

Requests for substance testing, test results and communications surrounding the investigation of substance abuse or received by CWI through its substance testing program will be treated as confidential; access to any such information will be limited to those persons who have a legitimate need to know.

### **Treatment and/or Rehabilitation**

CWI strongly encourages employees who believe they have an alcohol or drug dependency or a problem with alcohol or drugs to voluntarily seek treatment and/or rehabilitation, before it is discovered through a violation of this policy. Employees should contact CWI's Human Resources Department for information as to what assistance may be available for this purpose. All inquiries of this nature will be treated as confidential and only those persons with a legitimate need to know will be made aware of any such inquiry. Employees should be advised, however, that voluntarily disclosing of an alcohol or drug dependency or a problem with alcohol or drugs or seeking assistance for any such dependency or problems does not relieve the employee from job expectation requirements or preclude CWI from taking disciplinary action for any violation of its drug and alcohol free workplace policy.

It is a condition of employment that employees abide by CWI's policies regarding illegal substances and alcohol in the workplace. The failure to do so may result in disciplinary action up to and including termination for misconduct.

### **Administrative Procedure 5051 Interview Expenses**

Board Policy 5050 Interview Expenses

Adoption History: 4/15/08; revised 3/15/11

Authorized interview expenses may be reimbursed to employment candidates when approved by the supervising Vice President or President prior to issuing the invitation to interview.

- Receipts for actual expenditures for meals, travel, and lodging must be submitted for reimbursement.
- Automobile expenses are limited to the standard mileage rate paid by the College of Western Idaho at the time of the interview.
- Administrative candidates (Dean level and higher) may be paid up to the actual interview costs.
- Other exempt employees are limited to a maximum of \$1,000.
- Interview expenses will not be paid for non-exempt employees.

### **Administrative Procedure 5061 Moving Expenses**

Board Policy 5060 Moving Expenses

Adoption History: 4/4/09; revised 3/15/11

The College of Western Idaho may provide moving expenses for new hires at the Dean level or above only.

- Moving expenses must be documented by providing the original receipts. Mileage will be reimbursed at the College of Western Idaho's then-current standard rate applicable at the time of the move.
- Any moving expense reimbursement requires the prior written approval of the President of a specified maximum amount available to the new hire.
- The maximum moving expense reimbursement for any employee will not exceed 10% of the new employee's annualized salary. The Board of Trustees may approve exceptions to this maximum on a case-by-case basis.

### **Administrative Procedure 5071 Pre-employment Information**

Board Policy 5070 Pre-employment Information

Adoption History: 4/4/09; revised 3/15/11, 2/4/13, and 5/16/13

It is important that any supervisor hiring a new employee immediately send the new employee to the Human Resource office to complete the necessary New Hire forms. This must take place on or before the first day of employment. All new full-time employees must be ratified by the Board of Trustees.

### **Employment Forms to Be Completed**

The following pre-employment forms must be completed before the employee may begin work for the College of Western Idaho:

- Employment application form;
- Immigration form (I-9);
- W-4s;
- Employee Information Sheet;
- Confidentiality Agreements (if applicable).

### **Payroll Reporting Systems**

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by the payroll officer. Each report of employee time should be signed by both the supervisor and by the employee and should contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered.. Any employee with concerns about his/her compensation, rate of pay, payroll status, deductions, etc. shall communicate such concerns to the payroll officer as soon as any such concern becomes evident. If the response from the payroll officer is unsatisfactory, the employee should address the issue to his/her immediate supervisor in order to resolve stated concerns. A written record of such issues should be maintained in the employee's personnel file.

### **Distribution of Policy**

At the time of employment, each employee should receive a copy of the Employee Handbook. It is the responsibility of the employee to familiarize him/herself with the contents of the Employee Handbook and to acknowledge its receipt in writing. Periodic updates or changes should be distributed and acknowledged.

### **Employment Periods**

All CWI employees are at-will employees as provided in CWI Board Policy 5010 – At-Will Employment. Accordingly, employment may be terminated with or without cause or notice. Only a written contract expressly approved by the Board can alter the at-will nature of employment at the College.

### **Working Hours or Days: Extra or Other Time**

Work Week: Established by the Administration of the College, the work week may vary slightly depending upon the needs of the respective department. The work week is approximately 40 hours per week depending on the employee's department; a minimum of 30 hours per week must be on campus. All personnel must secure approval from the appropriate supervisor before committing themselves to other assignments during their regular hours.

## **Administrative Procedure 5081 Employee Personnel Files**

Board Policy 5080 Employee Personnel Files

Adoption History: 4/4/09

### **Personnel Records**

The official employee records for the College of Western Idaho will be kept in the office of Human Resources. Within these personnel files will be retained all records of employee performance evaluation, employee status, and other relevant materials related to the employee's service with CWI. The employee's supervisor, the Board, or the employee him/herself may contribute materials deemed relevant to the employee's performance and employment history. Each employee shall have the right to review all materials placed in his/her personnel file at any reasonable time. Copies of materials in an employee's personnel file are available to that employee without charge. Personnel files shall not be removed from the premises except as necessary for College purposes.

### **Access to Personnel Files**

It is the policy of CWI to allow only limited access to an employee's personnel file. Those authorized to evaluate materials in a personnel file include the President or designee, Human Resources, the employee's current or prospective supervisor, the Board of Trustees when acting as a body in the course of its official business, attorneys for CWI, and the employee him/herself. Based upon the general confidentiality of personnel files, access of others to such files shall be allowed only with authorization of the supervising official after consultation with the CWI attorney. Information regarding personnel matters will only be provided to outside parties with a release from the employee, when deemed necessary by CWI's legal counsel, pursuant to Court order, or pursuant to a proper subpoena. CWI reserves the right to disclose the contents of personnel files to outside state or federal agencies, to its insurance carrier or its agents for risk management purposes, or to lawyers when necessary for defending itself against allegations of unlawful conduct.

### **Management of Information in Personnel Files**

Each employee shall be provided an opportunity to contest the contents of his/her personnel file at any time. The employee must file a written objection and explanation, which will be included in the file along with the objectionable material. In the sole judgment of the supervising official, after consultation with CWI's legal counsel, any offending material may be removed upon a showing by the employee that it is false or unfairly misleading. In general, there should be a presumption that materials are to remain in personnel files accompanied by the employee's written objection and explanation to provide a complete employment history of each individual.



## **Administrative Procedure 5101 Employee Conduct**

Board Policy 5100 Employee Conduct

Adoption History: 4/4/09; revised 6/27/11, 10/16/12, and 2/4/13

Each employee of the College of Western Idaho is expected to conduct him or herself in a manner that is helpful and productive and which does not reflect adversely upon CWI. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of CWI as a public education institution, each employee is expected to scrupulously avoid personal behaviors which would bring unfavorable public impressions upon CWI and its officials. In order to accomplish this, each employee must continuously receive acceptable or higher performance reviews, and comply with the performance and employment policies and guidelines outlined throughout this Policy and Procedural manual. Such expectations include, but are not limited to the following expectations:

- Work cooperatively and constructively with fellow workers, students, and members of the public to provide public service of the highest quality and quantity. This is the first priority for all employees.
- Be prompt and regular in attendance at work or other required employer functions.
- Comply with dress standards established in the department for which the employee works. Dress standards shall be set by the managing official, but in the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a suitable appearance to students and the public.
- Dedicate primary efforts to CWI employment with secondary employment within CWI subject to approval by the employee's supervisor. Each employee must notify his/her immediate supervisor of any other non-CWI employment, self-employment or other business interests to ensure there is not a conflict of interest.
- Avoid conflicts of interests in appointments and working relationships with other employees, students, contractors and potential contractors in the College of Western Idaho District. No employee shall engage in conduct which violates the laws of the State of Idaho, including but not limited to I.C. §18-1356 (accepting gifts that exceed a value of \$50), I.C. §59-701 et seq. (Ethics in Government Act), I.C. §59-201 (Prohibitions Against Contracts) and I.C. §18-1359 (Using Public Position for Personal Gain).
- In general, gifts that are valued at \$50 or more cannot be accepted. Employees should seek guidance from their supervisor when faced with any gift or gratuity situation.
- Give his/her best efforts to accomplish the work of CWI for public benefit in accordance with policies and procedures adopted by CWI an attitude of cooperation and constructive participation.
- Be subject to the administrative authority of the officials who supervise the department where the employee works even though the officials may not have been involved in the hiring of the employee.
- Adhere to any code of ethics in his/her profession and avoid conflicts of interest or using his/her public position for personal gain.

- Follow all rules for care and use of public property to assure that the public investment in such property is protected and that the safety of students, the public, and other workers is maintained.
- Abide by all departmental rules whether they be written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor which violates laws of any local jurisdiction, the state, or nation.
- Each employee shall maintain the confidential nature of records which are not open to public scrutiny.
- Adhere to defined work schedules including start and end of work days, breaks and lunch periods, and days of the week. Follow procedures for requesting exceptions from normal work schedules. Each employee shall follow the rules regarding the reporting of work hours and obtaining the supervisor's approval for time-keeping records.
- Perform such obligations as are necessary to carry out the work of CWI in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.
- Shall not engage in conduct away from work which may reflect adversely upon CWI or its officials or otherwise impair the employee's ability to perform.
- Shall not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the Board or the department for which he/she works.
- Shall not engage in abusive conduct to fellow employees, students, or to the public, or use abusive language in the presence of fellow employees, students, or the public. Abusive language shall include profanity and loud or harassing speech.
- Shall not sleep or be absent from the employee's work station when on duty. Employees shall be attentive to their work at all times.
- Shall not engage in malicious gossip and/or spread rumors, engage in behavior designed to create discord and lack of harmony, or willfully interfere with another employee's work output or encourage others to do the same.
- Shall not use work time for personal business, including the selling of goods or services to the general public. Employees should minimize the amount of work time spent on similar activities engaged in with fellow employees.
- Shall not use work time or CWI premises to promote religious beliefs to members of the public, students, or fellow employees.
- Shall not engage in political activities while on duty in public service. Employees will not solicit or actively support any political candidate within the classroom or on the campus in a manner which constitutes the use of their special position of influence in an inappropriate way. Political activities by employees must be undertaken on their own time with their own resources and not as representatives of CWI. The use of College property, including but not limited to, computers, internet, email, telephones, and CWI letterhead, for political activities is strictly prohibited. Rule shall not apply to elected officials.
- Shall not provide false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.
- Shall not destroy, alter, falsify or steal the whole or any part of a record kept as part of the official governmental records of the College.

- Shall not abuse employee benefit offerings by taking unjustified sick leave, unearned vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with CWI policy.
- Shall not violate rules concerning absence from the workplace without proper authorization. Employees must obtain prior permission as required by CWI policy for use of vacation, sick, bereavement, or other types of leave granted by this Personnel Policy.
- Shall not engage in prolonged visits with co-workers, children, friends, or family members that interfere with the course of work in the office or department in which the employee serves.
- Shall not damage or threaten damage to CWI property, or other property that CWI controls, regardless of location.
- Shall not intentionally or negligently misuse or destroy CWI property, including facilities, equipment, vehicles, records, or other materials.
- Shall not engage in retaliatory behavior toward CWI employees, students, or the public.
- Shall not engage in any conduct that obstructs, disrupts, or interferes with CWI business, service, work environment, or administrative functions, including CWI sponsored events and/or behavior that has an adverse impact on productivity and/or morale.
- Shall not engage in deceit or otherwise withhold information relevant to an administrative investigation.
- Shall not fail to obtain and maintain licensure requirements lawfully required as a condition of employment in the position.
- Shall not store private personal property on CWI premises, or use private personal property for CWI business without authorization from the department director.

Employees who engage in behavior of the nature described above, or that the College considers unacceptable or inappropriate, or who violate any College policy or procedure presently in force or later established by the College, may be subject to discipline up to and including termination, depending on the seriousness and/or frequency of the offense. Whether disciplinary action is taken in a given instance and what type of discipline is appropriate, are subject to the discretion of the College. Nothing contained in these procedures creates due process or contract rights on behalf of any employee or limits or modifies the at-will nature of employment with the College.

#### **Nepotism Policy**

- No employee of CWI shall hire, supervise or otherwise exercise discretion concerning a paid employee who is a spouse or domestic partner, relative, or close personal friend. Any supervisor involved in a romantic relationship with a subordinate must immediately notify his/her superior of the existence of any such relationship.

## **Discriminatory Workplace Harassment Policy and Complaint Procedure**

**Purpose:** The purpose of this Harassment Policy is to clearly establish CWI's commitment to providing a work environment free from unlawful harassment, to define discriminatory harassment, and to set forth the procedures for investigating and resolving internal complaints of harassment.

It is important that all employees treat all other employees, students, and members of the public with decency and respect. It is the responsibility of each and every employee, supervisor and department head to prevent inappropriate behavior in the workplace. Inappropriate behavior which impacts the workplace, or has the potential to impact the workplace, will not be tolerated.

This Policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, job retention, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation and training.

**Policy:** Harassment of an applicant for employment, a member of the public, a student, or an employee by any employee of CWI on the basis of race, color, religion, national origin, gender, age (40 and over), disability, veteran status, gender identity, sexual orientation or any other protected classification may be in violation of State and/or Federal law and will not be tolerated by CWI.

Employees found to be participating in any form of employment-related unlawful harassment or retaliating against another employee or student for filing a complaint or cooperating with or participating in an investigation shall be subject to disciplinary action up to and including termination of employment.

**Definitions:** For purposes of this Policy, harassment is any conduct based on race, color, gender, religion, national origin, age, disability, veteran status, gender identity, sexual orientation or any other legally protected status that:

- Creates an intimidating, hostile, or offensive working environment through nonverbal conduct or written, graphic, or verbal communications including comments, jokes, slurs, or negative stereotyping; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance or otherwise adversely affects an individual's employment opportunities.

With respect to sexual harassment in particular, the following conduct is strictly prohibited:

- Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
  - Submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of sexual harassment include, but are not limited to:

- Demeaning and/or derogatory harassment toward one's gender;
- Demeaning behavior, staring, pinching, touching and other physical contact, or blocking the movements of another person; unwelcome sexual comments, innuendoes, jokes, abusive personal remarks, etc.;
- Sexually explicit displays or distribution of pictures, materials, or objects in the work area;
- Offering or implying a reward or threat concerning work assignments, performance reviews, discipline, promotions, or other terms or conditions of employment in exchange for sexual favors;
- Unwelcome amorous advances or propositions, physical conduct, obscene gestures;
- Obscene letters, phone calls, e-mails, or unwelcome words or comments with sexual or other discriminatory meanings;
- Unwelcome requests for sexual favors or repeated social contact; or
- Sexual assault or other unwelcome sexual contact.

### **Complaint Procedure**

The following procedures will be followed for the purpose of addressing a complaint regarding harassment, discrimination, or retaliation:

Any person who believes he/she has been unlawfully harassed, discriminated or retaliated against should report it to his/her supervisor, department head, the Executive Director of Human Resources or any member of CWI's management team. If a supervisor becomes aware that unlawful harassment or discrimination may be occurring in any CWI department as a result of an employee coming forward, the supervisor should immediately report it to the Executive Director of Human Resources. Once a complaint of unlawful harassment, discrimination or retaliation has been made, the complaint cannot be withdrawn by the complainant without a determination that it was made erroneously.

- Promptly upon receiving the complaint, the Executive Director of Human Resources should initiate an investigation to determine whether there is a reasonable basis for believing that an alleged violation of this Policy occurred. The nature and scope of the investigation and who should conduct the investigation shall be determined by the Executive Director of Human Resources in consultation with management and CWI's legal counsel. The identity of all parties who are interviewed or provide information during the course of an investigation of a complaint shall be kept confidential to the extent possible and appropriate under the circumstances.
- Upon conclusion of the investigation, if it is determined that unlawful harassment or discrimination in violation of CWI's policy has occurred, the Executive Director of Human Resources will recommend the appropriate course of action to be taken by CWI. The appropriate action will depend on the following factors:

- the severity, frequency and pervasiveness of the conduct,
- prior complaints made against the respondent, and
- the quality of the evidence (first-hand knowledge, credible corroboration, etc.).
- If the investigation is inconclusive or it is determined that there has been no unlawful harassment or discrimination in violation of this Policy, but some potentially problematic conduct is discovered, corrective action may be taken.
- Promptly after the investigation is concluded, the supervisor(s) and the Executive Director of Human Resources will meet with the complainant and the employee alleged to have engaged in improper conduct separately in order to notify them in person of the findings of the investigation.
- Either Party may submit statements to the supervisor(s) challenging the factual basis of the findings. Any such statement must be submitted no later than five (5) working days after the meeting with the supervisor(s) and Executive Director of Human Resources in which the findings of the investigation is discussed.
- Promptly after the supervisor(s) and Executive Director of Human Resources have met with both parties and reviewed the documentation, management, in consultation with CWI's legal counsel, will determine what action, if any, should be taken.

### **Disciplinary Action**

Any employee found after an appropriate investigation to have engaged in conduct in violation of this policy will be subject to corrective action up to and including termination. Any corrective action should be commensurate with the severity or repetitiveness of the offense.

### **Retaliation**

Retaliation in any manner against a person for filing an harassment charge or initiating an harassment complaint, testifying in an investigation, providing information or assisting in an investigation, or for opposing harassing or discriminating behavior is expressly prohibited and may be subject to disciplinary action up to and including termination. The supervisor or Department Head should take reasonable steps to protect the victim and other potential victims from further harassment or related consequences.

### **Confidentiality**

Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law. However, a complete and thorough investigation of the allegations may require the investigator to inform witnesses of certain aspects of the complaint in order to obtain an accurate account of the actions of the parties involved.

### **False Complaints**

Any complaint made by an employee of CWI regarding employment-based harassment which is conclusively proven to be false and made in bad faith, may result in discipline. This discipline may include termination of employment. This section is not intended to discourage employees from making complaints regarding employment-based harassment. However, false complaints made in bad faith adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

## **Intellectual Property and Copyright Statement**

College of Western Idaho holds that the creation, discovery and dissemination of knowledge are central to the achievement of the college's mission. The college's community shares both an interest in the protection of intellectual property as a creator of such property and in the fair use of works authored by third persons who may claim a copyright in and to such works ("copyrighted works" or "copyrighted materials") in the daily pursuit of research, teaching, learning and public service.

### Principles:

- College of Western Idaho is committed to respect intellectual property rights and the appropriate use of copyrighted materials, in any medium, consistent with the spirit and the letter of the U.S. Copyright Law.
- It is imperative that College of Western Idaho faculty and staff, as they encounter the work of others, consider and understand the relationship between copyright and their use of existing and emerging technologies.
- The rapidly changing technological and legal environments of higher education require a systematic and ongoing program of copyright education, awareness, and decision support.

### Procedure:

College faculty and staff desiring to use copyrighted materials are responsible for ensuring compliance with applicable copyright law, including making an initial good faith determination as to whether or not the desired use falls within the fair use exemption. Note that any content not authored by the user may be copyrightable subject matter, the copyright in and to which may be owned by a third-party author and the use of which without the author's permission may subject the user and CWI to claims of copyright infringement. The presence or absence of a "©" or other indicia of a copyright claim is NOT evidence of an absence of a claim of copyright in the subject work. In the event of genuine doubt regarding the application of copyright law, College faculty and staff should consult with their supervisors or respective Dean regarding such matters. The college does not assume legal responsibility for any independent application of copyright principles made by college faculty or staff that are not in good faith or that do not otherwise comply with this statement or the guidance provided by or determinations made by individual supervisors or Dean's. Permissions must be obtained in all instances where the employee determines in good faith that the desired use exceeds fair use or other applicable limitations on the rights of copyright owners.

If, notwithstanding an employee's initial good faith determination that a proposed use constitutes fair use under applicable copyright law, the employee has reason to believe that the copyright owner will contend that the proposed use exceeds fair use, then, prior to such use or promptly upon learning of the owner's contention, the employee shall notify their supervisor or Dean, and that person shall make a determination regarding the proposed use. An employee shall likewise notify their supervisor or Dean if he or she has any reason to believe that there exists any dispute relating to the use or proposed use of copyrighted material, that person shall

make a determination regarding the dispute. The supervisor or Dean shall promptly consider all disputed matters relating to use of copyrighted materials by College faculty or staff and shall make any determinations required hereunder within a reasonable time.

College personnel are directed to the College of Western Idaho Copyright Decision Tree for additional information and guidance on copyright law. CWI monitors internet use for copyright violations. Violations of the policy could trigger disciplinary action.

### **Faculty-Student Non-Fraternization Policy**

CWI faculty and staff assist the college in meeting its mission of providing a quality of higher education for its students. Students should be assured that the relationships they develop with faculty and staff members are built upon the highest ethical precepts of the educational profession.

All faculty members, administrators, and staff members are, or can appear to be, in a position to exercise power or authority, directly or indirectly, over students, whether or not a student is enrolled in their classes, are subject to their direct supervision, or have some form of business to transact with offices at CWI. Many students are at a stage in their development when they may be particularly vulnerable to the influence of faculty members, administrators, and staff members who are in positions where they can affect the terms and conditions of a student's standing at CWI.

In order to promote the efficient and fair operation of CWI and to avoid misunderstandings, complaints or favoritism, supervision problems, security problems, morale problems, questions regarding academic achievement, and possible claims of sexual harassment, physical abuse, or physiological abuse, faculty are strictly prohibited from fraternizing with students.

Fraternization includes, but is not limited to:

- dating students enrolled in the faculty member's class,
- pursuing to date a student enrolled in the faculty member's class,
- pursuing a romantic relationship with a student enrolled in the faculty member's class,
- accepting a date or relationship pursued by a student enrolled in the faculty member's class, or
- pursuing or engaging in sexual relationships with a student enrolled in the faculty member's class.

The fraternization policy does not apply to a spouse, when the faculty member's spouse becomes a student at CWI. Faculty who violate this policy will be subject to discipline, up to and including termination of employment.



## **Administrative Procedure 5121 Performance Review of Staff**

Board Policy 5120 Performance Review of Staff

Adoption History: 6/27/11; revised 2/4/13

### **Purpose**

The College of Western Idaho believes that performance management is a process for maximizing individual performance to achieve business results. This involves a continuous exchange of timely, accurate feedback between managers and employees throughout the year in order to set performance expectations, monitor progress, and evaluate results.

The purpose of the performance review is for the supervisor and the employee to:

- Review current performance
- Review performance of the past year
- Document and highlight past accomplishments
- Identify areas for improvement
- Identify work goals and performance standards for the coming year
- Initiate professional development opportunities

### **Covered Employees**

All full-time faculty and staff, part-time non-adjunct faculty, and part-time staff who work on an ongoing basis throughout the evaluation period are covered by this policy.

### **Annual Performance Evaluation**

Supervisors are required to conduct annual performance evaluations with all covered employees who report to them. The performance evaluation period will be established by Human Resources.

### **Employee Self-Evaluation**

Employees will complete a self-evaluation for the supervisor prior to the evaluation meeting.

### **Performance Evaluation Documents**

Supervisors will complete the performance evaluation document for each employee. The next level manager will review the performance evaluation, which will include the supervisor's comments and ratings, prior to the performance evaluation meeting between the employee and supervisor.

### **Actions Required by Performance Evaluation Outcomes**

Additional actions may be required, as noted below:

- A "Does Not Meet Expectations" rating requires that a Performance Improvement Plan be written detailing specific steps to achieve an acceptable level of performance within a prescribed timeframe.

### **Regular Informal Progress Review**

Supervisors should conduct at least one mid-year progress review to ensure employees continue to meet job expectations and are on track for completing agreed upon goals.

## **Records**

All performance evaluations will be maintained in the employee's permanent electronic record by Human Resources.

## **Administrative Procedure 5122 Introductory Period (Non-Faculty Employees)**

Board Policy 5120 Performance Review of Staff

Adoption History: 11/1/10; revised 2/4/13

All non-faculty employees (Director level and below) assigned to a new position must complete a 90-day introductory period. The purpose of the introductory period is to allow employees time to become acquainted with their duties, responsibilities, and work environment, and to demonstrate their ability to perform their job. It also allows CWI to determine whether continued employment is in the best interests of the College. Upon completion of the introductory period, the supervisor will conduct a performance evaluation to determine whether employment should be continued. The introductory period may be extended if CWI determines that additional time is necessary to evaluate an employee's performance or otherwise determine if continued employment is appropriate.

Completion of the introductory period does not affect the at-will nature of employment at CWI. At any time during or after the introductory period, CWI may terminate an employee's employment with or without cause or notice.

Rehired employees are required to complete an introductory period in the same manner as any other new employee unless the employee's break in employment is less than 90 calendar days. Reassigned or promoted employees who are not successful in their new positions may be allowed to return to their previous job or to a comparable job for which they are qualified if such a position is available, and if the job assignment meets the needs of the College.

## **Administration Procedure 5141 Complaint Procedure for Benefit-eligible Employees**

Board Policy 5140 Complaint Process for Benefit-eligible Employees

Adoption History: 6/27/11

In any organization, misunderstandings arise or occasions may occur when an employee believes that he/she has not been treated fairly or in accordance with CWI's policies and procedures. Accordingly, CWI has established the following procedures for non-faculty employees to address problems in the workplace. A complaint by any employee who believes that he/she has been the victim of illegal discrimination should be resolved in accordance with the College's policies and procedures for addressing discrimination/harassment in the workplace.

The purpose of CWI's complaint procedure is to provide a process for addressing employee complaints about performance evaluations, job assignments, compensation, discipline, or any other terms and conditions of employment. Employees who have completed their introductory

period may utilize this complaint procedure. If employees prefer, they may discuss their complaint with the Human Resources Department. Otherwise, every reasonable effort should be made to resolve the complaint with the employee's immediate supervisor. Thus, employees should first discuss the issue with their supervisor within ten (10) working days of the occurrence. If the employee is not satisfied with the recommended solution, the employee may take his or her complaint to the next level of supervision. After making reasonable efforts to resolve the problem at each supervisory level, employees may continue to pursue their complaint to resolution at the highest level of management. If the complaint is pursued to the level of the College's President, the President's decision shall be final.

CWI also recognizes that employees who have been discharged may take issue with their separation from employment. Eligible employees who have been discharged may utilize this complaint procedure by submitting a written complaint to the Executive Director of Human Resources within ten (10) days of discharge. The complaint should include a statement of the issues, the facts related to the employee's complaint, and the identification of any individuals who may have relevant information concerning the complaint. The Executive Director of Human Resources shall conduct an investigation of the complaint to the extent he/she deems necessary and thereafter shall recommend a solution to the complaint. If the discharged employee is not satisfied with the recommended solution, the employee may ask that his or her complaint be referred to CWI's President. The decision of CWI's President shall be final.

Complaints made in good faith pursuant to this complaint procedure will not jeopardize any employee's job status or working conditions. However, employees are expected to avoid pursuing complaints in ways that are disruptive to the workplace or their own work performance. Commencement of this complaint process shall not affect the effective date of a discharge. However, should a determination be made that the discharge should be reversed, the employee may be reinstated with back pay.

These procedures do not, nor are they intended to, create any due process or contract rights, express or implied, on behalf of any employee or limit or modify the at-will nature of employment at CWI.

### **Administrative Procedure 5151 Separation from Employment**

Board Policy 5150 Separation from Employment

Adoption History: 4/4/09; revised 2/4/13 and 11/21/13

### **Retirement Policy**

The retirement policy of CWI shall comply in all respects with federal and state requirements respecting mandatory retirement and the obligations established by the Public Employees Retirement System of Idaho (PERSI).

### **Exit Interview**

Each employee who terminates from employment with CWI is encouraged to participate in an exit interview with a Human Resource representative. In such interview, the employer should

notify the employee when certain benefits will terminate, when final pay will be issued and review the process to receive COBRA benefits. The employee will be invited to inform the interviewer about his/her impressions of employment in such interview.

### **Resignation Policy**

Voluntary resignations will generally be made in writing. If the employee wants their formal records to indicate "voluntary resignation", they must do so in writing to their supervisor or department head. Oral resignations will be documented by the supervisor after consultation with the department head in charge. Evidence of acceptance of a resignation should be provided to the ex-employee if possible. Employees who have an unexcused or unauthorized absence of three working days or more may be considered to have abandoned their position and therefore resigned.

### **Professional References**

A former employee may, without objection from CWI, contact individuals working for CWI to seek letters of recommendation and/or permission to use such individuals as references; provided, however, it is understood and agreed by the parties hereto that said references shall be acting in their individual capacity and not as agents for CWI, and that any such letters of recommendation shall not be on CWI letterhead.

If a former employee requests an official reference from CWI, the request should be forwarded to the Human Resource office.

### **Administrative Procedure 5152 Reduction in Force**

Board Policy 5150 Separation from Employment

Adoption History: 3/15/11

A reduction in force may occur when the College finds it necessary to reduce its work force because of a decrease in student enrollment, the elimination of a particular program or service, the consolidation of jobs, the elimination of certain job functions, the closure of a facility or other business reasons. Any such reduction in force is permanent unless expressly stated by the College in writing to be temporary. Employees who are included in a permanent reduction in force have no right to be recalled.

When reductions are made via the non-renewal process for faculty members who are not on renewable contract status or when the reduction in force affects at-will employees, temporary or part-time employees and those employees who have not completed their introductory period generally will be the first employees to be laid off. If it becomes necessary to further decrease its work force, the College will select those persons for layoff based on its assessment of the College's needs, as well as other factors related to the work force including:

- employees' demonstrated skill and efficiency in performing the particular work available;
- performance, initiative, attendance, and other job-related factors; and
- length of service.

When demonstrated skill and efficiency in performing the particular work available and the other job-related factors identified above are relatively equal, length of service generally will be used as the determining factor in selecting those employees to be retained.

To the extent that a reduction in force will result in the termination of regular faculty during the term of their contract of employment or the non-renewal of employment contracts for faculty members on renewable contract status, such reduction shall be subject to applicable policies related to faculty.

### **Administrative Procedure 5153 Faculty Termination Procedure**

Board Policy 5150 Separation from Employment

Adoption History: 2/21/2012

#### **Adjunct Faculty**

Because adjunct faculty members have no expectation of continued employment beyond the term of their employment and serve at the will of the College, the termination of the employment of an adjunct faculty member during the term of his or her appointment, or the decision to non-renew a letter of teaching appointment for an adjunct faculty member, is not subject to the complaint procedures set forth below. If an adjunct faculty member alleges that his or her discharge or non-reappointment was the result of discrimination prohibited by applicable law, any such allegation shall be resolved in accordance with the College's policies and procedures for addressing discrimination in the workplace.

#### **Regular Faculty (Faculty who are Benefit-eligible)**

Faculty Members Who Are Not on Annual Renewable Contract Status Regular faculty members who are not on annual renewable contract status and who are notified that they will not be reappointed or terminated during the contract term, are not entitled to a statement of reasons upon which the decision for such action is based. Further, regular faculty members who are not on annual renewable contract status are not entitled to administrative review of a decision by the College to non-renew their contract except to the extent that a faculty member seeks review of whether written notice was received in accordance with applicable time requirements. In such a case, the review will be concerned only with the manner and date of notification of non-renewal. The faculty member must request such a review in writing within 15 days of receipt of the written notice of non-renewal. In addition, in the event that a faculty member who is not on annual renewable contract status alleges that the non-reappointment was the result of discrimination prohibited by applicable law, any such allegation shall be addressed in accordance with the College's policies and procedures for addressing discrimination in the workplace.

*Termination during Contract Term.* In the event that CWI discharges a regular faculty member who is not on annual renewable contract status prior to the expiration of his/her contract term, CWI, acting through its duly authorized administrative official, shall provide the faculty member written notice of CWI's action which shall include: (i) the reasons for the action and (ii) the effective date of the action. Employment of regular faculty members who are not on annual

renewable contract status is at-will and may be terminated with or without cause. Accordingly, except as otherwise provided herein, faculty members who are not on annual renewable contract status are not entitled to the administrative review procedures set forth in this policy. However, faculty members who are not on annual renewable contract status whose contract is terminated prior to the expiration of its term, may avail themselves of the Complaint Procedures set forth in Administrative Procedure 5141. Such access to the College's Complaint Procedure does not, nor is it intended to, create any due process or contract right, express or implied. In the event that a faculty member who is not on annual renewable contract status alleges that his or her discharge was the result of discrimination prohibited by applicable law, any such allegation shall be resolved in accordance with the College's policies and procedures.

#### Faculty Members on Renewable Contract Status

*Termination or Non-renewal for Cause.* In the event that CWI seeks to discharge a regular faculty member on renewable contract status prior to the expiration of his or her contract term or upon expiration of his/her current contract or to renew the contract of any faculty member on renewable contract status at a reduced salary for cause, such action shall be in accordance with the following procedures:

- The Vice President of Instruction shall provide the faculty member written notice of the contemplated action which shall include:
  - the action under consideration;
  - the reasons for the action;
  - a summary of the information and/or data on which the action is based;
  - the effective date of the termination in the event of a discharge within the term of the faculty member's contract; and
  - notice of the faculty member's administrative review rights as provided herein.
- The faculty member may ask for a hearing on the contemplated action by filing a written request for hearing with the College's Executive Director of Human Resources within fourteen (14) calendar days of receipt of notice of the proposed action.
- Upon receipt of a request for hearing, the President shall appoint a Review Panel to conduct the hearing. The Review Panel shall be comprised of a vice president, a non-supervising dean or other non-supervising administrator and a member of the faculty. Members of the Review Panel should not have participated in the consideration of the matter leading up to the contemplated action. However, mere knowledge of the matter shall not preclude participation on the Review Panel. The Hearing Panel shall select a member to serve as its chair.
- The Review Panel shall schedule a hearing to take place not less than fourteen (14) calendar days nor more than twenty-eight (28) calendar days after receipt of the request by the faculty member. The date provided for the hearing may be changed by mutual consent. The hearing shall be conducted in accordance with the following:
  - The faculty member may be represented by legal counsel at any phase of the hearing at his/her own expense. The College may also be represented by legal counsel at any phase of the hearing.

- The Review Panel shall cause an electronic record of the hearing to be made or shall employ a competent reporter to take stenographic notes of all of the testimony at the hearing. A transcript of the hearing shall be provided at cost upon request of the faculty member.
- At the hearing, the Vice President of Instruction or other duly authorized administrative officer shall present evidence to substantiate the basis for the contemplated action. The faculty member may produce evidence to refute the contemplated action. Any witness presented by the College or by the faculty member shall be subject to cross-examination. The Review Panel may also examine witnesses and be represented by counsel.
- Judicial rules of evidence and procedures relating to the examination of witnesses and presentation of evidence shall not apply to the hearing. Any relevant evidence, including hearsay, shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the admissibility of such evidence in a court of law.
- The College and affected faculty member may file written briefs and arguments with the Hearing Panel within seven (7) calendar days after the close of the hearing or at such other time as may be agreed upon by the parties and the Hearing Panel.
- Within twenty-one (21) calendar days following the close of the hearing, the Hearing Panel shall make a recommendation to the President regarding the contemplated action. A majority vote of Hearing Panel members is required to forward a recommendation. The recommendation shall be in writing, shall be based on the record before the Hearing Panel, and shall contain a concise statement of the reasons in support of the recommendation. The recommendation shall be served on the Vice President of Instruction and the faculty member. Within ten (10) calendar days of the receipt of the Hearing Panel's recommendation, the faculty member may request in writing an opportunity to be heard by the President before a decision is made. Any meeting for such a purpose shall be informal and conducted in accordance with procedures and conditions deemed appropriate by the President.
- After due consideration of the Hearing Panel's recommendation and the record related thereto, the President shall make a decision within thirty (30) days of his/her receipt of the recommendation. The President's decision shall be in writing, shall state the reasons for his/her determination, and shall be served by hand delivery or certified mail upon the chair of the Hearing Panel, the Vice President of Instruction and the faculty member. The President's decision shall be considered final except as modified by the Board of Trustees pursuant to an appeal under the following paragraph.
- The faculty member may request that the Board of Trustees review the final decision of the President. To do so, the faculty member must submit a written request to the Board within ten (10) calendar days after the faculty member receives written notice of the final action. The Board may agree to review the final action, setting out whatever procedures and conditions for review it deems appropriate. However, the Board is not required to review the final action and Board review is not a matter of right. If the Board chooses to review the decision, it may approve, reject or amend the decision or remand the matter for additional evidence and consideration.

*Termination or Non-renewal Based on Financial Exigency or For Curricular Reasons.* In the event that CWI seeks to discharge a regular faculty member on annual renewable contract status prior to the expiration of his or her contract term or upon expiration of his/her current contract, or to renew the contract of a faculty member on annual renewable contract status at a reduced salary based on the declaration of financial exigency or for curricular reasons, the following procedures shall apply:

- The Board of Trustees, acting through its duly authorized administrative official, shall give written notice to the affected faculty member which shall include the effective date of the adverse employment action; a statement of the basis for the intended action; a statement of the procedures and the criteria used to reach a decision with respect to the intended action; reference to the faculty member's opportunity for administrative review, including access to appropriate documentation; and the issues that may or may not be considered.
- The College shall attempt to give as much notice as is practical, in light of the basis for the decision, to each affected faculty member in advance of the effective date of the adverse employment action.
- Faculty members who are on annual renewable contract status and who are terminated due to financial exigency or curricular reasons are entitled to the following pretermination administrative review procedures:
  - Within fifteen (15) calendar days of receipt of notice of the layoff, the affected faculty member may ask for an administrative review of the decision by filing a written request for review with the President of the College;
  - Upon receipt of such request for administrative review, the President shall convene within seven (7) calendar days, a committee comprised of an administrator to be selected by the President, a faculty member to be appointed by the faculty senate, and the Executive Director of Human Resources to review the discharge decision. The Committee's process shall be informal. Accordingly, the application of evidentiary rules, questioning of witnesses (including cross-examination), rules concerning burden of proof, the participation of legal counsel and similar and related attributes of more formal adjudications shall not be required. The committee may interview the faculty member and any other individuals as it deems necessary and may consider any additional relevant information submitted by the faculty member or the College. Neither the faculty member nor CWI may be represented by an attorney.
  - The faculty member may contest the termination on the following grounds:
    - whether the College followed the appropriate policies and procedures;
    - whether the termination was made for constitutionally impermissible reasons; or
    - whether any other improper criteria were applied.
- The committee shall not review the Board's decision to declare a financial exigency or the curricular reasons upon which the termination is based. The decision of the Board to declare a financial exigency or that curricular reasons justify the employment action in question is at the Board's sole discretion and may not be contested by any faculty member in any type of hearing or appeal procedure.



- The committee will provide a written recommendation regarding the faculty member's request for administrative review to the College's President within twenty-one (21) calendar days of receipt of the faculty member's notice of request for review. The President will review the committee's recommendation and make a decision within seven (7) calendar days after receipt of the recommendation from the committee. Any decision rendered in this review process by the President shall be considered final except as modified by the Board of Trustees pursuant to an appeal under the paragraph 6.
- Faculty members may request that the Board of Trustees review the final decision of the President. To do so, the faculty member must submit a written request to the Board within ten (10) calendar days after the faculty member receives written notice of final action. The Board may agree to review the final action, setting out whatever procedures and conditions for review it deems appropriate. However, the Board is not required to review the final action. The request for review shall be deemed to have been denied if the Board has failed to vote on the request within thirty (30) calendar days after the request is submitted or the next regularly scheduled Board meeting, whichever is later. The fact that a written request has been submitted does not stay the effectiveness of the final decision. Board review is not a matter of right. A faculty member need not request review by the Board in order to have exhausted administrative remedies for the purposes of judicial review.

### **Administrative Procedure 5154 Financial Exigency and Curricular Revisions**

Board Policy 5150 Separation from Employment

Adoption History: 2/21/12

**Financial Exigency**The Board recognizes that it may become necessary to curtail, modify or eliminate some of the programs under its governance due to unfavorable economic conditions. The Board further recognizes that it must dedicate its resources to the achievement of the purposes and goals of CWI. For purposes of this policy, "financial exigency" means a bona fide, imminent financial crisis, the result of which is a current or a projected absence of sufficient funds to maintain current programs and activities at a level sufficient to fulfill the College's educational goals and priorities and which cannot be alleviated by means other than a reduction in the employment force. A financial exigency shall exist only upon Board declaration, and the responsibility and authority to make such a declaration rests solely with the Board.

Potential responses to a declared financial exigency include:

- the termination of faculty during the term of their contract of employment,
- the non-renewal of employment contracts for faculty members on renewable contract status,
- employment actions other than terminations that are designed to reduce budgetary expenditures,
- the closure, relocation or discontinuance of any programs or activities, or
- any combination thereof.

This policy does not apply to the following:

- where reductions in force are made via the non-renewal process for faculty members who are not on renewable contract status; or
- when a reduction in force affects at-will employees.

### ***Response to a Declared Financial Exigency***

After consultation with faculty and other appropriate personnel, the President of the College shall prepare a plan (“Plan”) in response to the declaration of financial exigency. In developing this Plan, consideration shall be given to the necessity and manner of reducing the employment force, the appropriate departments or programs to be affected and the criteria for identifying employees who will be affected by the Plan. Once completed, the Plan must be approved by the Board of Trustees.

Notwithstanding any other Board policy or procedure or any other policy or procedure of the College, all categories of employees may be subject to reductions in force as a result of a Board declared financial exigency. The process used to identify employees to be terminated must be equitable, in good faith and directly related to the financial exigency.

In developing the Plan, the President of the College must utilize as the first criterion the preservation of the overall quality and effectiveness of the programs of the College. Consequently, those employees who are deemed to be of key importance will be retained in preference to other employees, regardless of their status, at the discretion of the President. Programs, for purposes of a financial exigency, include, but are not limited to, academic, non-instructional, maintenance, administrative and other support areas. Other criteria that may be considered include, but are not limited to, renewable contract status, rank, time in rank, length of service, field of specialization, maintenance of necessary programs or services and quality of service and work.

### **Curricular Revisions**

The Board also recognizes that it may become necessary to take adverse employment action for curricular reasons. Curricular reasons include:

- a decrease in student enrollment in a field where such a decrease has resulted in faculty student ratios that are unacceptable either by comparison with equivalent faculty load practices in the College or by comparison with faculty loads and comparable departments or divisions at similar institutions,
- a reorganization or consolidation compelling the elimination of the need for particular faculty expertise or a reduction in the overall need for faculty in a department or division, or
- the termination of a program from the curriculum where such termination eliminates or reduces the need for faculty qualified in that discipline or area of specialization.

When the Board is compelled to take adverse employment action because of curricular reasons, the guidelines set forth in this policy shall apply.

### **Guidelines Related to Financial Exigency/Curricular Revisions**

In any situation where a termination may be made under this policy, an employment action other than a termination (including but not limited to a salary reduction, a teach-out reduction, a demotion and/or administrative leave without pay) may also be considered and instituted. In determining whether to implement actions other than a termination, the College shall use the same policies that apply to a termination because of a financial exigency or for curricular reasons. However, employees who are affected by employment actions other than a termination may not have reinstatement rights.

Guidelines for notice of any adverse employment action resulting from a financial exigency or for curricular reasons and any administrative review procedures available to affected employees are set forth in Administrative Procedure 5153.

If the College intends to take employment action pursuant to this policy other than, or in addition to, a termination, the employees affected by such action shall be entitled to such procedures as are set forth in this paragraph and those that may be set forth in the Plan, if any. Notice requirements and the description of the process for the opportunity to be heard for faculty members are set forth in Administrative Procedure 5153. Employees who are at-will are not entitled to any specific notice or an opportunity to be heard. However, at-will employees may utilize the College's complaint procedure for eligible non-faculty employees. At-will employees may not contest the Board's decision to declare a financial exigency or the funding and distribution amongst the various departments and/or programs of the College. The decision of the Board to declare a financial exigency is at the Board's sole discretion and may not be contested by any employee in any type of hearing or appeal procedure. There are no reinstatement rights with respect to employment actions other than a termination.

Students enrolled in a program that is closed, relocated or discontinued pursuant to a financial exigency plan or because of curricular reasons should be given notice thereof as soon as is practical. Arrangements should be made for enrolled students to complete affected programs in a timely manner and with minimum interruptions.

### **Administrative Procedure 5171 Employee Compensation**

Board Policy 5170 Employee Compensation

Adoption History: 4/4/09; revised 11/1/10, 3/15/11, 5/21/13, and 8/21/13

### **Total Rewards Philosophy**

The mission of the CWI is to provide a public, open-access, and comprehensive community college committed to providing affordable access to quality teaching and learning opportunities to the residents of its service area. We strive to foster an environment that embraces respect for the worth of each employee and to pursue the same in our total rewards package which includes salary, benefits, policies and procedures. CWI desires to attract, retain, and motivate employees through a total rewards system that is equitable internally, competitive externally, aligned with State guidance, and affordable within our budget. This total rewards package is guided by the following principles:

- Pay is managed through a simple, clear program that is consistent with the college's strategic and organizational objectives.
- The philosophy is consistent across units with practices that may differ to meet unique needs of divisions, departments, employee classifications and performance.
- CWI's total reward package is reviewed periodically and measure against appropriately defined labor markets.
- Managers are provided with training and guidelines to understand and implement CWI's total rewards program.
- Clear and accurate information about the total rewards program and how pay is managed is provided to the College community.
- CWI's total rewards package complies with all applicable laws.

### **Work Periods**

Each employee is responsible for monitoring the status of hours worked in each work period. Overtime will be allowed only when authorized by the appropriate Dean or Vice President and the Vice President of Finance and Administration, or when absolutely necessary in an emergency. The work week for all employees begins at 12:00 a.m. (midnight) on Sunday of each week and concludes at 11:59 p.m. of the succeeding Saturday. In accordance with the Fair Labor Standards Act, employees whose job classifications are non-exempt, hours actually worked in excess of forty in a work week will be computed at one and one-half (1 ½) times the hours worked.

### **Shift differential**

CWI provides a 5% shift differential to nonexempt employees who are scheduled to work 4 or more hours after 6:00 pm. If an employee works 4 or more hours after 6:00 pm, he/she will be compensated an additional 5% of their current regular rate of pay for all hours worked that shift.

Overtime hours worked during the specified shift will be paid at one and half times the regular rate.

All paid, non-work time (sick, vacation, bereavement, holiday, CWI declared days of closure, etc.) will be paid at the employee's regular rate of pay.

### **Reporting and Verifying Time Records**

It is the responsibility of each employee to properly record time worked and or taken as vacation, sick leave, holiday, or other. For employees who are in a non-exempt job classification, working "off the clock," i.e. failing to record time worked, is strictly prohibited. Non-exempt employees will submit time records with their signature, electronic or actual, with a statement verifying its accuracy and a counter signature by a supervisor indicating that the hours claimed were actually worked. These records shall be retained as required by the records retention policy of CWI, consistent with state law. Exempt employees may be required to document time worked for accountability and benefit purposes.

## **Promotions and Compensation**

Promotions may or may not be accompanied by a change in pay.

## **Payroll Deductions**

In accord with Idaho Code § 45-609 or its successor, no payroll deductions will be made from an employee's paycheck unless authorized in writing by the employee or as required by law.

## **Right to Change Compensation and Benefits**

CWI reserves the right to change general compensation for any reason deemed appropriate by the Board. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent CWI budget. Hours worked may be reduced or employees may be laid off as necessary to meet budgetary constraints or as work load changes.

## **Administrative Procedure 5181 Employee Classification**

Board Policy 5180 Employee Classification

Adoption History: 4/4/09; Revised 6/22/11, 2/4/13, and 5/16/13

## **Employment Status**

Except as otherwise provided by this Policy, or as required by law, or pursuant to a written contract approved by the Board of Trustees, all employees of the College of Western Idaho are at-will Employees.

## **Employee Classification for Benefit Purposes**

The classification of the position you hold with CWI may affect the status of obligations or benefits associated with your employment. The primary classes of employees are below. Refer to the benefits section for benefit information.

**Full-time.** Employees who regularly work 36 or more hours a week and are expected to be employed five months or more.

**Part-time.** Employees who regularly work less than 40 hours a week on a regular basis.

**Temporary.** If work needs to be performed on a temporary basis, less than 5 months, whether full-time or part-time, managers are encouraged to work with HR to find the best source, e.g., CWI temporary employee, staffing agency, or consultant. Temporary workers are not eligible for CWI benefits.

## **Exemption Status:**

In accordance with the Fair Labor Standards Act, each job classification is assigned a status of exempt or non-exempt. Non-exempt employees will receive a rate of pay of 1 and ½ times their normal rate of pay for hours worked over 40 in a work week. All overtime must be pre-approved by the VP of Finance and Administration. Exempt employees are not eligible for overtime pay.

## **Administrative Procedure 5201 Employee Benefits**

Board Policy 5200 Employee Benefits

Adoption History: 4/4/09; revised 11/1/10, 6/27/11, 6/11/12, 10/16/12, 2/4/13, 3/18/13, 5/21/13, 7/23/13; 12/16/13; 12/31/13; 10/28/14; 3/16/15

Reference: FLSA; FMLA; USERRA; HIPAA; COBRA; Idaho Workers' Compensation

CWI offers a number of employee benefits for employees, depending upon their job classification and hours worked. These benefit offerings are subject to change or termination at the sole discretion of the Board. Each benefit offering is subject to the specific terms of its respective insurance policy and/or official resolution of the Board. Full-time faculty and employees who work 20 or more hours per week and are expected to work at least five continuous months are eligible for benefits.

### **Sick Leave**

Sick leave is provided to benefits-eligible employees at the rate of eight (8) hours per calendar month. Faculty accrue sick leave at the rate of eight (8) hours per month worked. Part-time benefited employees earn sick leave on a prorated basis according to hours worked. Sick leave may be used in the event of the employee's illness or illness of his/her immediate family that prevents the employee from working productively or safely, or if the immediate family member's illness presents no practical alternative for necessary care.

Employees should notify their supervisor of the need for sick leave at least two hours prior to the start of the employees shift, unless circumstances outside the control of the employee prevent such notice.

Negative sick leave balances are not permitted unless authorized by appropriate Vice President. Employees are not entitled to payment for unused sick leave upon separation of employment. Employees may be requested to provide documentation showing necessity of sick time.

### **Vacation Leave**

Vacation leave is provided to all benefits eligible employees. Vacation leave accrues from the start of employment as described in the following chart for full-time employees. Part-time benefited employees accrue vacation on a prorated basis according to hours worked. Full-time faculty are not eligible for vacation leave. Vacation leave will only accrue to a maximum of 240 hours. Negative vacation leave balances are not permitted unless authorized by the appropriate Vice President. Upon separation of employment, unused accrued vacation leave will be paid in a lump-sum payment at the employee's current hourly rate of pay.

Vacation leave accrued by employees whose employment is funded by grants or special projects funding may need to be taken each year and not carried into the next fiscal year. In addition, accrued vacation leave paid to these employees upon separation of employment may be limited to those hours accrued during the term of the grant or special projects funding. Each case will be reviewed to ensure alignment with grant compliance and current business conditions.

Vacation leave is to be scheduled with consent of the responsible department supervisor. Efforts will be made to accommodate the preference of the employee in vacation scheduling, but first priority will be the orderly functioning of affected departments.

Months of Service	Non-Exempt		Exempt	
	Vacation Days Per Month	Total Vacation Days per Year	Vacation Days Per Month	Total Vacation Days Per Year
0-24	1 1/4	15	2	24
25-72	1 1/2	18	2	24
More than 72	1 3/4	21	2	24

**Vacation Leave Donation Program**

The purpose of the College of Western Idaho (CWI) vacation leave donation program is to allow CWI employees to donate vacation or personal leave to be used by employees who have exhausted their own leave balances and will otherwise be without pay during an approved leave of absence for qualifying reasons as described below.

**Eligibility Criteria for Receiving a Leave Donation:** An employee is eligible to receive a leave donation if CWI approves an FMLA or personal leave of absence and the employee meets the following criteria.

- The employee or the employee’s family member is suffering from a serious health condition as defined in this policy.
- The employee has exhausted all available leave, including sick, vacation, and personal leave, and will be in a “without pay” status during the leave.
- The employee is not receiving payment from short- or long-term disability or workers’ compensation.

**Definitions:**

"**Eligible employee**" means any employee who is entitled to accrue sick, vacation, or personal leave, i.e., a benefits-eligible employee.

"**Family member**" includes the employee's spouse, domestic partner, child, or parent, and may also include other family relationships, such as siblings, grandparents, or others if a personal leave has been approved for the employee to attend to such family member’s serious health condition.

"**Serious health condition**" is defined as an illness, injury, impairment, or physical, or mental condition that involves inpatient care, or continuing treatment by a health care provider, including incapacity and treatment on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider, pregnancy or prenatal care, chronic conditions that require periodic visits (at least twice a year) for treatment by a health care provider, or permanent or long-term conditions that require multiple treatments.

**Leave Donation Maximum:** An employee may receive up to a maximum of forty (40) hours of donated leave per fiscal year. Efforts will be made to fulfill all employee requests made to the Leave Bank; however, there is no guarantee that the Leave Bank will contain a sufficient

balance of donated hours to meet all requests in full. Hours will be donated to the requesting employee on a pay period to pay period basis, based on the employee's shortage of accrued leave and the number of Leave Donation hours available. Leave Bank donation reminders will be emailed to employees with high accrued vacation leave balances throughout the school year in an effort to sustain a balance of donated hours.

### **Leave Donation Criteria:**

Staff: Employees under this category must meet the following criteria to donate accrued vacation leave:

- Donate a minimum of eight (8) hours
- Have at least 80 hours of accrued vacation remaining in their leave balance after the donated leave is deducted.

Faculty: Employees under this category must meet the following criteria to donate unused personal leave:

- Donate a minimum of eight (8) hours
- Donation of personal leave must occur between May 15<sup>th</sup> and June 30<sup>th</sup> of the current academic year to ensure personal days are available for use during the year.

An employee may not designate that donated leave be transferred specifically to another employee. All donated leave will be transferred to the Leave Bank and transferred to eligible employees as needed and available, administered by Human Resources.

**Conversion of Donated Leave:** Donated leave will be converted to sick leave on an hour-for-hour basis, and will be used at the receiving employee's current rate of pay. Any unused leave that has been donated to an employee will be returned to the Leave Donation Bank and made available for use by other employees as requested and approved.

### **Process**

#### To Donate Leave:

- Employees who wish to donate leave must submit the Vacation Leave Donation Program Donation form to Human Resources. Human Resources will determine if the employee meets the criteria to donate, and will transfer the approved donated hours to the leave bank.

#### To Use Donated Leave:

- Employee submits a request for FMLA or personal leave to his/her supervisor, which is submitted to Human Resources. If the leave is approved, and the expected time off exceeds that of the employee's accrued sick, vacation, and/or personal leave hours, Human Resources will transfer hours from the Leave Bank to the employee's sick leave account as necessary to cover the hours without pay, up to the maximum allowed by this policy.

### **Fiscal Obligation**



The Budget Director will coordinate with the cost center of the receiving employee to ensure funds are available to cover any increase in expense.

### **Confidentiality**

The names of employees donating leave will be kept confidential. This confidentiality is intended to preclude any repercussions for employees who choose not to donate leave, as well as for those who do donate.

The reason for the leave of absence and nature of the employee's own serious health condition or the serious health condition of their family member will also be kept confidential for all employees receiving donated leave.

### **Military Leave**

Pursuant to the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), any employee who enlists or is inducted (drafted) into the Armed Forces of the United States, or who is a member of a reserve unit and is called to inactive or active duty, will be granted a military leave of absence without pay. The United States Armed Forces is defined as the Army, Navy, Air Force, Marines, National Guard, Active or Inactive Reserves, and the Coast Guard.

Unless notice of service is precluded by military necessity or providing notice is otherwise impossible or unreasonable, employees must provide advance written or verbal notice of each service to the College. Employees must also provide a written request for military leave of absence as soon as the employee is advised of the need for such a leave.

Employees entitled to a military leave under USERRA, may use earned vacation during the leave if the employee so desires. While on military leave, employees may elect to continue medical insurance benefits, at their own expense, for the lesser of (1) a period of twenty four (24) months beginning on the date the employee's absence begins, or (2) until the day after the date on which the employee fails to apply for or return to his or her position of employment pursuant to the requirements of USERRA.

An employee who enlists or is inducted into the Armed Forces and leaves a full-time position shall, upon his/her completion of military service, be returned to his/her former or like position provided that:

- The employee was honorably discharged from service, or satisfactorily completed his/her military training or required duty.
- The employee makes application for reemployment in accordance with the requirements of the USERRA. Employees should consult with Human Resources for more specific information relating to the notice requirements of this Military Leave Policy.
- The employee is still qualified to perform the duties required of his/her position.
- The College's circumstances have not changed so that it would make it impossible or impractical to rehire the employee, or cause an undue hardship on the College should it rehire the employee.
- The service time did not exceed five (5) years.

Any employee who has been reemployed by CWI after serving time in the Armed Forces will be eligible for all benefits provided by CWI, consistent with the employee's job classification and hours worked.

Any employee who is required to attend summer camp or other training programs with his/her Reserve Unit will be granted a leave of absence for such purpose. A written request for leave, along with a copy of military orders, must be provided to the College as soon as the employee is advised of the training schedule. The employee shall receive the difference between his/her regular daily pay and compensation received for military training for a maximum of two weeks. For additional leave, earned vacation, if available, may be used for the leave if the employee desires. Otherwise the leave shall be without pay. Should an employee fail to return to work, or make application for reemployment as outlined within this policy, the employee will be considered a voluntary resignation.

### **Holidays**

Ten official paid holidays are provided for benefits-eligible employees. Employees who have full-time active status on the date of any holiday shall receive 8 hours of compensation for that day even though they do not work. Part-time, benefited employees will receive holiday pay on a pro-rated basis. Holidays which fall on Saturday shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. Additionally, the College will close at 5pm the Day before Thanksgiving, day before Christmas Eve and on New Year's Eve. The holiday schedule may be changed at any time by the governing board. This policy does not apply to part-time non-benefited employees.

CWI observes the following holidays

- New Year's Day
- Martin Luther King, Jr. /Idaho Human Rights Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Departments who must have employees working on the above mentioned dates shall request prior approval from the President or appropriate Vice President. Employees required to work on holidays will receive holiday pay in addition to their normal rate of pay for actual hours worked.

### **Bereavement Leave**

Up to five days of paid bereavement leave shall be provided to benefits-eligible employees for a death in the immediate family (spouse, domestic partner, parents, grandparents, children, grandchildren, brothers, sisters, parents-in-law, grandparents-in-law, children-in-law,

grandchildren-in-law, brothers-in-law and sisters-in-law). Additional leave may be approved from accrued vacation leave or unpaid leave of absence

### **Unpaid Leaves of Absence**

Employees may be granted a leave without pay for justifiable reasons such as illness not otherwise covered by CWI Family and Medical Leave (FMLA) or to participate in constructive or educational activities as may be determined and approved by the President and employee's administrative supervisor. Unless otherwise provided by law, employees who are not benefits-eligible are not eligible for unpaid leave of absence. CWI will make every reasonable effort to hold open the position of an employee on an approved leave of absence. However, unless otherwise required by law, CWI retains the right to fill the position if it becomes necessary to do so. Employees may be required to use their vacation and sick leave during the leave of absence. Failure to return to work from a leave of absence will be considered a voluntary resignation.

### **Faculty Leaves**

Full-time faculty are entitled to the following:

***Personal Leave.*** Faculty are provided two (2) days of paid personal leave each academic year. Personal leave days do not accrue from year to year and are lost if not used by the end of the fiscal year. Personal leave for reasons of personal convenience may be granted to a faculty member upon approval of the Department Chair. The faculty member must notify his/her supervisor **at least two weeks in advance** of the proposed days away, and arrangements must be made for the coverage of the classes and other responsibilities the faculty member will miss.

***Educational Release Time.*** Release time granted for the purposes of attending approved conferences, seminars, school related activities, etc., are counted as days of service to CWI to be approved by the Vice President of Instruction.

***Professional and Extended Leave.*** Leave with pay may be allowed faculty and staff members attending conferences and professional meetings, provided arrangements are approved in advance. Travel expenses and per diem allowances may be allowed pursuant to CWI policy. Extended professional leave may be granted for periods of up to one year to full-time faculty who have completed at least three years of service at CWI. Extended professional leave is without pay and is intended to assist the faculty member in completing training at an institution of higher education or other approved school. Extended professional leave must be approved by the President and the Board of Trustees.

### **Family Medical Leave Act (FMLA).**

***Eligibility Requirements:*** To be eligible for FMLA benefits, prior to any leave request, the employee:

- must have worked for the employer for at least 12 months;
- must have worked at least 1,250 hours for the employer during the previous 12 months;
- and

- your employer must employ at least 50 employees.

**If your employment situation does not meet all of the qualifications set forth above, the subsequent FMLA policy, which is required by law to be included in our policy, does not apply to you.**

**Entitlements.** The Family and Medical Leave Act (FMLA) provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12-month period to eligible, covered employees for the following reasons: 1) birth and care of the eligible employee's child, or placement for adoption or foster care of a child with the employee; 2) care of an immediate family member (spouse, child, parent) who has a serious health condition; or 3) care of the employee's own serious health condition which renders the employee unable to perform the functions of his/her position. It also requires that employee's group health benefits be maintained during the leave. The 12-month period is determined using a "rolling" 12-month period measured backward to the date an employee first uses any FMLA leave.

If all eligibility requirements are met, the employee is covered under the FMLA. He/she may request up to 12 weeks of leave where CWI will continue the employee's benefits (employer portion only) during the leave period. If the employee does not return to work, CWI may recover from the employee the premium(s) that were paid for the employee's medical coverage unless the employee does not return because of: (i) the continuation, reoccurrence or onset of a serious health condition of the employee or the employee's family member who would otherwise entitle the employee to leave under the FMLA; or (ii) circumstances beyond the control of the employee.

Total combined FMLA leave for employee spouses who both work for CWI is 12 weeks combined if the leave is for reasons other than the employee's own personal serious illness. Examples where employees of CWI are entitled to leave under FMLA include:

- To care for a child following a birth or placement of a child with the employee for adoption or foster care.
- To care for a sick child, spouse or parent who has a "serious health condition."
- If the employee him/herself is unable to perform his or her own work responsibilities because of his/her own serious health condition.

**Concurrent Use of Accrued Leave and Worker's Compensation Required.** Employees are required to use any accrued paid vacation and sick leave (if applicable) concurrently with any FMLA leave. If paid leave accruals are less than 12 weeks, the employee may take the remainder of FMLA leave as unpaid leave. Employees will continue to accrue leave while utilizing their paid sick and vacation leave. They will cease to accrue vacation and sick leave during the unpaid portion of their leave. If the employee is on Worker's Compensation leave, such leave will also run concurrently with any FMLA leave.

**Employee Obligations.** Employees are required to give 30 days' advance notice or as much time as practical when the need for FMLA leave is foreseeable. CWI reserves the right to request medical certification supporting any leave, and may require second or third opinions (at

CWI expense). CWI may also require a doctor's fitness for duty report prior to your returning to work. Leave may be denied if these requirements are not met. The decision to allow an employee to return to work will be solely CWI in compliance with the provisions of the Family and Medical Leave Act. Should a doctor not find the employee fit to return to duty, the employee will not be allowed to return to work.

Contact Human Resources to discuss your rights and obligations for continuation of any current benefits you are receiving. Employees must make arrangements for payment of their portion of their benefit costs or discontinuation of those benefits will occur.

To request a leave, employees should complete the FMLA Leave Request form and submit it to Human Resources. If the employee is unavailable to request leave, the supervisor should notify Human Resources on the employee's behalf.

In the event an employee does not request FMLA leave for time off work for a qualifying health condition, CWI will designate the employee's absence as FMLA leave (as requested).

***Intermittent Leave Requests.*** FMLA leave may be taken intermittently or on a reduced leave schedule to allow the employee to care for a sick family member, or for an employee's own serious health condition when "medically necessary." If intermittent leave or leave on a reduced hours basis is required, CWI may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay or benefits that better accommodates that type of leave. In the circumstance of birth or placement of a child for adoption or foster care, intermittent leave is only available by written approval of the employee's Manager, Vice President, and HR Director.

***Employer's Rights and Obligations.*** CWI has the right to determine whether the employee is or is not an "eligible employee" under the Act. CWI has the right to place an employee on FMLA leave without the employee's consent should the College determine that the employee meets the eligibility requirements under the Act.

CWI will return the employee to the same or an equivalent position after returning from FMLA leave, subject to the terms of the Family and Medical Leave Act. The only exception may be for individuals who, under the provisions of the FMLA, are considered to be a "key employee" whose extended absence would cause "substantial and grievous economic injury". CWI reserves the right to require periodic notices (determined by CWI) of your or your family member's FMLA status and your intent to return to work.

***The National Defense Authorization Act.*** On January 28, 2008, the FMLA was amended by the National Defense Authorization Act. This amendment provides an entitlement of up to 26 weeks of unpaid leave during a single 12-month period to an eligible employee who must care for a covered service member—a person who is a spouse, son, daughter, parent or next of kin of the employee and has a serious injury or illness incurred in the line of duty which renders that person unfit to perform his or her duties in the Armed Forces. CWI may require the

request for this type of leave be supported by certification that the service member being cared for by the employee has a serious health condition.

The National Defense Authorization Act also provides 12 weeks of FMLA leave to an employee if his or her spouse, son, daughter or parent has been called to active duty with the Armed Forces. No serious medical condition is required for this type of leave. CWI may require the request for this type of leave be supported by certification that the service member has actually been called to active duty. CWI employees shall provide prior notice when the need for this type of leave is foreseeable. If you have any questions about your rights under FMLA please contact the Human Resource Office.

### **Change in Benefits**

CWI, through the Board of Trustees, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires.

### **Benefits for Part-Time or Temporary Employees**

All employees shall receive benefits as required by law to include Worker's Compensation insurance. All other benefits are to be determined by the Board of Trustees.

### **Insurance Coverage Available to Employees**

Health insurance is available to employees and family members in accordance with the terms and conditions of CWI's contract for such services. The Human Resource Office should be contacted to learn of sign-up and claims procedures. Other insurance offerings including life insurance, disability insurance, vision insurance and supplemental income protection may be available at employee or CWI expense. The Human Resource Office should be contacted for additional information. Any such offerings are subject to change at any time.

### **Retirement**

All full-time non-exempt (benefited) employees must participate in the Public Employee Retirement System of Idaho (PERSI). PERSI mandates withholding a percentage of an employee's gross salary for pension purposes, which is presently exempt from Federal and State income taxes, and CWI matches this with an additional larger contribution. Contact the Human Resource Office for further information.

There are two optional retirement plans (ORP's) available for full-time faculty and exempt staff. These plans are administered by either TIAA-CREF or VALIC. Upon employment with the College of Western Idaho, full-time faculty, administrative and professional employees must choose one of the ORP's to serve as their retirement carrier or they may choose to stay with PERSI if they are already vested in that plan. Contributions to the employee's retirement plan are made by the College and the employee. Investment choices are the responsibility of the employee, and plans are portable. Contact the Human Resources Office for further information.

### **Years of Service Award Program (effective Fall 2013)**

As one way to show appreciation to our employees, CWI offer a Years of Service recognition program as follows:

- Staff and faculty employees will receive a lapel pin and a certificate upon their first year of service to the college.
- Staff and faculty employees will be receive a small gift and a certificate upon five years of service at the State of the College address biannually. Employees who reach five years with CWI by August 31 will be recognized at the Fall address. Employees who reach five years with CWI by January 31 will be recognized at the Spring address.

Staff and faculty employees will then, every five years after their first five years of service, receive a gift and certificate thanking them for their continued service to CWI.

### **Employee Assistance Program**

The Employee Assistance Program (EAP) is a short-term counseling and referral service provided to all benefited employees. The program addresses marital, child or other family problems, persistent anxiety, abuse of alcohol or other drugs, stress problems, depression, grief, or other distracting concerns.

Employees and their immediate family members may participate in counseling sessions in accordance with the terms and conditions of CWI's contract for such services.

**Employee Educational Benefits** *(this procedure is in effect for registration in Summer 2015 classes)* CWI employees who are eligible for benefits and their spouses may enroll in credited courses on a space-available basis. The cost to the employee will be 10% of the tuition and fees plus a \$20 nonrefundable registration fee per semester. Special course charges, such as activity and lab fees, must be paid by the employee by the due date for the term in which the student is enrolled and are not included in the tuition benefit.

This policy does not apply to any non-credit or continuing education program or class. For information on this benefit and the procedure, see the Human Resources Office. Any exceptions to this policy or the procedure must be approved in advance by the Executive Director of Human Resources.

**Employee Educational Benefits** *(revised procedure goes into effect for registration in Fall 2015 classes)* CWI employees who are eligible for benefits and the spouses, domestic partners or dependent children of such employees, may enroll in credited courses on a space-available basis. The cost to the employee will be 10% of the tuition and fees plus a \$20 nonrefundable registration fee per semester. Special course charges, such as activity and lab fees, must be paid by the employee by the due date for the term in which the student is enrolled and are not included in the tuition benefit. Each household (excluding employee) will be allowed to enroll in a maximum of six credits per semester. The maximum credits for a CWI employee is unlimited.

This policy does not apply to any non-credit or continuing education program or class. For information on this benefit and the procedure, see the Human Resources Office. Any

exceptions to this policy or the procedure must be approved in advance by the Director of Human Resources.

### **Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding**

Leave will be granted and full pay provided to employees called to serve as a court witness in matters specifically related to CWI operations, or called to serve on jury duty.

### **COBRA Benefits**

Employees of CWI who receive medical benefits and who separate their employment may be eligible to continue those medical benefits at the employee's sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). If you have any questions regarding your right to continue your health coverage after separating from CWI please contact Human Resources.

### **Transfer of Benefits with Employee Transfer**

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one department to another within CWI. Any such transfer will not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

## **Administrative Procedure 5211 Professional Development**

Board Policy 5210 Professional Development  
Adoption History: 8/18/09; revised 2/4/13

The College is committed to professional growth and development for faculty and staff. Through the annual budget process, the College shall allocate resources specifically for professional growth and development. Use of these funds must be related to the employee's professional growth objectives. Professional Development requests that are approved will be funded 100% by CWI.

Professional growth and development funds may be used for, but are not limited to, the following:

- payment of tuition and fees for academic credit,
- payment for the cost of attendance at conferences, seminars, and workshops,
- subscriptions to educational periodicals,
- computer software and hardware for professional and/or instructional use (all software purchased must be licensed to the professional employee and will not be connected directly to the college network), and
- educational materials related to classroom instruction and/or activities.

## **Administrative Procedure 5221 Electronic Technology Usage**

Board Policy 5220 Electronic Technology Usage  
Adoption History: 4/15/08; revised 2/16/10 and 10/16/12  
Reference: Idaho Public Act – Idaho Code Sections 9-337 through 9-350; and <http://www.ag.idaho.gov/publications/legalManuals/PublicRecordsLaw.pdf>



The College provides faculty, staff, and students with access to a wide variety of Electronic Technology Resources (“ETR”). The ETR are valuable tools provided for the limited purposes of advancing, enhancing and promoting College business and educational opportunities made available by the College. The purpose of this policy is to ensure compliance with applicable statutes, regulations and mandates relating to the use of electronic technology made available by the College and to establish acceptable practices and responsibilities associated with the use of ETR’s.

As a condition of their use, ETR Users are required to limit their use of ETR’s as expressly provided herein. This policy shall be the exclusive authority on the use of the College ETR’s, and no other practice, policy or custom, whether formal or informal, consistent or conflicting, shall be valid or enforceable. Exceptions to this policy are only allowed when pre-approved in writing by the Department Chair or Director with the advice and consent of the Director of Information Technologies, or his/her designee, when deemed necessary for official College business, research, or academic work.

### **Definitions**

As used in this policy, the terms herein shall have the following meaning:

- Electronic Technology Resource (“ETR”): Any and all computer printouts, online display devices, magnetic storage media, all computer-related activities involving any device capable of receiving, storing, managing, or transmitting electronic data including, but not limited to, mainframes, servers, supercomputers, personal computers, notebook computers, hand-held computers, personal digital assistants (PDA), pagers, cell phones, electronic book devices (e-book readers), distributed processing systems, telecommunication resources, network environments, telephones, fax machines, printers, scanners, and service bureaus, and all technology hardware, software systems, information systems and data. ETR’s include any activity relating to the Internet, Social Media; text messaging, instant messaging, and ping.
- User: An individual, automated application or process that accesses or otherwise utilizes the College’s ETR’s.

### **Ownership**

Electronic files created, sent, received, or stored on computers owned, leased, administered, or otherwise under the custody and control of the College are the sole and exclusive property of the College; they are not the private property of any User. Provided, however, that there shall be a rebuttable presumption that works that an individual creates on ETR’s for academic or research-related purposes are the intellectual property of that person. Notwithstanding such presumption, all such works are nevertheless subject to the College’s rights as provided in the privacy provisions of this policy.

### **Privacy**

Electronic files created, sent, received, or stored on ETR’s owned, leased, administered or otherwise under the custody and control of the College are not private and may be accessed by the College’s information technology employees, other authorized agents or law enforcement

personnel, at any time for any reason without the knowledge, consent, or authorization of the User.

Users are hereby put on notice that the College may track ETR usage at any time for any reason. All College-owned applications, including Blackboard, are filtered, monitored and logged for, among other things, content, sites visited, patterns of activity, routing information, and duration of use. **Accordingly, no User has (or should expect to have) any right of privacy or confidentiality with respect to the use of the College's ETR's.** Whether for the purposes of managing those resources and traffic flow, assuring system security, verifying and ensuring compliance of all persons with College policies or applicable law, or for any other reason, the College expressly reserves the right (from time-to-time or at any time) to intercept, divert, discard, access or review any Internet connection, other electronic communications or file, or any contents of such communication, or any other information created on, transmitted over or stored on College ETR's, whether incoming or outbound, and whether at the time of transit or thereafter.

The College also reserves the right to disclose to other persons or otherwise use the contents of any Internet communication or any other electronic communications or file for any of the foregoing purposes, as well as for the purposes of complying with or assisting law enforcement officials or legal authorities who may, by subpoena, search warrant or otherwise, seek review of communications, or for the purposes of litigation or other legal proceedings.

### **Idaho Public Records Act**

As a political subdivision of the state of Idaho, the College is subject to the Idaho Public Records Act. Except as specifically provided in the Idaho Public Records Act, Idaho Code expressly denies to College employees any expectation of privacy in their use of the College's ETR's. Users should be aware that their use of ETR's is subject to the public's right to inspect and copy records, as that term is defined by Idaho law, created, sent, received, or stored on College ETR's.

### **Standards of Conduct**

Users shall, as an express condition of their use, abide by the following standards of conduct with respect to the use of College ETR's:

- College ETR's shall be used only for authorized uses, which are limited to educational-related coursework, academic research, and work-related departmental activities.
- Users shall protect individual user identifications and systems from unauthorized uses. Users are responsible for all activities conducted on ETR's utilizing their individual identification or originating from their assigned computing device(s).
- Users may not log into or use another person's account, computing device(s), user identification, password, files or data without authorization. Logins and passwords must be kept secure and Users must immediately report any loss or theft of a password or username to the College.
- Users shall not use ETR's to violate the laws or regulations of the United States or any other nation, or the laws or regulations of any state, city, province, or other local

jurisdiction in any way. Use of any ETR for illegal activity is grounds for immediate dismissal and the College will cooperate with any legitimate law enforcement activity

- Users shall not send, submit, publish, display, or knowingly access any material that is, or may reasonably be construed to be, defamatory, inaccurate, abusive, rude, obscene, profane, pornographic, sexually oriented, threatening, harassing, racially offensive, illegal or that encourages the use, possession, or distribution of controlled or illegal substances, or is otherwise not consistent with the policies, purposes and objectives of the College.
- Users shall only access information that is their own, that is publicly available, or to which you have been given authorized access.
- Users shall only use College approved copyrighted software installed by designated College personnel and in compliance with vendor license requirements. Peripheral devices must be approved and installed by designated College personnel.
- Users shall not engage in any activity that might be harmful to ETR's or to any information or file stored thereon, such as creating or propagating viruses, worms, Trojan horses, trap-door program codes; disrupting services; or damaging equipment.
- Users shall not use programs to decode passwords or otherwise gain unauthorized access to control of information.
- Users shall not attempt to circumvent or subvert any security measure.
- Users shall not connect to or use unauthorized or personal equipment on the College of Western Idaho networks.
- All files downloaded from the Internet must be scanned for viruses using the College's approved distributed software suite and current virus detection software.
- Users shall not use ETR's for commercial, religious, or political purposes, including, but not limited to, using electronic mail to circulate advertising for products or for political candidates and/or issues.
- Users shall not make or use illegal copies of copyrighted software, store such copies on ETR's, or transmit them over ETR's.
- Users shall not use electronic mail, messaging services, or other electronic communication method to harass or intimidate another person, broadcast unsolicited messages by using someone else's name or user identification.
- Users shall be considerate in the use of shared resources and shall not monopolize systems, overload networks, degrade services, waste computer resources by intentionally placing a program in an endless loop, printing excessive amounts of paper, or sending chain letters.
- Users shall not play games using ETR's unless for instructional purposes or specifically assigned by a supervisor.
- Incidental or personal use of ETR's must not interfere with the normal performance of an employee's work duties.

### **Enforcement and Reporting**

The Director of Information Technologies, or his designee, is designated with the responsibility for enforcement of this policy. All Users of ETR's are required to report any violations of this policy to the Executive Director of Information Technologies, or his designee.

### **Limitation of Liability**

The College makes no warranties of any kind, either expressed or implied, that the functions of the ETR's will be error-free or without defect. The College will not be responsible for any damage Users may suffer, including, but not limited to, loss of data or interruptions of service. The College is not responsible for the accuracy or the quality of the information obtained through or stored on the system. The College will not be responsible for the financial obligations arising through the unauthorized use of ETR's.

### **Violation of Policy**

Any violation of this policy is unacceptable and may result in disciplinary action up to and including termination of employment and/or suspension or expulsion in the case of a student. Additionally, Users are subject to loss of ETR access privileges, civil, and criminal prosecution.

### **Peer 2 Peer (P2P) File Sharing**

The abuse of network resources to illegally obtain and distribute media or software, through peer to peer networks (P2P), Usenet, or direct download, is a problem for many institutions of higher education. While College of Western Idaho (CWI) recognizes there are legitimate uses for the previously mentioned applications, the College also understands that significant risks are implicit in the use of such applications.

The Higher Education Opportunities Act of 2008 (HEOA) [34 CFR Section 668] specifically requires colleges & universities to take steps to mitigate illegal downloads and P2P abuse. CWI does not seek to ban any method for distributing or acquiring digital media, and will continue to support academic freedom and any technologies that can be used to foster collaboration. However, CWI must protect its assets and reputation, as well as comply with federal regulations.

**Prohibited Activity:** This policy strictly prohibits, by any method, the distribution, downloading, uploading, or sharing of any material, software, data, document, sound, picture, or any other file that is:

- Specified as illegal by any federal or state law, statute, proclamation, order, or decree.
- Copyrightable subject matter and which is not authorized for distribution through these means by the copyright owner.
- Considered to be proprietary, privileged, private, or otherwise vital to the operation of the college. This includes, but is not limited to, personnel, student, financial or strategic records and documents, or any material governed by federal and state regulations.
- Any virus or malicious software.

Note that any content not authored by the User may be copyrightable subject matter, the copyright in and to which may be owned by a third-party author and the use of which without the author's permission may subject the User and CWI to claims of copyright infringement. The presence or absence of a "©" or other indicia of a copyright claim is NOT evidence of an absence of a claim of copyright in the subject work. Users of CWI resources may not attempt to

circumvent, bypass, defeat, or disrupt any device, method, or technology implemented by the college for the purpose of P2P mitigation. Additionally, the use of encrypted P2P application software is prohibited on CWI's network infrastructure.

Examples of prohibited activity:

- Use of a BitTorrent client to download a popular movie currently running in theaters.
- Downloading a 'cracked' copy of a commercial software title, so that it may be used without the purchase of a valid license.
- Downloading a copy of a textbook for a class so that it may be used without purchasing it.

This list is illustrative only and there are many other examples of potential misuse of CWI resources to violate the law, this policy or both. Contact the CWI Help Desk if you have questions about a particular use of CWI resources.

Responsibility: All individual persons or groups utilizing CWI networks, including, but not limited to, CWI employees, students, guests, external business entities, and non-profit entities, shall bear legal and financial responsibility for events or consequences resulting from their own use of CWI network resources.

Individual departments, administrative areas, and other entities must respond in a timely and efficient manner to all inquiries that arise in regard to this policy.

P2P Monitoring and Mitigation: CWI has implemented technology designed to mitigate illegal Peer to Peer (P2P) activity. The technology attempts to:

- Allow legal P2P traffic.
- Detect and block P2P traffic containing copyrighted material registered with Audible Magic.
- Detect and block P2P traffic containing suspected copyrighted material.
- Engage in a process known as "Graduated Response." Graduated Response is detailed later in this policy.

CWI will not release any information collected by the appliance to any entity external to the College unless compelled or obligated by law or court order, subpoena, warrant, or writ; with the exception of the device manufacturer, which will receive data exclusively in aggregate format, with no personally identifying information, for purposes of internal statistical analysis.

Graduated Response: An automated process, known as "Graduated Response", has been implemented to modify the behavior of CWI network users who abuse P2P.

Using CWI network usernames as an identifier, the CSA detects P2P activity from a host, identifies the content, and assigns a point value to the student, staff, or faculty member based on the copyright status of the content being uploaded or downloaded. Downloading legal content over P2P will not incur points toward Graduated Response status. When a threshold of points accrued from illicit activity is exceeded for a specific CWI network username, that user becomes "sanctioned."

Sanctioned users will have all internet web traffic redirected to a website explaining why the user was sanctioned, information about copyright, the P2P policy, and the Acceptable Use policy. **Sanctioned users will still be able to access internal resources such as Blackboard, Student Portal and the CWI Website.**

Sanctioned users must accept the College policies by clicking “I will comply” on the copyright violation website. Acknowledgment of the policies does not constitute admission of wrong doing only that the sanctioned user is now aware of, and will comply with, the policies.

The sanctions may be lifted once a specific time period has elapsed. The time period will be communicated in the violation notice on the copyright website. The sanction levels are:

- Level 1           Informational, no sanction
- Level 2           12 hours
- Level 3           48 hours
- Level 4           All semester

Users who feel they may have been mistakenly sanctioned may contact the Help Desk. Upon review the sanction may be adjusted or lifted based on the discretion of CWI’s Information Technology Department.

Offenders may have their internet access suspended indefinitely and be subject to disciplinary proceedings according to the student handbook or the CWI Policy and Administrative Procedure Manual.

Faculty, staff, and students may appeal a decision to suspend individual Internet access by submitting a written request to [helprequest@cwidaho.cc](mailto:helprequest@cwidaho.cc). The appeal should include all pertinent facts and information related to the incident, or events that lead to the suspension of service. CWI will re-examine all available information regarding the decision to suspend service, and come to a decision whether or not to restore access. The suspension of Internet access may only be appealed once. Guests, contractors and other temporary users may not appeal the decision to suspend Internet access.

### **Administrative Procedure 5222 Mobile Communication Devices**

Board Policy 5220 Electronic Technology Usage

Adoption History: 2/17/09; revised 12/15/09, 3/23/10, 2/28/11, 6/27/11, and 10/8/12

#### **Background**

The Internal Revenue Service (IRS) considers employer provided cell phones and personal digital assistants (PDAs) to be “listed property” for the purposes of tax treatment (section 280F (d)(4)(A)(v)). A significant amount of record keeping is needed in order to qualify the use of the cell phone or PDA for business related purposes. Section 274(d)(4) of the IRS code describes the steps necessary to document such business use of listed property and includes (a) the amount of the expense, (b) the time and place of the call, and (c) the business purpose of the call. This amount of record keeping is not only onerous for the employee, but also for the employer.

The College of Western Idaho will not own mobile communication devices or carry mobile communication device contracts for permanent assignment to individual employees. Employees whose job duties require the frequent use of mobile communication devices will be given a taxable monthly allowance to compensate for business use of a personal mobile communication device. The College will provide employees with a reimbursement allowance for mobile communication devices based on percent of usage and IRS code 274.

Mobile communication devices include cellular phones, email devices, personal digital assistants (“PDAs”), or any similar devices. The use of any mobile communication device for College purposes shall be subject to the College's Electronic Technology Usage Procedure, AP5221.

## **Procedure**

### **Criteria for Eligibility for Cell Phone Allowance**

The following criteria are provided in order to determine a position’s eligibility for a cell phone allowance because of the nature of and expectations for job performance.

1. Need for mobility: Position’s primary responsibilities include work at more than one campus location or where access to a telephone is not readily available.
2. Emergency response – Position’s responsibilities include emergency response and requirement to be available during non-business hours.

## **Oversight Responsibility**

Department heads/Supervisors are responsible for identifying employees who hold positions that include the need for a cell phone. The department head is responsible for overseeing employee cell phone needs, for monitoring business-related cell phone usage and for assessing the continued need of each position that requires use of a cell phone for business purposes.

## **Final approvals do rest with the Dean or VP for the area and the VPFA.**

All employees with a business-related need for a cellular telephone or Personal Digital Assistant (PDA) allowance must complete the “Cellular Phone / PDA Allowance Request Form.” This form must be approved by the employee’s direct supervisor as well as by the appropriate VP for that area. Once completed, the original, signed form should be sent to the Business Office with a copy kept by the department. Once received and processed by the Business Office, a taxable monthly allowance will be added to the employee’s first paycheck of each month.

This allowance amount will be charged to the appropriate departmental operating budget.

**Important Note:** The implementation of this policy dictates that the employee’s P Card will not be used to pay for cellular phone charges.

## **Cellular/PDA Service Allowance**

All approved Dean level positions and above are eligible for up to the High Usage amount allowance. All approved other salaried positions up to Dean level are eligible for up to the Average Usage allowance. All approved hourly positions are eligible for up to the Low Usage amount and are not eligible for a PDA allowance.

The amount of monthly allowance is based upon a typical reimbursement amount necessary to meet business related needs for either voice services or, in the case of a PDA, for voice and data services. The College offers three levels of taxable monthly allowances for voice plans and two levels of allowances for PDA plans:

<b>Usage Level</b>	<b>Voice Plan Allowance</b>	<b>PDA Allowance</b>
<b>Low Usage</b>	\$10 per month	n/a
<b>Average Usage</b>	\$40 per month	\$30 per month
<b>High Usage</b>	\$50 per month	\$50 per month

If an employee is not approved for a monthly allowance but incurs expense for individual telephone calls it is also possible to be reimbursed for actual usage. In order to be reimbursed in this manner the employee needs to submit an expense report through their department to the Accounts Payable department with a copy of the telephone bill clearly showing which calls were business related and describing the specific purpose for each of those calls.

Note that this allowance does not represent an increase in base pay. The allowance will continue unless the Business Office is notified in writing either by the employee, or the supervisor that the allowance is to cease.

A yearly review of the need for a cellular telephone or PDA will be conducted by the supervisor and VP for that area.

No additional reimbursement will be provided to those receiving a monthly allowance even if the monthly charges to the employee exceed the allowance amount. However, allowances can be changed at any time should circumstances or needs change. All requests for a change in allowance must be made by the supervisor in writing using the “Cellular Phone / PDA Allowance Request Form” with a signed original copy of the form sent to the Business Office.

### **Cellular/PDA Equipment Allowance**

The College of Western Idaho does not reimburse employees for the initial purchase of a new cellular phone or PDA, and for the replacement of a cellular phone or PDA. Because the phone or PDA is owned by the employee, the phone or PDA may be used by the employee for both personal and business related calls. All contracts for service must be taken out in the name of the employee receiving the allowance and may not be taken out in the name of CWI.

### **Support for cellular phones and PDAs**

All support for cellular phones and PDAs is provided by the cellular service company chosen by the employee. CWI’s IT services unit cannot offer any support for individually owned cellular phones or PDAs. However, IT will provide support for College provided software that is used on those devices to synchronize them with College email accounts, calendars or other College systems and services.



### **Changes to cellular contracts**

The College reserves the right to change or terminate this policy regarding allowances for cell phone or PDA service and equipment. Individuals eligible for receipt of an allowance should understand that they are personally liable for monthly charges or termination fees, regardless of employment status or any change in this reimbursement policy.

Questions about the policy or the procedures should be directed to the Human Resources Office. The reimbursement form for Cell Phones and PDA's is located on the CWI Portal under Human Resources.

### **Administrative Procedure 5231 Outside Employment and Professional Consulting Guidelines**

Board Policy 5230 Outside Employment and Professional Consulting  
Adoption History: 2/17/09

**Outside Employment:** Faculty and staff on full-time appointment owe their primary employment responsibility to the College. Employees are expected to fulfill, to the best of their abilities, the responsibilities established in their respective job description. No employee will undertake outside employment that interferes with the employee's assigned duties. When the primary professional loyalty of the employee is not focused toward the College, a conflict of commitment exists. Conflicts of commitment are prohibited and must be immediately resolved by the employee and his/her immediate supervisor.

**Professional Consulting:** Outside activities in an employee's discipline or area of specialization are encouraged to the extent that they contribute to the improvement of teaching skills, provide a needed professional service and/or advance the cause of college/community relations.

**Private Consulting:** Employees must inform clients that they are acting as a private consultant and that CWI is not a party to the contract, liable, or responsible for the performance. Employees must secure from the appropriate Vice President approval for any professional private consulting activities which require absence or involve unusually demanding commitments.

Administrative approval for consulting by employees will be granted only when the proposed activity is compatible with the employee's professional competence, will not impair the performance of the employees assigned duties, does not involve the use of college supplies, equipment or facilities, and is not contrary to the College's best interest.

The name, College of Western Idaho, and its logo are the exclusive properties of the College and should not be used as a part of claims, advertisements, or the content of any private consulting report. College stationary or letterhead should be used only for official College business.

**Consulting Performed for the College:** Whenever possible, the College will look to the expertise of its own employees first. Consulting services that are performed as part of an employee's regularly assigned duties are not a basis for additional compensation. Additional compensation for employees may be authorized for consulting services that are clearly beyond the employee's assigned duties. Each instance of extra compensation is subject to the President's approval before the work is performed and payment can be made.

### **Administrative Procedure 5241 Emeriti Program**

Board Policy 5240 Staff Emeriti Policy

Adoption History: 2/21/12

**Trustees:** The College of Western Idaho trustees who serve for two terms may be voted by the Board of Trustees as trustees emeriti in recognition of their devoted service to the College.

**Benefits of Emeritus Status:** A trustee granted emeritus status shall, subject to any subsequent modification or termination of this policy, be entitled to receive the following:

- Use of library materials on the premises.
- Inclusion on the College's mailing list.
- Invitation to commencement and other special events of the College.
- A formal resolution of the Board of Trustees' action granting emeritus status.

**Staff:** A Staff Emeritus appointment is based upon meritorious performance at the College of Western Idaho, consistent with performance expected of a staff member with a minimum of fifteen (15) years of total service to the College. At least one of the following criteria must be satisfied for appointment to emeritus status:

- Completed a minimum of 15 years of full-time service at College of Western Idaho.
- Less than fifteen years with CWI, but due to significant health reasons must take an early retirement (provided that the employee would have been eligible for retirement had he or she fulfilled the fifteen-year requirement).
- Completed less than 15 years with CWI, but in the opinion of the employee's direct supervisor and the President, the candidate will be actively involved in CWI during retirement.
- Completed less than fifteen years with CWI, but as a "founding member" of the CWI staff, can demonstrate significant service to CWI. A "founding member" refers to staff that were hired during CWI's first 5 years of existence.

A staff employee becomes eligible for appointment to emeritus status once the date of their retirement has been formally established. Staff Applications for Emeritus Status must be initiated by:

- Submission to the Staff Senate of an updated resume and/or written record of service by the head of the department from which the staff employee is retiring with approval from the reporting Vice President or
- Submission of a formal request with an updated resume and/or written record of service by an active full-time, regular staff employee to the President of Staff Senate.

Applications are submitted to the Staff Senate for review. Successful applications will be forwarded to the Vice President of Finance and Administration for recommendation to the President. CWI Trustees will have final approval on emeritus status. After approval, emeritus status will be publicly awarded and recognized.

### **Benefits of Emeritus Status**

Staff granted emeritus status shall, subject to any subsequent modification or termination of this policy, be entitled to receive the following:

- Inclusion on the College's mailing list.
- Invitation to commencement and other special events of the College.
- Retention of College e-mail account upon request (Emeriti must provide their own internet service provider).
- Staff privileges that are *not cost-bearing* to the College, such as invitations to campus activities, use of campus facilities such as the library, athletic club discounts, cell phone discounts, etc.

Emeritus status shall not disqualify a person from accepting paid employment with the College.

### **Administrative Procedure 5251 Volunteering at CWI**

Board Policy 5250 Volunteering at CWI

Adoption History: 2/21/12; revised 10/16/12

All College Departments or programs wishing to use volunteers must comply with the following guidelines.

### **Volunteer Services**

Volunteer services generally are limited to humanitarian, educational or public services purposes. For purposes of these Administrative Procedures, a volunteer is defined as a person who performs services and/or engages in activities on behalf of and for the benefit of CWI without promise, expectation or receipt of compensation or benefits. Anyone including alumni, students, parents and former CWI employees may serve as volunteers on behalf of CWI. The term "volunteer" as used in these procedures does not include CWI students participating in activities that are part of a course or program in which the student is enrolled. Further, a current CWI employee who is non-exempt under the Fair Labor Standards Act may not volunteer in any capacity in which he or she is employed at CWI nor perform any volunteer work that is similar to or related to the individual's regular work at CWI. Non-exempt employees must receive written approval from the Human Resources Department before engaging in volunteer work for CWI.

CWI volunteers must abide by all applicable CWI policies and procedures, including but not limited to those relating to safety, confidentiality, use of technology, harassment and drug and alcohol use. Volunteers are not subject to the Fair Labor Standards Act and are not considered employees for any purpose. Volunteers receive no compensation or benefits for services rendered. Volunteers will be under the supervision of a CWI employee at all times.

Parental/guardian consent is required for all volunteers who are under the age of 18. To give consent, a parent/guardian must fill out, sign and return CWI's parental consent form. CWI reserves the right to require a criminal background check for volunteer positions or activities.

Volunteers may be required to sign a consent form for a criminal background check.

Volunteers are **prohibited** from performing the following activities:

- operating heavy equipment including vehicles,
- entering into any contract on behalf of the College,
- working with infectious or potentially infectious agents, including human blood,
- handling firearms or weapons of any kind,
- services requiring access to confidential information, including confidential student or employee information, or confidential health information, and
- services involving the handling of currency.

Volunteering is limited to the premises on which the activity takes place.

### **Responsibilities of the Activity's Organizers**

All departments and programs must comply with the application procedure listed below. They must also provide the volunteer with every form required for the activity so that the volunteer is able to comply with the application procedure.

**Official Guests: Official guests of the campus are not considered volunteers.** Examples of official guests include, but are not limited to visiting scholars, dignitaries, potential donors, public officials and guest speakers. The overarching definition of an official guest is: "a person who has been invited to a CWI facility or function for a specific purpose that benefits the College's mission."

### **Procedure**

The supervisor must provide the volunteer with, and the volunteer must complete, the following forms:

1. Authorization for Criminal Background Check Form (if necessary),
2. Volunteer Agreement Form, and
3. Description of Volunteer Activity Form.

The department or program must retain all completed lists and forms for three years. If an individual is a returning volunteer, but the break in service is greater than one (1) year, all applicable forms and processes must be completed again.

### **Dismissal**

Volunteer service at CWI is non-contractual. CWI may terminate the services of any volunteer at any time without prior notice. Any CWI employee serving as a volunteer who violates any CWI policy or procedure will be subject to disciplinary action up to and including termination.

Appropriate Volunteer Forms follow.



## CWI Volunteer Agreement Form

By my signature below, I hereby agree to and fully understand all of the conditions as outlined in this Agreement.

Volunteer Name (please print): \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Home Telephone No. *(include area code)* \_\_\_\_\_

Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Volunteer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(If participant is younger than 18 years of age)

Name of Emergency Contact: \_\_\_\_\_ Relationship to Volunteer: \_\_\_\_\_

Telephone No. *(include area code)* \_\_\_\_\_

Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Authorized Volunteer's CWI Supervisor Name: \_\_\_\_\_

Title: \_\_\_\_\_ Signature: \_\_\_\_\_

**INSTRUCTIONS: MUST BE COMPLETED PRIOR TO VOLUNTEER WORK. MUST KEEP LOG OF TIME (HOURS/DAYS). RETAIN IN DEPARTMENT.**



Human Resources - [hr@cwidaho.cc](mailto:hr@cwidaho.cc) - (208) 562-3287 phone - (888) 562-0459 fax  
MS 1000 - P.O. Box 3010 - Nampa, ID 83653 - [www.cwidaho.cc](http://www.cwidaho.cc)

## DESCRIPTION OF VOLUNTEER ACTIVITY FORM

### Description of Volunteer Activity:

Usher at special events/concerts \_\_\_\_\_

Office support \_\_\_\_\_

Help with telephones \_\_\_\_\_

Other – please describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **Administrative Procedure 5261 Whistle Blowing Procedures**

Board Policy 5260 Whistle Blowing Policy

Adoption History: 6/27/11

The following guidelines have been adopted for the purpose of facilitating the reporting of the existence of any waste of public funds, property or manpower or violations or suspected violations of applicable law.

### **Reporting Procedure**

Employees are encouraged to report the existence of any waste of public funds, property or manpower or any violation or suspected violation of applicable law. Any such report should be made at a time and in a manner which gives CWI a reasonable opportunity to correct the waste or violation.

In most cases, an employee's supervisor is in the best position to address an area of concern regarding conduct addressed in this Administrative Procedure. However, if an employee is not comfortable speaking with his/her supervisor or is not satisfied with his/her supervisor's response, the employee should report his/her concerns to CWI's Executive Director of Human Resources or CWI's President. If the concern involves the Executive Director of Human Resources, the employee should contact CWI's President. If the concern involves CWI's President, the employee should contact the Chairman of CWI's Board of Trustees. CWI will conduct an appropriate investigation of any such reports and will take corrective action as appropriate to address the waste or violation.

### **Retaliation**

In accordance with the Idaho Protection of Public Employees Act, CWI prohibits retaliation against an employee who:

- reports in good faith the existence of any waste of public funds, property or manpower or a violation or suspected violation of applicable law,
- participates or gives information in an investigation hearing, court proceeding, legislative or other inquiry, or other form of administrative review related to any such report, or
- has objected to or refused to carry out a directive that the employee reasonably believes violates applicable law.

For purposes of this Administrative Procedure, an employee reports in good faith if there is a reasonable basis in fact for the communication. Good faith may be lacking where the employee knew or reasonably ought to have known that the report is malicious, false or frivolous.

## **Administrative Procedure 5271 Social Media Procedures**

Board Policy 5270 Social Media

Adoption History: 11/20/12

Reference: State of Idaho Public Records Laws

The College of Western Idaho's ("CWI") website (cwidaho.cc) will remain CWI's primary and predominant internet presence. All CWI social media sites posted by CWI departments or divisions will be subject to prior approval by the Dean or Director of the department and CWI's Communications and Marketing Department. Only authorized social media representatives, as approved by the Dean or Director of department and CWI's Communications and Marketing Department, may represent CWI through public, external social media sites. Any External Official Presence should be coordinated through CWI's Communications and Marketing Department.

Social media sites maintained by CWI are subject to State of Idaho public records laws. Any content maintained in a social media format that is related to CWI business, including a list of subscribers and posted communication, is a public record. CWI employees are required to comply with all applicable federal and state laws in regard to copyright and plagiarism is prohibited.

All social media sites maintained by CWI shall also comply with all applicable CWI policies and standards, including but not limited to:

- All federal and state laws, rules, regulations, or requirements applicable to CWI, such as FERPA and HIPPA
- CWI Branding Style Guidelines
- CWI Electronic Technology Usage Policy

All social media sites maintained by CWI shall further comply with applicable terms of use or other policies and procedures established for use of the host site, such as Facebook or Twitter.

### **Section One - Identification and Establishment**

#### **Tier I, or Direct Link, Pages**

All official units of CWI - such as departments or divisions - may choose to create their own social media presence, subject to the approval of CWI's Communications and Marketing Department, which approval must be obtained prior to publishing any social media page. The Director of Communications and Marketing must be made an administrator of the social media website or page. As with CWI's Web pages, content must be strictly monitored and must comply with the procedures set forth in Section 2, and the guidelines for Facebook and Twitter fan pages, if applicable.

#### **Tier II, or Unofficial, Pages**

In general, individual faculty, staff, and student pages are not included in this procedure; however, if an employee or student group at the college creates a page on a social media site



that could be associated with the College, the address and contact information for the person responsible for the page should be forwarded to the Communications and Marketing Department.

Administrators for these pages must in no way present themselves as officially representing CWI; however, they should always disclose their affiliation with CWI. Registered student organizations must put state:

*“[name of student organization] is a registered student organization and is not an official publication of the College of Western Idaho. The content on this site does not represent the views of the College or its officers.”*

Advisors for registered student organizations should be administrators for these pages and be responsible for monitoring the content affiliated with the pages. CWI does not take responsibility for pages developed by others and will report unauthorized sites that present a CWI identity.

## **Section Two: Administration and Content of Tier I, or Direct Link, Pages**

### **Permissible Content**

A social media page that is open to the public is subject to protection by the First Amendment. CWI intends to ensure all such pages are established as a “limited public forum” under the First Amendment. Accordingly, all pages must comply with the content and administration requirements set forth herein.

All content contributed by representatives of CWI or provided on public pages by patrons of such pages must relate directly to CWI business, programs and/or services. Content contributed by representatives of CWI must relate directly to business, programs and/or services that the representative of CWI *has job responsibility for*. Content placed by college representatives cannot promote individual opinions or causes that are not directly related to CWI purposes. Content by CWI or the public that does not relate to CWI business, programs and/or services may be removed by the administrator, in accordance with these procedures.

The most appropriate uses of social media tools at CWI fall generally into three categories:

1. As channels for disseminating time-sensitive information as quickly as possible (example: important deadlines).
2. As a venue for connecting on a fun and social level with CWI’s community (events, discussions, etc.)
3. As marketing/promotional channels that increase CWI’s ability to broadcast its messages to the widest possible audience.

Wherever possible, content posted to CWI social media sites will also be available on CWI’s main website. Wherever possible, content posted to CWI social media sites should contain links directing users back to CWI’s official websites for in-depth information, forms, documents or online services necessary to conduct business with CWI.

Uploaded photos and videos are considered content subject to the procedures set forth herein and also must relate directly to CWI and/or student life and should not be used as a promotional tool for programs, products or services outside CWI. All photos and videos must adhere to existing CWI policies, as applicable. Official images of CWI used to brand social media pages can be obtained from the Communications and Marketing Department. All logos used to identify units of CWI must be in the official format.

### **Inappropriate Content and Use**

Content posted or presented on CWI social media sites, including comments, videos, articles, or other types of content containing any of the following will not be allowed and will be subject to removal pursuant to the enforcement procedures outlined herein:

- Content not directly related to the business, programs, or services of CWI;
- Content not topically related to the particular materials being commented upon;
- Content in support of or opposition to political campaigns or ballot measures;
- Comments that are offensive to an individual or an organization, profane, defamatory, hateful, insulting, rude, abusive, aggressive or violent;
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- Sexual content or links to sexual content;
- Solicitations of commerce or messages for advertising purposes;
- Conduct or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems;
- Content that violates a legal ownership interest of any other party;
- Content that impersonates or misrepresents someone else, including CWI officials or public figures;
- Confidential or proprietary information about CWI or any members of its community that would violate privacy laws.

***CWI reserves the right to restrict or remove any content that is deemed in violation of this social media procedure or any applicable law.***

### **Advertising**

Where social media applications offer an option of not including advertising on official CWI pages, this should be used.

### **Enforcement**

CWI reserves the right to request material that has been published on a social media site about CWI, its students or its employees, that violates these policies be removed from the site either by the user or by a direct request from CWI to the site provider. Inappropriate use of social media sites by users with regard to CWI, its students and its employees may also lead to disciplinary action being taken. Policies regarding the acceptable use of computing resources must also be adhered to.

## **Disclosure Language Required**

In order to ensure all social media sites are properly designated as a limited public forum and to ensure use and administration of the site complies with potentially applicable free speech protections, all pages must contain the following disclosure:

*“Submission or posting of comments by members of the public to an official CWI social media site or account constitutes participation in a limited public forum, and is subject to public disclosure.*

*Inappropriate Content (as hereinafter defined) may at times be posted by third party commentators. CWI cannot be held responsible for this third party content. CWI will monitor and moderate comments, and reserves the right (but not the obligation) at the sole discretion of CWI to (before or after the content is posted) edit, move, delete, or refuse content containing any Inappropriate Content. Inappropriate Content includes:*

- *Content not directly related to the business, programs, or services of CWI.*
- *Content not topically related to the particular materials being commented upon;*
- *Content in support of or opposition to political campaigns or ballot measures;*
- *Comments that are offensive to an individual or an organization, profane, defamatory, hateful, insulting, rude, abusive, aggressive or violent;;*
- *Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;*
- *Sexual content or links to sexual content;*
- *Solicitations of commerce or messages for advertising purposes;*
- *Conduct or encouragement of illegal activity;*
- *Information that may tend to compromise the safety or security of the public or public systems;*
- *Content that violates a legal ownership interest of any other party;*
- *Content that impersonates or misrepresents someone else, including CWI officials or public figures;*
- *Confidential or proprietary information about CWI or any members of its community that would violate privacy laws.*

*You participate at your own risk, taking personal responsibility for your comments, your username and any information provided. CWI is a public entity and all content contained on this site may be subject to disclosure by CWI pursuant to Idaho’s public records laws.*

*The appearance of external links on this site does not constitute official endorsement on behalf of CWI.”*

## **Section Three: Acceptable Use of Social Media**

### **Acceptable Use Guidelines**

Existing policies governing student and employee behavior apply to CWI's social media presence, including CWI's Employee Conduct and Electronic Technology Usage Policy and CWI's Student Handbook. CWI takes no responsibility for content developed or submitted by non-employees.

Before using any social media site for CWI business, employees are asked to read the site's guidelines carefully and report activities that violate any terms or conditions. Social media sites are an interactive tool; page administrators and CWI users should monitor the content closely and frequently to review user conduct. Any questionable content should be reported to the Director of Communications and Marketing. Any content that appears threatening in any way should be reported immediately to Campus Security.

For additional guidelines and helpful tips on specific social media platforms including Twitter and Facebook Fan Pages, please refer to the Communications and Marketing tab on the myCWI website at: [myCWI.cc/college\\_resources/comm\\_marketing](http://myCWI.cc/college_resources/comm_marketing)