



Southwestern Michigan College Board Policy Manual

Forward

The policies of the Board of Trustees are included in this manual. This document is available in hard copy and on the College's Intranet. All state laws relating to the operation of the College are not included but these policies are subject to and consistent with such laws. Subsequent additions and modifications will be distributed to be included within printed hard copies, additions and modifications will also be made to the Intranet version of this document. All policies included within the manual will remain in force unless superseded by a modification or addition.

All employees of the College are expected to acquaint themselves with the policies. Suggestions for modifications are always welcome. It is hoped that the manual will be in a continuing state of development.

Administrative procedures to implement these policies shall be developed which are consistent with the policies.

Legal Basis and Authority for the College

Article VIII, Section 7 of the Michigan Constitution of 1963 states that the legislature shall provide by law for the establishment of public community colleges which shall be supervised and controlled by locally elected Boards of Trustees. On November 3, 1964, the voters approved the establishment of Southwestern Michigan College and elected a Board of Trustees.

Pursuant to the provisions of the Community College Act, No. 331 of the Public Acts of 1966, the Board of Trustees has the authority and responsibility to promulgate rules for the proper establishment, maintenance, management, and administration of the College. In addition, the Board must adopt Bylaws, rules and regulations for its own government, and for the control and government of the College district.

These policies of Southwestern Michigan College have been established by the Board of Trustees pursuant to the Michigan Constitution, the Community College Act of 1966 and related statutes.

Mission Statement

The mission of Southwestern Michigan College is to serve our community by providing affordable local access to high quality postsecondary career preparation and college education - including the total college life experience.

Core Values

The core values Southwestern Michigan College describe the beliefs that direct the College in all that it does.

- “Excellence with a Personal Touch” is a working principle guiding our actions.
- High quality is inherent in all that Southwestern Michigan College does.
- We have a commitment to be responsible managers of college resources: human resources by promoting growth, satisfaction, and empowerment; financial resources by operating with a balanced budget and investing in the future; physical resources by maintaining a high quality physical plant.
- We believe in "Knowledge for all." As the only institution of higher education in the district, Southwestern Michigan College has the dual responsibilities of providing postsecondary career preparation for those who are seeking immediate employment and college coursework and degrees for those seeking baccalaureate degrees.
- We have a commitment to being a learner-centered college, developing students through a total college life experience and providing them with 21st century services.

Institutional Goals

- A. Student success will be the primary goal of Southwestern Michigan College.
- B. Southwestern Michigan College will become the college of first choice for students who have a choice regarding where they receive higher education.
- C. Southwestern Michigan College will become the college of service: service to students with limited options, service to our taxpayers, service to our community, and service to employers.
- D. Southwestern Michigan College will use current computer technology in support of academic, academic support and business functions of the College.

Institutional Objectives

- A. Goal A: Student success will be the primary goal of Southwestern Michigan College.
 1. Southwestern Michigan College will be a student-centered learning environment.
 2. Southwestern Michigan College will establish a college-wide culture that promotes continuous quality improvement.
 3. The College will evaluate and modify programs, services and instruction to prepare students for success both academically and in the workplace.
 4. The College will provide individual services to students, including career counseling, financial aid, developmental education opportunities, and other services necessary to enhance their success.
 5. The College will continually align and reallocate resources to support student success.
- B. Goal B: Southwestern Michigan College will become the college of first choice for students who have a choice regarding where they receive higher education.

1. High quality will be inherent in all that SMC does.
 2. Transfer programs and courses will be designed to facilitate smooth articulation for students into four-year degree programs.
 3. Occupational skills programs will meet employer needs and national standards.
 4. Bachelor degree opportunities will be expanded to meet demand.
- C. Goal C: Southwestern Michigan College will become the college of service: service to students with limited options, service to our taxpayers, service to our community, and service to employers.
1. Provide developmental education opportunities, and other support services, for under-prepared students.
 2. Provide skilled workers and training for incumbent workers to enhance the regional economy and be a strategic partner in regional economic development.
 3. Offer continuing education and enrichment courses when sufficient interest and demand exists to warrant their organization.
 4. Provide leadership to the campus/community in cultural activities including, but not limited to the museum, performing and visual arts, as well as other campus/community activities and service projects.
 5. Provide affordable higher education.
 6. Provide an environment where students, employees, and guests can come without being subjected to language, graphics, etc. which are not in keeping with the traditional standards of this community.
- D. Goal D: Southwestern Michigan College will use current computer technology in support of academic, academic support and business functions of the College.
1. Provide leading edge computing and technology environments for academic programs.
 2. Provide efficient business support functions of the College.
 3. Safeguard sensitive electronic data by appropriate means.

Bylaws

Article I – Membership Board of Trustees

Section 1. Qualification and Election

A. Qualification

A candidate for election to the Board of Trustees must be a resident elector in the community college district and meet other qualifications according to the laws of Michigan.

B. Time of Elections

Elections shall be held biannually in even years at the time of the November general election. Special elections may be called by the Board as provided by law.

C. Selection and Number

The Board of Trustees, consisting of seven members shall be selected in accordance with State law.

D. Vacancies

Vacancies in the Board of Trustees shall be filled by the Board in accordance with State law.

Section 2. Responsibilities

The Board of Trustees of Southwestern Michigan College district shall have the power to make plans for, to promote and/or acquire, construct, own, develop, maintain, and operate the College as provided by law and the constitution of the State of Michigan. The following concepts are found within the law but are not necessarily all inclusive:

- A. To establish policies, bylaws, rules and regulations for its own government and for the control and government of the College and the College district.
- B. To select and appoint the President of the College.
- C. To be finally responsible for the acquisition, conservation, and management of the College's funds and properties.
- D. To establish new academic programs.
- E. To set standard tuition and fee rates.

Section 3. Authority of Members

No member of the Board of Trustees shall have power to act in the name of the Board of Trustees outside regular or special Board meetings unless so directed by the Board of Trustees.

Section 4. Compensation

No duly elected member or officer of the Board of Trustees shall receive any compensation for any service rendered in the district in performance of his duties as a Trustee. Expenses of the Board members may be reimbursed in accordance with Bylaws-Article VII.

Article II – Officers-Board of Trustees

Section 1. Qualification and Election

- A. The Trustees shall elect a Chairman, a Secretary, and a Treasurer as stated in the State Law. The Trustees may also choose to elect a Vice Chairman.
- B. The Officers shall be elected by the Board as prescribed by law. Each officer shall be elected by a majority of the Board. The term of each officer shall be for a period of two (2) years. Each officer shall perform the legal duties of the office and such other functions as designated by the Board of Trustees.
- C. Vacancies

The Board of Trustees shall have power to fill Board Officer vacancies and to appoint such other officers and agents as the Board may deem necessary for transaction of business of the Board.

Section 2. Duties of the Officers

- A. Chairman of the Board
 - 1. To preside at all meetings of the Board of Trustees.
 - 2. To perform all duties prescribed by law and as directed by the Board of Trustees.
 - 3. To call all special meetings in accordance with Article IV, Section 3.
 - 4. To be an ex-officio member of all committees.
 - 5. Shall have the general powers and duties of supervision and management usually vested in the office of Chairman of the Board of Trustees.
 - 6. To sign documents as directed by the Board of Trustees.
- B. Vice Chairman of the Board

1. The Vice Chairman of the Board of Trustees shall perform the duties of the Chairman and act in their behalf in the absence of the Chairman.
2. To sign documents as directed by the Board of Trustees.
3. To perform other functions as requested by the Board.

C. Secretary of the Board

The Secretary of the Board shall be responsible:

1. To keep records on all the meetings of the Board of Trustees.
2. To provide for the posting of all legal notices.
3. To sign documents as directed by the Board of Trustees.
4. To maintain all records of the Board.
5. To send each member of the Board prior to meetings, a copy of the minutes of the preceding Board meeting.
6. To notify Trustees of the Board of all meetings.
7. To perform all duties as prescribed by law including election procedures as outlined in 389.152.

D. Treasurer of the Board

The Treasurer of the Board shall be responsible:

1. To receive, safeguard, and make payment of funds as directed by the Board of Trustees.
2. To be responsible for financial records belonging to the Board and to maintain full and accurate accounts of all receipts and disbursements.
3. To report to the Board all transactions of funds as directed.
4. To sign other documents as directed by the Board of Trustees.

Section 3. Removal of Officers and Agents

Any officer may be removed from office for cause by vote of a majority of the members of the Board.

Section 4. Bonding of Officers and/or Employees

The Treasurer and such other officers or employees as shall handle money on behalf of the College shall first secure a suitable bond by a responsible bonding company. Such bonds or bond shall be paid for by the College.

Section 5. Indemnification

The College shall indemnify any Trustee or former Trustee of the College, against reasonable expenses, including attorneys' fees, actually and necessarily incurred by him or her in connection with the defense of any civil, criminal or administrative action, suit or proceeding in which he or she is made a party or with which he or she is threatened by reason of being or having been a Trustee or because of any act as Trustee, within the course of his or her duties, except in relation to matters as to which he or she shall be adjudged in such action, suit or proceeding to be liable for misconduct in the performance of his or her duties. The College may also reimburse any present or former Trustee for the reasonable costs of settlement or judgment of any such action, suit or proceeding, if it shall be found by a majority of the Board of Trustees that it was in the interests of the College that such settlement be made and that such Trustee was not guilty of misconduct. The right of indemnification herein provided shall extend to the estate, executor, administrator, guardian and conservator of any deceased or former Trustee who would have been entitled to indemnification. Such rights of indemnification

and reimbursement shall not be deemed exclusive of any other rights to which such Trustee may be entitled.

Article III – Committees of the Board

Section 1. Standing Committees

The Board of Trustees shall have no standing committees.

Section 2. Special Committees

The Chairman of the Board of Trustees shall appoint special committees as are deemed necessary by the Board of Trustees. A special committee shall report recommendations to the Board for appropriate action. A special committee shall be dissolved when its report is complete and received by the Board, or when its duties have been completed.

Article IV – Meetings

Section 1. Organizational Meeting

The Board of Trustees shall hold an organizational meeting at the first regularly convened meeting of the new year following the regular community college election. If the date of an organizational meeting falls on a legal holiday, then it shall be held on the next succeeding Monday.

Section 2. Meeting Schedule

Meetings of the Board of Trustees shall be held at such times and places as designated by the Board of Trustees.

Section 3. Special Meetings

A special meeting of the Board of Trustees shall be called by the Chairman or any three (3) members serving on the other members personally a notice at least twenty-four (24) hours before the hour of the meeting or depositing notice in the U.S. Post Office mail receptacle enclosed in a sealed envelope plainly addressed to each such member at his last know residence address, at least forty-eight (48) hours before such meeting is to take place. Notice of such meeting must be posted eighteen (18) hours in advance as required by law. No business shall be transacted except that for which the meeting is called.

Section 4. Meetings Open to the Public

All regular and special meetings of the Board of Trustees shall be open to the public in accordance with Public Act No. 267 of 1976 and any amendments thereto.

Section 5. Hearing of Citizens

- A. Citizens of the College district, College employees or students may appear before the Board of Trustees according to the following procedures:
1. At any Regular or duly called Special meeting of the Board of Trustees, those desiring to speak on any item(s) on the Agenda may do so subject to the following rules:
 - I. The guest must register with the Board Secretary giving name, permanent address, and Agenda item to be addressed.
 - II. The guest must be recognized by the presiding officer at the point on the Agenda entitled "Hearing of Citizens".

- III. The guest must restrict remarks to the time allocated by the presiding officer.
 - IV. The guest must observe decorum which enhances the dignity of the meeting.
 - V. The guest must confine remarks to the Agenda item(s) unless the procedures outlined in (2) below have been complied with.
2. A person desiring to appear before the Board of Trustees on a subject not on the Agenda must give a request in writing to the Chairman or Secretary of the Board, or the College President by 5:00 p.m. on the day preceding a scheduled meeting of the Board. The request must state the subject the person wishes to speak on as well as an outline of the subject matter to be presented. It is the policy of the Board of Trustees to hear all persons who have a presentation to make which is germane to the operation of the College and which falls within the legal responsibility of the Board of Trustees.

Section 6. Parliamentary Authority

The usual rules of parliamentary procedures shall be used by the Board in its meetings. (On all matters where parliamentary authority is requested or appealed, the latest version of Robert's Rules of Order shall prevail).

Article V – Quorum

A majority of the members of the Board of Trustees shall constitute a quorum for the transaction of business. A majority of the full Board of Trustees (4 votes) is necessary to adopt any motion or resolution.

Article VI – Amendments to the Bylaws

A majority vote of the membership of the Board of Trustees shall be necessary to amend these Bylaws.

Article VII – Trustee Education

Pursuant to Criterion 2.C. of the Higher Learning Commission's "Criteria for Accreditation," trustees shall regularly engage in educational activities to remain informed of state and national issues, trends, and opportunities relevant to community college governance. Thus, trustees are encouraged to annually attend a Michigan Community Colleges Association (MCCA) meeting or conference and occasionally attend (every 2 to 3 years) an Association of Community Colleges Trustees (ACCT) conference. To control costs, trustees will alternate attendance at meetings and conferences that require airfare. New trustees are encouraged to attend state level opportunities for initial training and development during their first year of service.

Trustee educational expenses are subject to the following guidelines:

- A. Trustee education is intended to replicate that of College employees, although trustee travel is more restrictive. It should be noted that College employees engage in professional development on College time, whereas trustees attend on their own time which may include use of vacation time from their place of employment.
- B. A trustee's conference or meeting fee will be paid by the College.

- C. Trustees will attend as many sessions as the daily conference schedule permits, and will be expected to share materials with the larger Board of Trustees. The College will copy and distribute the materials.
- D. For MCCA meetings and conferences, the College will pay the cost of a standard room at the conference or meeting hotel. If a trustee prefers to stay at another hotel, then he or she can be reimbursed up to the amount of the conference hotel's standard rate or the rate of the other hotel, whichever is of lesser value.
- E. For ACCT meetings, the College will pay the cost of a standard room at the conference hotel, to reduce transportation costs. Only in the event that space is not available at the conference hotel will the College reimburse a trustee for a standard room at the nearest hotel and the transportation to and from the conference hotel.
- F. Trustees will not be reimbursed for meals, alcohol, or entertainment; however, the College will pay the costs of conference sponsored meals.
- G. Spouses and other family members may accompany a trustee to a conference or meeting at no cost to the College (excluding any conference sponsored meal).
- H. Transportation costs (mileage or standard airfare) will be reimbursed to a trustee attending an MCCA or ACCT meeting or conference. All transportation costs must be appropriately documented.
- I. The trustee delegate and alternate delegate to the MCCA may attend quarterly meetings under the above provisions, however only mileage is eligible for reimbursement for travel within the State of Michigan.

Article VIII – Ethics and Conflicts of Interest

Section 1. Statement of Obligations

It is the policy of the Board of Trustees (“Board”) that all Trustees and Officers (Chairperson, Vice Chairperson, Secretary, and Treasurer), serve the public trust and are required to fulfill their responsibilities with full care and loyalty to the College over their own personal and financial interests. All Decisions and actions of the Trustees shall be made in conformity with this Ethics and Conflicts of Interest Bylaw (“Bylaw”) and for the sole purpose of advancing the best interests of the College and the public good. The College’s integrity must be protected at all times and the fiduciary duties of the Trustees must be respected in both actuality and appearance. Trustees must comply with the Michigan Constitution, laws of the State of Michigan and provisions of this Bylaw. Trustees also are subject to the provisions of Act 331 of the Michigan Public Acts of 1966 as amended (MCL 398.1, et seq.); Act 318 of the Michigan Public Acts of 1968 (MCL 15.301, et seq.); 1995, Act 266 of the Michigan Public Acts of 1995, all applicable Federal and State laws and regulations, and the provisions of this Bylaw.

The Board’s Secretary shall distribute annually a copy of this Bylaw to all Trustees for their signature (physical or electronic) acknowledging receipt and via initialing each page of this Board Policy. It is the individual responsibility of each Trustee to disclose in writing his/her own conflicts of interest or potential conflicts and those of others to the College as soon as any conflict becomes known. This Bylaw will be interpreted and applied broadly in accordance with the provisions set out below.

Section 2. Definitions

“Confidential Information” means information that has been obtained by a Trustee that is not available to members of the public under the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99) or the Michigan Freedom of Information Act, being MCL 15.231 et seq., or pursuant to other law, regulation, policy or procedure recognized by law, including the attorney-client privilege, and that the Trustee is not previously authorized in writing to disclose. Confidential Information of any type shall not be released without the specific, written prior authorization of the Board.

Confidential Information includes, but is not limited to: (1) any written information, whether in document or in electronic form, which could be exempted from disclosure under this Bylaw; and/or (2) any non-written information which, if written, is subject to non-disclosure under this Bylaw. Disclosure of Confidential Information may occur pursuant to prior written authorization issued by Board action, an applicable law, regulation, or court order.

“Decision” means: (1) a decision, determination, action, vote, or other disposition upon a motion, proposal, recommendation, or resolution, by members of the Board of Trustees or (2) a decision, determination, action or other disposition taken by any Trustee with the authority to do so in the performance of their duties authorized by the Board or College.

“Entity” or “Entities” means any corporation; company; limited liability company; foreign or domestic corporation or company; partnership; sole proprietorship; joint venture; unincorporated entity; other college, university, or trade school in the State of Michigan or any other state; or association, social organization; or any other form of commercial or business entity.

“Gift” means, except as otherwise provided in this Bylaw, anything of value in any form including money, donations, employment, goods, entertainment, travel, services, use of real or personal property or facilities, vehicles, loans, or price reductions/discounts for goods or services provided to a Trustee and/or their Immediate Family.

“Immediate Family” means: (1) a person who is related to a Trustee as spouse, domestic partner, or as any of the following, whether by marriage, blood or adoption: parent, son or daughter, brother, sister, uncle, aunt, nephew, niece, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, brother-in-law, or sister-in-law; (2) an individual claimed by a Trustee or his/her domestic partner as a dependent under the United States Internal Revenue Code or Michigan law.

“Ownership/Business Interest” means, except as otherwise stated in this Bylaw, a financial, ownership, personal or pecuniary interest that a Trustee has or will have in the affairs of: (1) any business Entity in which the Trustee or a member of his/her Immediate Family is an officer, director, member, or employee; (2) any business Entity that is not publicly traded in which the Trustee or a member of his/her Immediate Family controls, or directly or indirectly owns, any stock or membership interest regardless of value; or (3) any person or business Entity with whom the Trustee has a contract. A business interest also includes any relationship the Trustee or his/her immediate family has or will have in or with any business, institution, or Entity: (1) as an officer, executive, manager, partner, shareholder, director, member, employee, or agent; (2) direct or indirect control, ownership, stock, membership or partnership

interest, regardless of value; or (3) any oral or written contract, employment contract, agency contract, a sales relationship, or any commercial or employment relationship.

“Private Gain” means any benefit or monetary gain that is accepted or received by a Trustee, or is perceived by a reasonable person to be accepted or received by a Trustee, as remuneration for the purpose of improperly influencing a Decision or official action in a specific manner or for refraining from making a Decision or performing of an official action in a specific manner, or as inducement for a Trustee to act in favor of some interest or Entity other than in the interest of the College and Board. Unless one or more of the above-standards are violated, the following types of benefits, monetary payments or reimbursements, Gifts, awards or emoluments may be received by a Trustee as:

- A. Payment of salaries, compensation, expenses or employee benefits to a Trustee by that person’s employer or business pursuant to a contract or employment relationship where the payment is completely unrelated to the Trustee’s position with the College.
- B. Authorized reimbursement by the College of documented actual and necessary expenses incurred by the Trustee;
- C. Campaign or political contributions that are made and reported by a Trustee in accordance with Michigan and Federal law;
- D. Admission or registration fees, travel expenses, entertainment, meals or refreshments that are: (a) furnished to a Trustee by the sponsor(s) of an event, appearance or ceremony that is related to College business in connection with such an event, appearance or ceremony and to which one or more members of the public are invited, or b) furnished to a Trustee in connection with a speaking engagement, teaching, or the provision of assistance to an organization or governmental Entity, provided that the College does not compensate the Trustee for admission or registration fees, travel expenses, entertainment, meals or refreshments for the same activity or event;
- E. Admission, regardless of value, to a charitable or civic event to which a Trustee is invited in his or her official capacity with the College, where any admission or other fees required of all persons attending the event are waived or paid for the Trustee by a party other than the College;
- F. An award, Gift or other token of recognition presented to a Trustee by representatives of a governmental body, political subdivision or other Entity, who are acting in their official capacities;
- G. A registration fee for a seminar or other informational conference that a Trustee attends in a capacity other than as a speaker, panelist, or moderator, where such registration fee that is charged for the Trustee’s attendance is waived or paid for a Trustee by a party other than the College or Trustee;
- H. Meals or beverages provided to the Trustee by an individual, Entity or a nongovernmental organization during a meeting related to official College business;
- I. Anything of value, regardless of the value, presented to or received by a Trustee on behalf of the College where the item of value is offered to, accepted by, and placed in the possession of the College;
- J. Complimentary single copies of trade publications, subscriptions, books, reports, pamphlets, calendars, periodicals or other informational materials that are received by a Trustee;

- K. Compensation paid to a Trustee for a published work, research, invention or intellectual property that did not involve the use of the College's time, equipment, facilities, supplies, staff or other resources, except as provided in any applicable collective bargaining agreement with College employees;
- L. Receipt by the Trustee of anything of value, where the payment, Gift or other transfer of value is unrelated to the Trustee's holding or having held a College position, and where the activity or occasion for which the payment, Gift or other transfer of value given does not involve the use of the College's time, equipment, facilities, supplies, staff or other resources in any manner or degree that is not available to the general public;
- M. Hospitality that is extended to a Trustee by another individual, or by an organization or Entity for a purpose unrelated to the business of the College or any Decision involving the College, including a Gift of food, beverage, or lodging; and/or
- N. Receipt by a Trustee of a devise, bequest or inheritance for a reason unrelated to the official business of the College or any Decision involving the College.

Section 3. Fiduciary Responsibilities

All Trustees shall act in a manner compliant with their fiduciary duties to the College. All Trustees shall place the College's interests ahead of their Private Gain, private interests or interests of their Immediate Family or place of employment, other than the College, or other institutions or entities. Breach of any fiduciary duty may subject the Trustee to the sanctions set out in this Bylaw or other financial or legal consequences.

Section 4. Conflicts of Interest

A conflict of interest exists when a Trustee's financial interests or other opportunities for personal benefit may compromise, or reasonably appear to compromise, the Trustee's independence of judgment in fulfilling his/her duties. Trustee's shall remain free from the influence of, or the appearance of, any conflicting interest in fulfilling their duties. Trustee's will exercise care that no detriment to the College results from conflicts between their interests and those of the College. Trustee's shall refrain from accepting duties, incurring obligations, or engaging in activities that are or will be incompatible with, or in conflict with, their duties under this Bylaw. Any violation of this Section 4.0 shall also constitute a breach of fiduciary duties under this Bylaw. Conduct prohibited by this Bylaw includes, but is not limited to the following:

- A. Contracts (written or verbal). A Trustee shall not receive a Private Gain, whether direct or indirect, from any contract or business relationship with the College. No Trustee shall have an Ownership/Business Interest in a business or Entity that is proposing to do or is doing business with the College.
- B. Except for individual employment agreements or collective bargaining agreements authorized by the Board, a Trustee shall not solicit, negotiate, renegotiate, make any Decision on or approve, directly or indirectly, any contract or commercial relationship, or amendment thereof, with the College and: 1) himself or herself; 2) any corporation, partnership, limited liability company or unincorporated association, or other Entity of which the Trustee is a partner, member, owner, part owner or employee; 3) any corporation or limited liability company in which the Trustee is an owner, member or stockholder of more than one percent (1%) of the total outstanding stock or membership interest of any class where the stock or membership is not listed on an exchange, or of value of \$25,000 or more where

the stock or membership interest is listed on a stock exchange or of which the Trustee is a director, officer, or employee; or 4) any trust of which the Trustee is a beneficiary or trustee, or represents any party to such contract. This prohibition does not pertain to any investments arising from participation in a retirement plan or fund.

- C. Use of Authority/Information. Trustees will not use their positions, or any privileges or information, including Confidential Information, attendant to their positions, to obtain or provide other individuals, businesses or entities with any benefits. A Trustee shall not use Confidential Information acquired in service to the College for any purpose other than College business, or give Confidential Information to any person or Entity without the prior written consent of the College.
- D. Outside Influence. No Trustee will solicit or accept any Gift, loan, favor or other thing of value, or the promise thereof, from any individual, business or Entity that would tend to influence improperly any Decision of or the manner in which the Trustee performs his/her duties.
- E. Improper Use of Position. A Trustee shall not use or attempt to use his or her position to obtain a Private Gain or secure, request, or grant any privilege, exemption, advantage, or preferential treatment for himself or herself, or any Immediate Family or other person or business Entity. A Trustee shall not act as an agent, attorney, representative or advocate (whether compensated or not compensated) for another person or business Entity on subject or Decision pending before the College or any current or future business proposal of any nature.
- F. Incompatible Employment. A Trustee shall not engage in any employment, or render services, for a public or private interest or Entity where such employment or service is incompatible or in conflict with the proper discharge or performance of the Trustee's duties and responsibilities, or where such employment or service can be reasonably expected to impair the Trustee's independence of judgment or action in the discharge of his or her official duties and responsibilities.
- G. Nepotism. A Trustee shall not cause or in any way promote the employment of or any favorable employment action as to any member of his/her Immediate Family or participate in any employment Decision regarding a member of his/her Immediate Family. This section shall not prohibit a Trustee from recommending or approving a comprehensive budget that includes compensation for an Immediate Family member.
- H. Political Activity. A Trustee shall not use any College equipment, computers, printer/copiers, facilities, supplies, or staff for his/her own political benefit, to seek any elective or appointive office, or for the political benefit of any other person seeking elective or appointive office, other than the use of property or facilities made available to the general public on an equal basis for fair market value and payment.
- I. Competition with College. No Trustee shall directly or indirectly engage in or attempt to engage in any activity, have an Ownership/Business Interest in, or make any Decision that involves, any Entity competing with the College for any property, asset, opportunity, class or program/degree offering, or student recruitment and retention of the College.
- J. Diversion of Opportunity. No Trustee will divert to another individual or Entity an opportunity which may be of interest to the College, unless the College has been

informed in writing of the opportunity on a timely basis in advance and has declined to act on it.

- K. Private Gain. A Covered Individual shall not intentionally make or refrain from making any Decision, or induce or attempt to induce any other Covered Individual or employee to make or refrain from making any Decision on any matter pending before the College that would result in a Private Gain or commercial benefit for any Trustee.
- L. Gift Ban. Except as expressly permitted by this Bylaw, no Trustee shall directly or indirectly solicit or accept any Gift, regardless of value, from any individual or business Entity that: (1) is seeking a Decisions or official action by a Trustee or by a public official or employee working for or representing the College in any capacity; (2) is currently doing business or seeking to do business with the College; or (3) has interests that may be affected in any way by the performance or nonperformance of the duties of a Trustee.
- M. Public Expressions. Any public expressions made by a Covered Individual, unless previously authorized in writing by the Board, shall not state or imply that is the official position of the Board or College on College matters and it is the duty of the Trustee to make it clear that his/her statements do not reflect the views of the College, Board or other Board members; or
- N. Due Diligence. A Trustee must inform herself/himself of any Ownership/Business Interest or investment in any College customer, vendor, or product/service supplier that could or does create a conflict of interest under this Bylaw. A Trustee must avoid personal interests, Ownership/Business Interests and investments that influence, or give the appearance of influencing, the objectivity and independence of his/her judgment, Decisions, or conduct in carrying out their duties and responsibilities for the College. A Trustee must disqualify himself/herself from any deliberations, Decisions, decision-making processes, or actions on behalf of the College regarding any such matters or transactions governed by this Section 4.0.

If a Trustee believes that he/she will have or may have a conflict of interest or is notified of a complaint of non-compliance with this Section 4, the Trustee shall promptly and fully disclose the conflict in a signed, dated writing submitted to the Board of Trustees Secretary and shall refrain from participating in any way in the matter to which the conflict relates until the conflict question has been resolved. The Secretary of the Board of Trustees shall inform the Chairperson of the Board, the President, and College counsel of all conflict of interest questions which have been disclosed to the Secretary. This Section 4 shall be interpreted and applied broadly and in a manner that will best serve the interests of the College.

Section 5. Addressing Conflicts of Interest

Once a violation or potential violation matter ("Matter") is discovered or reported to the Board Secretary, the Secretary shall assign the matter to the Board or Board subcommittee. If it is determined that a matter involves a violation of this Bylaw, the Board or its designee(s) will discuss the matter with the Trustee to address the matter and explore alternatives in an attempt to eliminate the matter. If it is not possible to reach a mutually acceptable alternative arrangement, the activities giving rise to the matter shall be prohibited by the Board by written resolution.

Section 6. Disclosures

Within 30 calendar days of the effective date of this Bylaw, all Trustees shall complete and file a written disclosure with the Board Secretary describing in detail any direct or indirect actual or potential violation of, or disclosure required by, this Bylaw. After the effective date of this Bylaw, all Trustees shall file a detailed written disclosure or report in writing an actual, potential, or suspected violation of the Bylaw with the Board Secretary within fifteen calendar days (15) calendar days after election, employment or appointment or within fifteen (15) calendar days after an actual, suspected or potential violation of this Bylaw arises or is discovered.

Section 7. Conflict Resolutions

- A. A violation of this Bylaw shall not constitute a basis for a third-party challenge to the validity of any Decision of the Board of Trustees.
- B. The value of anything transferred or received in breach of the standards set forth in this Bylaw may be recovered by and on behalf of the College.
- C. The Board, following a hearing and findings on an alleged Bylaw violation under Section 6.0 may, by a simple majority, vote to impose sanctions or take other actions to address violations of this Bylaw. Sanctions or actions may include reprimand, censure, termination or change of a business relationship or contract, or such other sanctions or appropriate actions provided by the Bylaws, Michigan law, or as the Board deem necessary or proper in its discretion.
- D. Any sanctions imposed under this Bylaw shall not be construed to limit, diminish or impair the rights of the Board or College to enforce any and all contracts or laws or bring suit or seek any other remedies, penalties, fines, restitution, or forfeitures available under any applicable law.

Section 8. Hearings

- A. Upon receiving a report or acquiring information of a reasonable suspicion of a violation of this Bylaw, the Board Chairperson and one Board Member or Vice Chairperson and one Board Member may call for a hearing to be held at a regular or special meeting of the Board to determine, by the vote of a simple majority, whether or not a violation of this Bylaw occurred, and if so, what penalties shall be imposed or other actions taken for the violation.
- B. Trustees subject to hearing proceedings under this Article shall be afforded due process of law, including notice of charges, an opportunity to respond and be heard regarding the charges, and the right to representation of their choice before, during and after any hearings.
- C. Upon conclusion of all hearings, the Board may render written findings on all issues concerning violations of this Bylaw, impose any one or more of the sanctions provided under this Bylaw and serve on all affected parties a copy of the findings and sanctions determined by the Board.

Division I – General

Affirmative Action Programs

ARTICLE I, SECTION 26 of the Michigan Constitution as amended by voters on November 7, 2006 (with effective date of December 23, 2006) reads:

(1) The University of Michigan, Michigan State University, Wayne State University, and any other public college or university, community college, or school district shall not discriminate against, or grant preferential treatment to, any individual or group on the

basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

(2) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

(3) For the purposes of this section "state" includes, but is not necessarily limited to, the state itself, any city, county, any public college, university, or community college, school district, or other political subdivision or governmental instrumentality of or within the State of Michigan not included in sub-section 1.

(4) This section does not prohibit action that must be taken to establish or maintain eligibility for any federal program, if ineligibility would result in a loss of federal funds to the state.

(5) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex that are reasonably necessary to the normal operation of public employment, public education, or public contracting.

(6) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of Michigan anti-discrimination law.

(7) This section shall be self-executing. If any part or parts of this section are found to be in conflict with the United States Constitution or federal law, the section shall be implemented to the maximum extent that the United States Constitution and federal law permit. Any provision held invalid shall be severable from the remaining portions of this section.

(8) This section applies only to action taken after the effective date of this section.

(9) This section does not invalidate any court order or consent decree that is in force as of the effective date of this section.

The Board of Trustees of Southwestern Michigan College reaffirms its commitment to the principle that employment or promotion at the College should be based upon a person's ability and qualifications for the position. Southwestern Michigan College will not discriminate based on religion, race, color, national origin, age, sex, weight, or marital status.

The Board of Trustees directs the Administration to review and monitor all College employment practices and procedures and make such changes as necessary to maintain adherence to the letter and spirit of this State law.

Alcoholic Beverages

It is prohibited to serve, sell or consume alcoholic beverages on any campus of Southwestern Michigan College except at occasional events and locations authorized by the President of the College and this policy.

Primary consideration for this authorization shall be given at all times to events specifically related to the College's mission, and no authorization shall be given for the use of alcohol at events that may interfere with, or operate to the detriment of, the College's own teaching or public service programs.

In addition, this authorization may require reasonable conditions to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to ensure the proper maintenance of the facilities.

Following are the rules for authorized alcohol use, possession and sale on SMC campuses:

- A. All events and participants must comply with all College policies and state, local and federal laws and regulations.
- B. The use of alcohol must be incidental to the nature of the event.
- C. Advertisements for College events where alcoholic beverages will be served shall not focus on the availability of alcoholic beverages.
- D. Consumption of alcoholic beverages shall be permitted only within the approved area for the event.

For more details, please see the College's Drug and Alcohol Abuse Prevention Program.

Authority to Hire/Dismiss Employees

Pursuant to Section 124 (b)(i) of Public Act 135 of 1997, the Board of Trustees of Southwestern Michigan College hereby delegates to the College President the authority to hire and terminate employees.

Commercial Solicitation by Outside Organizations

Except as specifically permitted by this policy, soliciting for personal or business financial gain is not allowed at Southwestern Michigan College. This includes selling goods or services, distributing commercial information, or otherwise seeking financial support on College property. Limited solicitation may be allowed in connection with certain College-sponsored events. However, any solicitation done as a part of a College-sponsored event must have the approval of the President or Chief of Staff.

This solicitation policy has been developed to maintain the integrity of the educational environment and the protection and privacy of community members. Questions concerning solicitation should be directed to the Chief of Staff.

Please note: Posting flyers on campus by all parties, solicitation by employees and recruitment of students by non-College employers are subject to separate College administrative policies.

Solicitation

Only registered official student or College organizations, College departments and non-College organizations with approval as set forth below may solicit on campus. Other sales persons or agents for any product or financial proposition whatsoever are prohibited from commercial solicitation of members of the faculty, staff, or the student body in any building or on any part of the campus(es) of Southwestern Michigan College.

The College allows very limited access to campus by non-College organizations for the purpose of commercial sales. Normally, these commercial sales will be directly related to the living/learning experience of students and allowed only in conjunction with large campus events, such as Campus Bash or Steve's Run. The College retains the exclusive right to determine the appropriateness of the commercial sales activity or product.

Charitable Organizations

Many agencies would like to solicit contributions from the faculty, staff, and students. The ability to allow charitable organizations to solicit on campus is extremely limited as a result of the demands on College facilities for educational purposes. The College acknowledges the appropriateness of certain long-standing and reputable events benefiting the community, such as Steve's Run or campus blood drives. However, the College retains the exclusive right to determine the appropriateness of allowing a charitable solicitation on a case-by-case basis. Inquiries for charitable solicitations can be made through the Chief of Staff. All College-sponsored charitable events must have approval of the President.

Policy Violations

This policy was designed to meet the needs of students, SMC employees and the community. Organizations in repeated violation of this policy will lose access to campus and potentially face liability for trespassing and/or criminal prosecution.

Contract Authorization

Authorized signatures on College contracts shall be limited to an officer of the Board of Trustees, the President of the College, a vice president, or their designee. Authorization for designees must be in writing and for specifically stated contracts only.

Curriculum and Development

The total educational program will be evaluated continuously with respect to its value to the students enrolled. The needs of the community will be considered at all times, and advice will be solicited from citizens advisory committees, especially with respect to the vocational and technical programs. Four-year college and university partners will have critical input into transfer curricula. The faculty will be encouraged to participate in curriculum design. The College will provide encouragement of faculty to develop and/or adapt pedagogical approaches that enhance student learning.

Employee Recognition Program

Southwestern Michigan College values the hard work and commitment its employees have to providing Knowledge for All. The College is committed to recognizing the role that all employees play in its success through employee recognition programs.

Recognition programs, typically administered by the Department of Human Resources, may be informal or formal, providing personal acknowledgment in a manner commensurate with the achievement.

The Board of Trustees will recognize College employees for their years of service to the College. Employees will be recognized at five-year intervals beginning with five years of service. Those eligible to take part in this recognition program are full-time administrators, professional, faculty, and classified employees. Part-time classified employees are eligible if their employment is year-round.

Equal Opportunity Policy

Southwestern Michigan College is committed to a policy of equal opportunity for students, faculty, and staff. The College complies with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the College that no person on the basis of race, color, religion, national origin, age, sex, height, weight, marital status or disability shall be discriminated against, excluded from participation in, denied the benefits of or

otherwise be subjected to discrimination in admission, employment or in any program or activity to which it is responsible or for which it receives financial assistance from the U.S. Department of Education.

Freedom of Expression Policy

Southwestern Michigan College is a public institution of higher education whose property and resources are primarily dedicated to academic, administrative and related functions. As an institution that highly regards the freedom of speech, freedom of expression and right to peaceably assemble, Southwestern Michigan College affords groups and individuals the ability to exercise such freedoms on its grounds. The purpose of this policy is to facilitate expressive activities while ensuring that such activities do not interfere with College operations and the learning environment.

For anyone lawfully present on the College's campuses, the outdoor and indoor common areas (as defined below) are designated as venues for free expression, including spontaneous expression, speeches, demonstrations and the distribution of information. Anyone who wishes to engage in commercial solicitation is required to reserve time and space for such activities following the terms of the College's Facilities Use and Commercial Solicitation policies.

For purposes of this policy, the term "expressive activity" includes such activities as:

- Meetings and other group activities;
- Speeches, performances, demonstrations, parades, marches, rallies, vigils and other events;
- Distributions of informational materials, such as circulars, newspapers, leaflets and pamphlets;
- Any other expression, including spontaneous expression, protected by the First Amendment to the U.S. Constitution.

While Southwestern Michigan College maintains its authority to regulate the time, place and manner of expressive activities, it shall not consider or regulate the content or viewpoint of expressive activities when enforcing this policy, including by restricting students' expression based on concerns about other persons' negative reaction to that expression. When expressive activities occur, Southwestern Michigan College will work to ensure that such activities transpire without interference by the College, provided the learning environment is not substantially and materially disrupted and campus safety is not compromised by said expressive activities. If persons react negatively to expressive activities occurring on the campus of Southwestern Michigan College, the College will take necessary steps to ensure campus safety while allowing the expressive activity to continue, unless the College's operations are materially and substantially disrupted.

For purposes of this policy, the terms "outdoor common" and "indoor common" refer to such areas as:

- Lawns, sidewalks, benches and other outdoor areas that are not otherwise reserved for use;
- Student gathering areas not immediately adjacent to classrooms and other indoor areas designated for social interactions that are not otherwise reserved for use. Buildings with restricted access, such as residence halls or the Student Activity Center, will remain available only to those with pre-approved access.

For purposes of this policy, the peaceful one-to-one distribution of informational materials in the indoor and outdoor common areas does not represent a substantial or material disruption to the learning environment at the College.

Expressive activities, as defined by this policy, are allowed on Southwestern Michigan College campuses during the periods that College facilities are open to the general public.

No expressive activity at Southwestern Michigan College shall be permitted to:

- Violate or infringe upon the rights of others;
- Defame any individual;
- Constitute a genuine threat or harassment;
- Invade privacy or confidentiality interests;
- Block access to campus buildings;
- Impede ingress or egress to the College or any College property, pedestrian pathway, parking lot, building, facility or event, including hallways, stairwells or offices;
- Disrupt classes in session;
- Obstruct the vision or other physical senses of other individuals in any manner including signs, props, noise or similar methods;
- Obstruct vehicular or pedestrian traffic;
- Include the use of audio amplification devices, unless specifically authorized by the College;
- Include the use of fire or pyrotechnics, unless specifically authorized by the College;
- Affix materials to College buildings, equipment, fences, trees or property, unless specifically authorized by the College.

Southwestern Michigan College does not assume any obligation or responsibility for the content of expressive activities or materials distributed. People engaging in expressive activities assume financial responsibility for damages to College property, for the cleanup of materials immediately following the conclusion of expressive activities and for remaining in compliance with applicable local, state and federal laws.

This policy was designed to meet the needs of students, SMC employees and the community. Progressive disciplinary action will be enforced for those in violation of this policy, up to and including possible criminal prosecution.

Mandatory Safety Requirements

For the purpose of maintaining personal safety while engaged in activities upon the campuses of Southwestern Michigan College, all students, employees, and visitors must adhere to all posted and/or published rules of safe conduct.

These rules cover dress code, the use of safety apparatus (including safety glasses), as well as personal conduct. Specific safety requirements for college courses shall be included in the course syllabus.

In addition to mandatory adherence to the items listed above, only authorized vehicles may be driven on campus sidewalks. Moreover, no animals are allowed on campus without a leash, and animals are not allowed in College buildings (with the exception of service animals).

Violation of this policy will result in appropriate disciplinary action, which may include but are not limited to suspension and/or expulsion for students, termination of employment for College employees and loss of facility use privileges for visitors.

Security on Southwestern Michigan College Properties

No person may bring any firearm, explosive or other dangerous weapon on any campus or other properties owned, leased or otherwise possessed by Southwestern Michigan College. Such violation of this policy shall be grounds for immediate dismissal and/or removal from such campus or property.

Exception from this policy are law enforcement officials, persons designated by the Board of Trustees of Southwestern Michigan College or the President of the College as part of campus security, or those legally authorized to carry such firearms, explosives or other dangerous weapons by the laws of the State of Michigan.

For purposes of this policy a firearm means any weapon or device from which is propelled any missile, projectile, bullet, shot, pellet or other means by means of explosives, compressed air or gas or by means of springs, levers or other mechanical device.

Also for purposes of this policy a dangerous weapon means a knife, stabbing instrument, brass knuckles, blackjack club, or other object specifically designed or customarily carried or possessed for use as a weapon; an object which is likely to cause death or bodily injury when used as a weapon and is used as a weapon or carried or possessed for use as a weapon; and any other object or device that is used or fashioned in a manner to lead a person to believe the object or device is one of the objects or devices described above.

Sexual Harassment and Misconduct Policy

It shall be the policy of Southwestern Michigan College to fully support the provisions of Public Act 453 of the Public Act of 1976, as amended, commonly known as Elliott-Larson Civil Rights Act and Section 485 F2 of Public Law 102-325 of 1990, the Higher Education Act.

Public Act 453 guarantees as a civil right, the opportunity to obtain employment..., full and equal utilization of public accommodation; public service; and educational facilities, services activities or programs without discrimination because of religion, race, color, national origin, age, sex, height, weight, or marital status as prohibited by the Act. Public Act 453 also details procedures and programs to insure the rights and responsibilities of those involved in sexual misconduct.

Discrimination because of sex includes sexual harassment which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

- A. Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations, public service, or education;
- B. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment, public accommodations, public services or education;
- C. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodation, public service

or education or creating an intimidating, hostile, or offensive employment, public accommodation, public service or educational environment.

Sexual harassment may include consensual sex between any employee and a student if the employee is in a position to affect decisions regarding the student's obtaining public services or education, grades or emotional well-being of the student. Sexual harassment may also include consensual sex between employees if one of the employees is in a position to affect decisions regarding the other employee's employment, promotion, job security and emotional well-being on the job, unless the student and employee or the employees engaging in consensual sex are married to each other.

In an attempt to eliminate to the extent possible the conditions whereby sexual harassment could occur, it is the policy of the College that no dating, sexual advances, requests for sexual favors, or other verbal or physical conduct or communication of a sexual nature will be tolerated between a College employee and their subordinate -- regardless of whether that subordinate is a student or another employee. This prohibition expressly is intended to preclude student/teacher dating (when the student is currently enrolled in the class of the teacher), advisor/advisee dating, employee/subordinate employee dating, and similar situations.

An employee who is in violation of this policy may be immediately terminated and a student who is in violation of this policy may be immediately expelled. The intent of this policy is that Southwestern Michigan College has a zero tolerance policy for sexual harassment in all areas under the jurisdiction of the College. Additionally, the Board of Trustees of Southwestern Michigan College expects students and employees to comply with all state and federal laws regarding sexual harassment and assault.

Sexual harassment of students or employees will not be tolerated under any circumstances. The student code of conduct details procedures to be followed by students.

Any inquiries concerning Southwestern Michigan College's obligation under provision of Public Act 453 and/or the Higher Education Reauthorization Act should be directed to the appropriate administrator.

Employee Complaints

Director of Human Resources
David C. Briegel Building
Southwestern Michigan College
Dowagiac, MI 49047
269-782-1000, ext. 2110 or
269-783-2110

Student Complaints

Director of Security and Conduct
David C. Briegel Building
Southwestern Michigan College
Dowagiac, MI 49047

269-782-1000, ext. 1321 or

269-782-1321

When a complaint of sexual harassment is reported to the above administrator, that administrator shall immediately report the complaint to the College President. If the allegation is not resolved within 60 days, the President shall issue a written report and mail to each member of the Board of Trustees.

Use of College Technology Resources

This policy governs the use of technology at Southwestern Michigan College including but not limited to hardware, software, systems, networks, data stored, transmitted or accessed using College computers, tablets and College provided access to email, Intranet, and Internet related services.

Southwestern Michigan College encourages the use and application of information technologies to support the educational and community service mission of the institution. SMC's Technology Resources can provide access to resources on and off campus, as well as the ability to communicate with other users worldwide. Such open access is a privilege and requires that individual users act responsibly. Users must respect the rights of other users, respect the integrity of systems and related physical resources, and observe all relevant laws, regulations, and contractual obligations.

Definitions

Technology Resources: Including, but not limited to, hardware, computer and telephone equipment (including cell phones owned by the College), laptops, desktops and tablets, electronic files and communication, email traffic, email lists, listservs, software, systems, networks, data stored, transmitted or accessed using College computers and College provided access to e-mail, Intranet, Internet, World Wide Web, or any other internal or external service, server or provider.

Users: Faculty, Staff, Students, Partners, Visitors

Acceptable Use Terms and Conditions

- The primary purpose of electronic systems and communications resources is for College-related activities only.
- Users do not own accounts on College owned technology equipment, but are granted the privilege of exclusive use. Users may not share their accounts with others, and must keep account passwords confidential.
- Each account granted on a Technology system is the responsibility of the individual who applies for the account. Groups seeking accounts must select an individual with responsibility for accounts that represent groups.
- The College cannot guarantee that messages or files are private. The College may monitor and record usage and content of all Technology Resources to enforce its policies and may use information gained in this way in disciplinary and criminal proceedings. Users of Technology Resources have no expectation of personal privacy in their use of or communication and information that is created, transmitted or stored using Technology Resources.
- Users must adhere strictly to licensing agreements and copyright laws that govern all material accessed or stored using SMC provided Technology Resources.

- When accessing remote systems from SMC Technology Resources, users are responsible for obeying the policies set forth herein as well as the policies of other organizations.

Conduct which violates this policy includes, but is not limited to the following:

- Unauthorized attempts to view, tamper with, delete, destroy, copy and/or use another person's accounts, computer files, programs, or data.
- Using SMC Technology Resources and/or accounts to gain unauthorized access to College systems or other systems.
- Using SMC Technology Resources for threat of imminent physical harm, sexual or other harassment, stalking, forgery, fraud, generally offensive conduct, or any criminal activity prohibited by Michigan or federal law.
- Attempting to degrade performance of SMC Technology Resources.
- Attempting to deprive other users of access to SMC Technology Resources needed to perform assigned business or educational functions.
- Using SMC Technology Resources for commercial activity such as creating, promoting, marketing, or selling products or services.
- Copying, storing, sharing, installing, downloading, uploading, or distributing software, photographs or depictions, screensavers, applications, programs, games, movies, music, and other materials currently without prior written authorization from the Office of Information Technology (OIT) or that is protected by copyright, except as permitted by licensing agreements or fair use laws.
- Sending or receiving material of a profane, prographic, or threatening nature.
- Sabotage, misuse or abuse of equipment or software on or off campus, through the introduction of viruses or mechanical tampering.
- Plagiarizing, altering or tampering with the work of others.
- Unauthorized junk mail, mass e-mailings to newsgroups, mailing lists, or individuals, i.e. "spamming" or propatating electronic chain letters.
- Unauthorized "broadcasting" of unsolicited mail, material, or information using College computers/networks.
- Transferring, deleting, destroying, or tampering with data, documents, information or material created, transmitted, or stored on Technology Resources in order to obstruct or mislead any investigation being conducted by the College or a law enforcement agency.
- Falsely assuming another person's or entity's identity or role without prior written authorization, or communicating or acting under the name, email address, or any other form of identification attached to a specific person, organization, or entity without prior written authorization.
- Creating or intentionally uploading, downloading or sending viruses, malware, spy ware, worms or other harmful programs or files.
- Circumventing or bypassing security measures or protocols in place to ensure the confidentiality, security, operation, integrity, and availability of Technology Resources.
- Campaigning for or against any ballot matter, political cause or campaign, legislative or regulatory actions, candidate for office or to conduct or support a political campaign or issue, except as may be authorized in writing or conducted by the College President in Federal, State and local matters concerning SMC students or operations.

- Creating the appearance that the College endorses, is affiliated with, or otherwise supports any organization, product, service, political candidate, or position on any matter of public concern.
- Creating, maintaining, sending, or distributing any information that is false or defamatory or invades the privacy of any individual, business, organization, or other entity.

Additionally, the College also prohibits the removal or relocation of designated stationary equipment (such as but not limited to desktop computers, monitors, desktop printers and copiers) or College provided software without prior written authorization by the applicable Cabinet member and correspondence to the OIT.

It is the desire of SMC to see that its Technology Resources are put to the best and most efficient use. SMC, therefore, requires that:

- Users receive appropriate training in hardware and software use (or demonstrate proficiency).
- Users be mindful of the time spent (as in "surfing the net") on machines, or materials consumed

The College acknowledges that occasionally employees use College Technology Resources assigned to them or to which they are granted access for non-commercial, personal use. Such occasional noncommercial uses are permitted by employees if they are not excessive; do not incur costs; do not interfere with the efficient operation of the College, its employees, or its computing resources; are not prohibited by the supervisor or faculty; and are not otherwise prohibited by this policy or any other College policy or directive.

The College will not provide technical support for any use not directly related to College business. Technology Resources may not be used for any purpose which is illegal, immoral, unethical, academically dishonest as in plagiarizing or cheating, damaging to the reputation of the College, inconsistent with the mission of the College, or likely to subject the College to liability as determined solely by the College.

Use of College Facilities

Southwestern Michigan College's property, buildings, parking lots, and grounds are designed and reserved for supporting the purposes of the institution. The College shall permit, as a service to the community, appropriate community groups and area businesses to use available College facilities, after meeting College needs. Applications for use of College facilities may originate with established and responsible chartered organizations or businesses located in the College service area.

Recognized community organizations serving educational or cultural purposes may request use of facilities also. Applications from individuals will not be considered.

A. No Charge Facilities

Non-profit community organizations may request "free use" of College facilities if those rooms are unscheduled during normal business hours (when College is in session) if no admission fee or contribution is collected or where (with prior College approval) any proceeds are earmarked for the benefit of the College.

B. Facilities Rental Fees

Community organizations and businesses may request use of unscheduled College facilities on a fee basis at times outside those listed above or when an admission

fee is charged or a contribution is collected and proceeds are not earmarked for the benefit of the College.

C. Facility and Equipment Charges

1. An appropriate fee schedule for the use of College facilities and equipment shall be developed by the College President or their designee for the purpose of the administration of this policy. Facilities use charges may be waived by the College President.
2. This policy may be waived only by the College President.

Division II – Staff Personnel

Staff Personnel – Definitions

The President serves as the College’s Chief Executive Officer and is appointed by the Board of Trustees.

Employees other than President and full-time faculty members covered by the Collective Bargaining Agreement are employees at-will and are categorized as the following:

- A. President's Cabinet members.
- B. Other administrators, consisting of deans, executive directors, directors, and managers.
- C. Part-time or adjunct instructors.
- D. Professional staff, consisting of non-faculty, non-managerial FLSA exempt employees.
- E. Classified staff that are FLSA non-exempt employees.

Organization of Southwestern Michigan College

The Organizational Chart of Southwestern Michigan College is attached as Appendix B. As shown in the chart, Southwestern Michigan College has a Cabinet composed of senior administrators who individually manage large portions of the College, and collectively the entire College.

Obligations of Employees

Professional Services

It shall be the duty of all employees of the College, unless otherwise specifically noted in their letter of employment, to devote their professional services and their individual skills to the service of the College; and all such employees shall at all times so conduct themselves in the discharge of their duties as to reflect credit upon and to further promote the interests of the College.

Use of Facilities by Employees

College facilities, equipment and other resources are not to be used in any activity for product development, repair, maintenance or renovation under any circumstances when an employee of the College has a business or financial interest in the activity. College employees may not remove College property from either campus of Southwestern Michigan College without written approval by the College President or his designee.

Employee Conflict of Interest Policy

- A. No College employee shall conclude any College transactions from which he/she stands to benefit personally (except as an employee of the institution).

- B. Except for natural and ordinary social courtesies, no employees shall accept anything of value over \$25 from students, persons or firms conducting business with the College.
- C. Employees in a position to authorize or execute purchases on behalf of the College shall make known to the College his/her interest, direct or indirect, in any transaction, or in any proposed transaction to which the College is party.
- D. Each employee in a position to authorize or substantially influence business transaction with the College shall read and sign an agreement with this College policy on conflict of interests.
- E. Consulting duties, speaking and other personal engagements should normally be scheduled during vacation time or at other times when the duties will not interfere with the employee's College responsibilities. When such an arrangement is not possible, the Administrative supervisor may grant reasonable periods of time away from campus, with pay, for the employee to fulfill these types of duties. In the latter case, all fees and salary shall be remitted to the General Fund of the College.
- F. No College employee may use federal funds to pay by or on behalf of the College to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. If any funds other than Federal appropriated funds are used for such purposes they require the approval of the College President who will report such lobbying activities through the use of Standard Form-LLL, "Disclosure Form to Report Lobbying."

Individual Job Descriptions

President

Position Summary

The President of the Southwestern Michigan College is the chief executive and administrative office and is responsible to the Board of Trustees. The President will execute all administrative duties in connection with the operation of the College. The President shall:

Essential Duties and Responsibilities

- Have general responsibility for the operation of the College.
- Make policy recommendations to the Board of College operations.
- Prepare a preliminary draft of the annual budget to submit to the Board of Trustees and recommend necessary budget changes throughout the year.
- Employ, reclassify or dismiss College employees.
- Make recommendations regarding maintenance and improvements in buildings and grounds, including new facilities and equipment as needed.
- Stimulate and direct introduction of new programs and the planning of curriculum and program development.
- Be responsible for development and recommendations of policies pertaining to personnel, including salary schedule.

- Be responsible for public information concerning the administration and student activities of the College.
- Promote the cultural activities and public relations of the College, serving as host on appropriate occasions to individuals or groups, both within and outside the College.
- Consult with faculty and administrative personnel on problems relating to their responsibilities.
- Participate in local, state, regional and national organizations devoted to improvement of education, and especially the community college.
- Be responsible for the formulation and transaction of reports required by the governmental and educational authorities.

Job Specifications

Master's degree with at least 5 years' experience directly related to the duties and responsibilities specified. Doctorate degree strongly preferred.

Knowledge, Skills and Abilities

Knowledge Of

- Budget preparation and fiscal management.
- Examining and re-engineering operations and procedures, formulation policy, and developing and implementing new strategies and procedures.

Skills

- Strong interpersonal and communication skills.
- Ability to supervise employees.
- Ability to foster a cooperative work environment.

Ability

- Dexterity of hands to operate a computer keyboard as well as seeing to read and review materials for accuracy.
- Hearing and speaking to exchange information with students, staff and public.
- Ability to sit or stand for long periods of time.

Working Conditions-Environment

- Office environment
- Constant interruptions and distractions

Standards and Conditions of Employment

Standards and conditions of employment apply to all employees except where a Collective Bargaining Agreement (CBA) is in conflict or otherwise stated.

Publicity and Public Relations

All College personnel should constantly work for and toward better community understanding and cooperation in promoting the aims and objectives of Southwestern Michigan College. In pursuit of this objective the following guidelines shall apply:

- A. The President of the College shall be the official spokesperson for the College in all administrative and instructional matters.

- B. The Chairman of the Board of Trustees shall be the spokesperson on matters relating to responsibilities of the Board.
- C. When representing the College, all employee speaking engagements not included as part of the College's Speakers Bureau, and news releases shall be cleared with the President (or their designee) in advance.
- D. The Board Chairman shall develop procedures for the implementation of this policy.

Holidays

The following shall be the established holidays of the College:

- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Day Before Thanksgiving
- Thanksgiving Day
- Day After Thanksgiving
- Winter Break

Winter break is defined as December 24 through January 1.

When a holiday falls on a Saturday or Sunday, the following Monday or preceding Friday shall be observed as a holiday at the discretion of the College President.

Leaves of Absence/Full-Time Employees

Southwestern Michigan College recognizes the importance of life outside of work and has therefore implemented several types of leaves of absences. Employees may learn about specific leaves of absence through the HR Policies, the employee handbook or applicable Collective Bargaining Agreement.

Outside Employment

Outside employment by full-time College employees is discouraged. Full-time employees shall not be employed by anyone other than the College during the term of their normal work year (academic or fiscal) except with the approval of the President. Such approval may be granted when the work in question will not interfere with the performance of College duties.

Tuition Benefits

In recognition of our core value of providing knowledge for all, Southwestern Michigan College offers two types of tuition benefits: Tuition Remission and Tuition Reimbursement. Employees may learn the details of tuition benefits through the HR Policies, the employee handbook or applicable Collective Bargaining Agreement.

Standards and Conditions of Employment – Faculty

Standards and conditions of employment specific to full-time faculty members are set forth in the Collective Bargaining Agreement. College policies, rules and regulations that apply to all full-time employees of Southwestern Michigan College shall also apply to full-time faculty, provided they are not inconsistent with the express written provisions of that Agreement.

Standards and Conditions of Employment – Administrative Staff

Dismissal

All employees of Southwestern Michigan College, other than the College President, are at-will employees. An employee whose services are terminated may choose to use the Grievance Procedure. The outcome of the Grievance Procedure is binding on the grievant.

Standards and Conditions of Employment – Classified & Professional

Hiring

All classified and professional employees will be employed by the president of the College.

All employees of Southwestern Michigan College, other than the College President, are at-will employees

Evaluation

The performance of new classified or professional employees will be evaluated six (6) months after their date of employment and on an annual basis thereafter during the course of their employment.

Hours and Compensation

- A. The regular work week for non-exempt employees is forty (40) hours.
- B. Pay schedules by position are established by the College President.
- C. No pay increase will be granted automatically. Each increase will be based upon satisfactory performance by the employee and the specific recommendation for such increase by the immediate supervisor. These increases will be approved by the President prior to their inclusion in the proposed budget.
- D. All overtime for non-exempt employees must be approved in advance by an employee's supervisor subject to budgetary limitations. Overtime pay or compensatory time off will be awarded subject to appropriate Michigan and Federal laws.

Dismissal

All employees of Southwestern Michigan College, other than the College President, are at-will employees. An employee whose services are terminated may choose to use the Grievance Procedure. The outcome of the Grievance Procedure is binding on the grievant.

Division III – Business Services

Budget

Fiscal Year

The fiscal year for the College shall commence on the first day of July in each year and shall end on the thirtieth day of June in the next succeeding calendar year.

Budgets - Funds

The President of the College shall each year prepare, or cause to be prepared, an estimate of the income and revenue available for expenses to be incurred in the forthcoming fiscal year and shall at the same time prepare, or cause to be prepared, an

estimated budget for the operation of the College in the forthcoming fiscal year. The estimated budget shall include a General Fund, Auxiliary fund, Building and Site Fund and such other funds as deemed necessary by the Board.

Budgets - When Filed and Adopted

The President shall present a budget to be adopted by the Board not later than June 30, in the manner provided by statute.

Budget Approval

The estimated line-item budget shall be deemed the operating budget for the forthcoming fiscal year when approved by a majority of all the members of the Board of Trustees and upon such approval all sums set forth in the budget shall be deemed tentatively appropriated for the purposes therein set out, subject to provisions set forth by the Board at the time of approval.

Budget Amendments

The budget may be amended after adoption, but only upon the vote of a majority of all members of the Board.

Purchasing, Insurance and Disposal of College Assets

Procedures and Budget

The College President, or their designee, is responsible for procuring, storing and distributing all supplies, equipment, material and services necessary for the operation of the College.

- A. Purchases must be handled in accordance with clearly defined business procedures and must be substantiated with the necessary records to satisfy audit and inventory requirements.
- B. All expenditures must be compatible with the current budget.
- C. Unauthorized expenditures will not be reimbursed and are strictly the responsibility of the individual.
- D. Federal funds received under the Carl D. Perkins Vocational Education Act will be used to supplement, and to the extent practicable, increase the amount of state and federal funds that would, in the absence of such federal funds, be made available for the use specified in the Act, in no case supplanting such state or local funds.
- E. It is recognized that sound judgment and a degree of latitude in procuring materials and services in the most cost effective manner are essential to the purchasing function. To that end, items and services may be: purchased outright; purchased after receiving competitive quotations; purchased through special purchasing agreements such as MiDEAL (Michigan Delivering Extended Agreements Locally), U.S. General Services Administration (GSA), or educational institution-only pricing; purchased through contract extension; or purchased after taking sealed bids.
- F. Purchases of materials of less than \$5,000 or services of less than \$7,500 may be made outright at the discretion of the administration from qualified vendors.
- G. Contemplated purchases for materials or supplies of more than \$5,000 or services of more than \$7,500, but less than \$35,000, shall require due diligence in the form of competitive quotations if the purchase is not from a special purchasing agreement, contract extension, or educational pricing (as described in E above).

Quotations can be written; received by telephone if fully documented including price, date, contact person and signature of the appropriate administrator; or documented from vendor catalogs.

Bids

- A. Exceptions to purchases of budgeted items as described above in this policy may be made by the College President up to \$75,000 under certain circumstances such as:
 - 1. Newspaper/Radio advertising, government surplus items, specialty equipment, used items, specialty services, textbooks and other single source items.
 - 2. Utilities (which shall not be subject to the \$75,000 limitation.)
 - 3. Emergency purchase for repair or replacement when necessary to protect the physical plant and insure on-going College operations.
 - 4. Open purchase orders that cover an entire fiscal year that involve a series of small purchases that total more than the stated limits. Examples include car parts for the automotive technology program, gasoline, and hardware.
- B. College purchases for more than \$35,000 that were not bid, and were not from a special purchasing agreement, contract extension, or educational pricing, or not listed in the exceptions above shall be highlighted in the Treasurer's report on colored paper and placed in the Treasurer's Report for the Board's awareness.
- C. The Board of Trustees by majority vote of the full Board may waive any part of the College purchasing policy.

Insurance

Insurance coverage for the College's General Comprehensive Insurance Program package shall be placed with an established agent of record whose primary business office is located in Michigan or with a risk management group specifically organized and operated for community colleges.

Disposal of College Assets

College property found to be: (a) obsolete for its purposes (b) requiring excessive maintenance to keep in operation, or (c) of no further use to the using department or any other College department, may be declared surplus and subject to disposal only upon the approval of the College President or his designee.

- A. Equipment, especially that associated with instruction and technology (i.e. computers, printers, etc.) shall normally be transferred to other College offices and departments if useable. Use may include the total piece of equipment or parts from the total. When equipment is found to have no use by any College department or office or by other governmental units and is determined to have no monetary value, such equipment may be discarded.
- B. Property having some monetary value or use and declared disposable shall be sold for the highest obtainable price with the exception of the transfer of public property from the College to another governmental unit or a private non-profit organization which may be made with approval of the College President.
- C. College employees involved in the acquisition, utilization, or planning for the disposition of College property shall not be involved, directly or indirectly, in the actual purchase of College surplus equipment or materials unless the purchase is through a public auction or with the approval of the President.

Payment of Expenses

Authorized Signature

Expenditures of College funds shall be reported monthly to the Board of Trustees. All expenses of the College shall be paid with authorized signatures as follows:

- A. General Fund; Building and Site Funds; Auxiliary Services; Debt Retirement Funds; Designated Fund; N.D.S.L. and Nursing Loan; Endowment and Payroll:
 - 1. Two (2) of the following:
 - I. President and
 - II. One (1) of the above and one (1) of:
 - a. Vice President and Chief Business Officer
 - b. Controller

Facsimile Signature

In lieu of actually signing said check or draft, a facsimile signature plan may be adopted.

Safeguarding Assets

The College President, or his designees, shall be responsible for safeguarding the College's physical assets including, but not limited to, vehicles, equipment, buildings, etc. The College shall develop procedures to implement this policy.

Annually the administration shall provide the Board with a lost and stolen property report.

Performance Bonds

Before any contract exceeding \$300,000 for the construction, alteration, repair, or improvement of any College building or College works is approved, the proposed contractor shall furnish to the College at their own cost a performance bond satisfactory to the College which shall become binding upon the awarding of the contract to the contractor.

Audit

The Board of Trustees shall provide for the College to have an annual audit of its accounting funds performed by an independent certified public accounting firm. Copies of the audited financial report and other required related reports shall be filed and made public as required by the State of Michigan.

Deposit and Investment of Funds

The Vice President and Chief Business Officer of the College shall be responsible for the deposit and investment of College funds.

It shall be the policy of the College to invest its funds in a manner which will provide the maximum security while meeting the daily cash flow need of the College and complying with all state statutes governing the investment of such funds.

This investment policy applies to all financial assets of the College. These assets are accounted for in the various funds of the College and include the general funds, designated funds, auxiliary services funds, restricted funds, endowment funds, building and site funds and any new fund established by the College.

Safety

The safety of funds shall be paramount in all investment transactions. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

Operating Funds

It is recognized that a portion of the College funds must be kept in demand deposits to meet the cash flow needs of the College. The balance in demand deposits in excess of daily cash needs may be placed in Local Unit of Government (LUG) funds or other temporary funds, such as Repurchase agreements, that are made up of investments consisting of issues of the United States and/or State of Michigan securities or obligations. It is further recognized that this will result in some portion of the College funds not being insured by the FDIC or secured by the Federal government. Such funds must be maintained in a College Primary Depository, and together must not total more than 15% of college funds.

Diversification

The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Return on Investments

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

Prudence

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

Primary Depositories

The College shall use financial institutions designated by the Board of Trustees as Primary Depositories to manage College funds through their Trust Department. They are also authorized to manage demand deposits and certificate of deposits in excess of FDIC limits, up to the limits set forth in III.10.2.

The College President shall recommend candidates for Primary Depositories to the Board of Trustees.

The President shall include, but not be limited to, the following factors when making his recommendations to the Board of Trustees.

- A. All banks must be insured by FDIC and have at least the following minimum ratings by at least two agencies at the time of designation as a Primary Depository:
 1. Bauer Financial: Three Stars
 2. Moody's (Financial Strength): A-
 3. S & P: A-
- B. Consideration may be given those financial institutions which have a history of service to Southwestern Michigan College and the community. Safety and liquidity preempts such special consideration.

C. The following financial institutions are currently designated Primary Depositories for Southwestern Michigan College:

1. Fifth Third Bank
2. 1st Source Bank
3. TCF Bank (previously Chemical Bank)

The College administration shall review the ratings of each Primary Depository annually and report to the Board of Trustees any information that would suggest concern.

The College administration shall determine the scope of services received from any of the approved Primary Depositories.

Authorized Investments

All College funds which are not required as operating funds (as described in III.10.2) shall be invested. The investments of these non-operating funds shall be limited to investments authorized by Public Act 20 of 1943, as amended. The College may invest in any such investments listed in Section 129.91 of that Act, that are rated as Upper Medium Grade or above by two or more rating agencies, as listed in the attachment. This includes mutual funds, whose net asset value per share may fluctuate on a periodic basis.

Gifts and Grants

All gifts and grants to the College with cash value equal to or greater than \$100, and any gifts or grants carrying restrictions imposed by the donor shall be presented to the Board of Trustees for acceptance.

Division IV – Students

Admission

A. Requirements

1. All first semester freshman students must provide a final high school transcript or appropriate equivalency for admission and may be referred to Testing Services for formal academic assessment. If available, third-party testing such as ACT or SAT scores may be used to fulfill the assessment requirement. Advisors will use the assessment results when advising students on an appropriate course of study.
2. Transfer students must provide an official transcript from previous colleges attended if they wish to demonstrate completion of prerequisite coursework or to receive transcribed credit. Students also must provide a final high school transcript per above. An appeals process is available to account for special circumstances.
3. Applicants who self-report prior charges or convictions must pass a criminal background check before being admitted to the College.
4. Students applying to programs in the School of Nursing and Health Services must pass a health examination and criminal background check to be admitted.

B. Eligibility

1. To be eligible for admission students must have a high school diploma or its equivalent, as determined by Southwestern Michigan College officials. Tentative admission will be granted in advance of graduation from high

school contingent upon the successful completion of the high school curriculum.

2. To the extent allowed by federal law, non-graduates of high school, 18 years of age or older may also apply. If scholastic records and other information indicate to the satisfaction of the College officials that the student is able to do the caliber of work required by the College, the student may be admitted. Satisfactory General Education Development test scores may be accepted in lieu of high school graduation.
3. Upon the recommendation of a high school counselor or principal, Southwestern Michigan College will accept a current high school student into selected college-level classes, providing the student has demonstrated readiness for college-level coursework through academic achievement or test assessment. This includes students participating in direct credit, dual-enrolled or career and technical education academy programs.
4. Upon meeting requirements established by a local school district and/or an Intermediate School District, College officials will accept a current high school student into a formal Early Middle College program (or "5th year program") approved by the State of Michigan to pursue a high-school diploma and associate degree simultaneously.

Classification of Students

- A. Freshman: A student who has earned fewer than 24 semester credit hours.
- B. Sophomore: A student who has earned 24 or more semester credit hours, but who has not received a college degree nor who has qualified for upper division standing in a four-year college or university.
- C. Full-time: A student carrying 12 or more semester credit hours of collegiate work.
- D. Guest High School: Students currently enrolled in high school and recommended by their superintendent of schools or designated representative for programs or courses at the College. This classification includes dual-enrolled and LCISD academy students.
- E. Middle College : Students formally committed to an Early Middle College program (or "5th year program") approved by the State of Michigan that will grant a high-school diploma from the underwriting district and an associate degree from the College upon successful completion.
- F. Guest College: Students seeking a degree at another institution, but enrolled at the College (for example, while at home for the summer) with the intent to transfer successful credits back to their primary institution towards that degree.
- G. Enrichment: Students enrolled in an occasional course for personal interest but not in pursuit of college credit towards a formal degree or certification.

Tuition and Fees

Tuition

Tuition rates will be established each fiscal year by the Board of Trustees.

For the purpose of establishing tuition rates at Southwestern Michigan College, residency is defined as follows:

- A. In-District Student
 1. A student who holds or, in the case of a dependent student, whose parents or legal guardians hold, real taxable property in the Southwestern Michigan

College district (all of Cass County plus Keeler and Hamilton Townships in Van Buren County).

2. A student who has resided in the aforementioned governmental units six (6) months before the first day of the semester or session in which he/she initially registers for classes.
3. A student who qualifies for Veteran's Education Benefits.
4. A student who enrolls in a program in which the College is a member of a consortium or for which the College serves as a fiscal agent may be charged resident rates.

B. In-State Student

1. A student holding or a dependent student whose parents or legal guardians hold real taxable property within the state of Michigan but outside the in-district areas defined as In-District.
2. Active duty military personnel and dependents are considered Michigan residents for tuition purposes if Michigan is the active duty member's legal state of residence or if the active duty member is stationed in Michigan.

C. Out-of-State Student

1. Students who are permanent U.S. residents and do not qualify as in-district or as in-state students.

D. International Student

1. A foreign national in non-immigrant alien status.

E. Change of Residency Status

The College reserves the right to require documentation acceptable to the College in all cases of residency determination and verification. Documentation is required of any student changing to a reduced tuition status but may be asked of others. All acceptable proof of residency documents must clearly indicate name and permanent address. All documents must be originals or copies certified with a raised seal or stamp.

1. If requested, the following forms of proof are acceptable:
 - I. Valid current driver's license OR state issued ID card, AND
 - II. One of the following pieces of documentation verifiable and dated at least six months* prior to the start of the term:
 - III. Most recent property tax receipt
 - IV. Utility bill or credit card bill
 - V. Account statement from a bank or other financial institution
 - VI. Life, health, auto, or home insurance policy that clearly identifies the permanent address
 - VII. Federal, state or local government documents, such as receipts, licenses, or assessments
 - VIII. Vehicle title AND registration
 - IX. Mortgage, lease or rental agreement including the landlord's telephone number

Note: in the case where the property tax receipt or mortgage, lease, or rental agreement is in the student's parents' name(s), the student must also provide proof of dependency)

*Six months proof is only required if changing residency to a reduced tuition status

2. These documents must be presented to the office of Records and Registration prior to the first day of the term in order to have the residency

code adjusted. After the first day of the term, the codes will not be adjusted until the next academic term.

F. High School Guest Student

In recognition of the College's desire to support area high schools and students, all high school guest students participating in dual-enrolled, academy or Early Middle College programs, whether funded via a third party (e.g. a local or intermediate school district) or paid directly to the College (self-pay), will be charged a reduced tuition rate for the courses included in those programs.

General Fees

The nature and amount of student fees (such as registration or technology fees) will be established each fiscal year by the Board of Trustees.

Fees will be charged per contact hour for students registering for regular semester courses and special short courses as appropriate.

Official Enrollment

A student is considered officially enrolled in the College when they register for classes and the classes appear on their printed or electronic schedule form. At that point, all tuition and fees associated with the enrollment become an obligation of the registering student subject to the refund policy in the following section.

Grades/Grading

Grading Scales

All students will be awarded letter grades for course work taken as follows:

Grade Points Per Semester Hour

Letter Grade	Category	Points Earned
A	Superior Performance	4
A-		3.67
B+		3.33
B	Good, above average performance	3
B-		2.67
C+		2.33
C	Adequate, average performance	2
C-		1.67

Letter Grade	Category	Points Earned
D+		1.33
D	Poor, below average performance	1
D-		0.67
F	Failing performance or improper withdrawal from class	0
CP	Continuous progress, but not satisfactory achievement (granted only in designated developmental courses)	0
W	Withdrawal	0
I	Incomplete	0
X	Audit	0

Academic Forgiveness

Under certain circumstances, students with a prior record of poor academic performance can have previous grades forgiven from their academic record, thus making it more manageable to obtain a degree or certificate from SMC.

- A. Students who previously had a GPA below 2.0, and who upon re-entering SMC after a minimum 5 year absence completed 12 credit hours at SMC with a GPA of 2.0 or better (not including performance or developmental courses) may apply to have certain courses forgiven from their academic record. Such forgiven courses must have final grades of C- or below and must have been taken at least five years ago (60 months as measured from the ending date of the most recent term to be dropped).
- B. Forgiven courses will be deleted from GPA calculations. The original transcript of grades, however, will remain intact, but will include the forgiven coursework, clearly identified with an asterisk. An academically forgiven course cannot count toward degree completion.
- C. Students may not invoke academic forgiveness after they have graduated. Academic forgiveness cannot be applied to pass-fail type courses or in courses in which a student was found previously to be in violation of academic integrity. Academic forgiveness can only be invoked once and cannot be reversed once invoked.

- D. Students should be aware that the re-calculation of the GPA, earned hours, attempted hours, and quality points from the Academic Forgiveness process does not apply to the student's financial aid record, only to the academic record. All course attempts, whether forgiven or not, must be used in all financial aid calculations and determination for future financial aid.

Honors

Each semester the College issues a Dean's List containing the names of students who have a minimum grade point average of 3.5. Each semester the College also publishes a President's Honor List, containing the names of students who have a grade point average of 4.0. To qualify for these honors lists the student must be enrolled for twelve credit hours or more.

Academic Probation and Suspension

There are no stipulated standards for academic probation and suspension until a student has attempted twelve hours of credit.

- A. To remain in good standing beyond twelve attempted semester hours of credit, a student must obtain a grade-point average at or above those shown below. This applied to all students enrolled for degree credit courses.

Level	Range	Student Must Maintain
Level I	From 12 to 23 hours	1.5 GPA
Level II	From 24 to 35 hours	1.7 GPA
Level III	From 36 to 47 hours	1.8 GPA
Level IV	From 48 to 61 hours	1.9 GPA
Level V	at 62 hours	2.0 GPA

- B. Students who are receiving V.A. Educational Benefits must maintain the standards listed above for each consecutive semester or enrollment period that is less than the regular semester beginning with the first credit hour of enrollment. If the student falls below the required standards for two consecutive semesters or enrollment periods they will no longer be certified to V.A. The V.A. will be notified that the veteran failed to meet the required standard of progress.
- C. A student who falls below these standards on any level will be placed on academic probation until he/she has achieved the stipulated standard of that level.
- D. A student who attains Level I of attempted credit or higher and whose cumulative grade point average falls two tenths (.2) or below the stipulated standards will be placed on academic probation. Should the student continue to have a grade point average two tenths (.2) or below the stipulated standard for a consecutive semester of attendance, the student will be academically dismissed for the period of one semester unless authorized to continue on probation by the Dean of

Students. Students authorized for continued probation shall meet with a counselor prior to any subsequent registration to develop an educationally feasible program of student.

Attendance Policy

- A. Instructors may impose appropriate penalties on students who enroll for but fail to attend a class regularly. In order to accurately monitor student financial aid eligibility, students who are registered for a class but who have never attended will be reported by the instructor to the Registrar's Office and the Business Office.
- B. Students who enroll for classes but fail to attend consistently may be notified by the instructor involved that it may be in their best interest to withdraw. Their permanent record will reflect the withdrawal policy as stated below:
- C. A student finding it necessary to withdraw from one or more of their classes must follow the procedure as outlined in the college catalog and in the Reference Guide for Student Success.
- D. Course Withdrawal: A student's permanent record is affected as follows:
 - 1. From the beginning of the first day of scheduled classes to the end of the Late Registration Period grades for classes dropped are not recorded.
 - 2. From the end of the Late Registration Period to the end of the withdrawal period (when 90% of the class has been completed), a grade of "W" (Withdrawal) may be entered for courses dropped.
 - 3. Normally, after the 90% period has ended and through the end of the semester, withdrawals are not authorized and a grade of A, B, C, CP, P, D, F, X or I will be recorded. However, should circumstances beyond the control of a student require the consideration of a late withdrawal from a course or courses, the student may submit Request for Exception for Late Refund or Withdrawal to the Registrar prior to the end of the semester. The Registrar may authorize the granting of withdrawal status, "W" (Withdrawal). The "W" grade is not averaged in the computation of the student's cumulative grade point average.
 - 4. The time periods stated above are reduced proportionately for special sessions.
- E. The grade of "I" (Incomplete) is given under extenuating circumstances at the discretion of the course instructor and may be removed by the faculty member awarding the grade upon completion of all course requirements. Before an "I" grade can be given, an incomplete grade contract should be completed by the instructor and signed by the students. The incomplete grade must be removed prior to 45 days after the end of the college session in which it was granted (unless other arrangements are indicated in the incomplete grade contract) or the grade will automatically be recorded as a failure, "F", on the student's permanent record.

Requirement for Graduation

- A. A cumulative grade-point average of 2.0 (C) or higher.
- B. Satisfactory completion of a minimum of 62 college credits in an approved curriculum.
- C. Satisfactory completion of Degree Group Requirements.
- D. Satisfactory completion of all core curriculum requirements.

