



**President's Office**

**David T. Harrison, Ph.D.**  
PRESIDENT



**COPY TO ALL BOARD MEMBERS**

*Susan Thomas, Ex Officio Staff Member*  
*Darrell Minor, Ex Officio Faculty Member*  
*Amber Bauman, Ex Officio Student Member*

**BOARD OF TRUSTEES  
COMMITTEE OF THE WHOLE**

Thursday, November 8, 2012  
12:00 p.m.  
Pete Grimes Board Room, Franklin Hall

**AGENDA**

- (1) Call to Order
- (2) Roll Call
- (3) Certification of Conformity with Section 121.22 (F) of the Ohio Revised Code
- (4) Approval of Minutes
- (5) Financial Statements as of and for the three months ended, September 30, 2012.....1
- (6) Refinancing Outstanding General Receipts Bonds Issued in 2003 .....15
- (7) Tuition Increase Effective Summer Semester 2013 .....27
- (8) Accept New Proposed Policies and Rescind Current Policies.....29
- (9) Awarding of Emeritus Status .....68
- (10) Personnel Information Items (Information Only) .....74
- (11) Executive Session (*if needed*)

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# COLUMBUS STATE COMMUNITY COLLEGE BOARD ACTION

Date \_\_\_\_\_

**SUBJECT:**

Financial Statements as of and for the three months ended, September 30, 2012.

**BACKGROUND INFORMATION:**

Columbus State Community College policy requires that monthly the President provide each Board of Trustees member a copy of the college's financial statements.

**RECOMMENDATION:**

That the financial statements as of and for the three months ended, September 30, 2012, be accepted as presented.



550 East Spring Street  
P.O. Box 1609  
Columbus, Ohio 43216-1609  
614/287-2400

**TO:** Board of Trustees  
**FROM:** Dr. David T. Harrison, President  
**DATE:** October 30, 2012  
**SUBJECT:** Financial Statements as of September 30, 2012

Attached are the financial statements of Columbus State Community College District, the Foundation, and the President’s Discretionary Fund for the period ended September 30, 2012.

As a reminder, because FY13 includes a switch in academic calendars from quarters to semesters, comparables to prior year do not yield instructive information. It will take two full years of a standard semester schedule for true comparatives. During this year of transition, actual revenue and expenses for FY13 will be discussed in the context of the Board-authorized budget.

**1. General Fund**

These financial statements include comparisons of actual-to-date compared to the FY 13 Budget approved by the Board in May.

- **Enrollment**

Term	Budgeted Headcount	Headcount	Budget to Actual Increase/Decrease	Actual FY 12 FTEs	FY 13 FTEs	% Variance
Summer 2012*	20,001	18,043	-9.8%	11,699	10,079	-13.8%
Autumn 2012*	29,375	25,650	-12.7%	20,257	15,289	-24.5%
Spring 2013						

\*FY13 preliminary headcounts and FTEs

- **Revenues (Exhibit B)**

Because of the adjustment from a quarter to a semester calendar, a percentage of Summer quarter revenue was accounted for in FY12, given the term started in mid- versus late-June as in years past. These financials include approximately 78% of Summer quarter tuition revenue and 25% of Autumn semester tuition revenue. In total, tuition revenue for Summer quarter was down 14%, Autumn semester revenue is down 24% from prior year, and both terms are below budget for the year, which corresponds to the respective decrease in FTEs from the prior year upon which the budget was based.

- **Expenditures (Exhibit B)**

Total operating expenditures (before transfers) are \$37,050,395 for the period. Expenditures are tracking on pace with the projected year-end budget to reflect lower-than-budgeted enrollment.

- **Budget** (Exhibit B)

While the FY13 budget as authorized assumed a 5% enrollment decline, adjustments have been made to realign the expense budget to anticipated revenues. These adjustments are reflected in the Projected Year End columns. Expense adjustments include holding positions vacant, streamlining operations to a semester-based calendar, deferring equipment purchases, and limiting various operating expenses including travel, conferences, and other discretionary spending.

Of the \$9.5 M decrease in projected year-end “Educational and General” compared to the budget as authorized in May 2012, \$7.3 M is a reduction in Adjunct payroll, the expense that varies as enrollment varies. Adjusting for this variable, the projected year-end expense for “Educational and General” is 2.5% lower than budgeted.

2. **Auxiliary Fund** (Exhibit D)

The auxiliary fund’s actual revenues are tracking at 41.5% of budget as of September 30, with all enterprises tracking higher than budgeted revenue due primarily to the concentration of Bookstore sales that occurred in August and September. Expenses are tracking at 24%, which is approximately 1% lower than budgeted for the period.

3. **President’s Discretionary Fund** (Exhibit F)

The President’s Discretionary Fund has a cash balance of \$19,526 at September 30, after disbursements of \$474.

4. **Foundation** (Exhibits G and H)

Foundation contributions through September are \$230,059 nearly flat to \$228,388 through September of last year. In the month of September, Management and General expenditures are \$20,360 comparable to \$28,637 through the same period last year and the College has supported the operations of the Foundation in the amount of \$64,700, compared to \$97,795 at the same time last year. These differences are due mainly to a decrease in salary expense and the timing of expenditures.

5. **Investments**

The College’s portfolio is invested consistent with its investment policy, with 26.06% currently invested in STAROhio and other money markets, with the balance in federal agencies.

COLUMBUS STATE COMMUNITY COLLEGE  
BALANCE SHEET AT SEPTEMBER 30, 2012  
With Comparative Figures at September 30, 2011

EXHIBIT A

<u>Assets</u>	September 30, 2012	September 30, 2011	<u>Liabilities and Fund Balance</u>	September 30, 2012	September 30, 2011
<u>Current Funds</u>					
<u>Unrestricted</u>			<u>Unrestricted</u>		
Educational and general			Educational and general		
Cash	\$ 10,024,284	\$ 16,017,794	Accounts payable	\$ 12,374,554	\$ 6,004,019
Investments (including money markets at cost and treasury bills and agency discount notes at market - (note 1))			Deferred income		
Accounts receivable, net of allowance for doubtful accounts	111,414,851	129,218,979	Student tuition	22,305,470	26,718,161
Interest receivable	6,129,541	8,166,212	Lab fees and credit bank	-	-
Prepaid expense	478,530	429,169	Due to auxiliary funds	-	-
Net investment in Golf Course			Due to restricted funds	13,547,252	12,928,689
Due from agency funds	9,558,728	1,090,495	Due to plant funds		
Due from auxiliary funds	1,521,460	702,994	Due to agency funds		
Total educational & general	\$ 139,127,394	\$ 155,625,643	Fund balances (Exhibit C):		
			Allocated	73,318,359	90,027,499
			Unallocated	16,378,187	19,041,565
			Total fund balances	89,696,547	109,069,064
			Total educational & general	\$ 139,127,394	\$ 155,625,643
<u>Auxiliary enterprise</u>			<u>Auxiliary enterprise</u>		
Cash	\$ 541,450	\$ 2,699,593	Accounts payable	\$ 1,459,200	\$ 943,540
Investments	6,136,501	6,575,687	Due to educational & general fund	1,521,460	702,994
Accounts receivable	4,499,784	963,994			
Inventories, at cost as defined (note 2)	3,152,581	1,908,796	Fund balances (Exhibit D):		
Other Assets	480,172	363,595	Allocated	350,000	350,000
Due from general fund	-	-	Unallocated	11,473,702	10,518,310
Due from grant funds	3,874	3,179	Total fund balances	11,823,702	10,868,310
Total auxiliary enterprise	14,814,362	12,514,844	Total auxiliary enterprise	14,814,362	12,514,844
Total unrestricted	\$ 153,941,756	\$ 168,140,487	Total unrestricted	\$ 153,941,756	\$ 168,140,487
<u>Restricted</u>			<u>Restricted</u>		
Cash	\$ -	\$ -	Due to general fund	\$ -	\$ -
Due from educational & general fund	-	-	Fund balances		
Total restricted	-	-	Unallocated	-	-
Total current funds	\$ 153,941,756	\$ 168,140,487	Total restricted	-	-
	[A]	[B]	Total current funds	\$ 153,941,756	\$ 168,140,487
				[C]	[D]

(See accompanying summary of significant accounting policies and notes to financial statements)

(Continued)

COLUMBUS STATE COMMUNITY COLLEGE  
BALANCE SHEET AT SEPTEMBER 30, 2012  
With Comparative Figures at September 30, 2011

EXHIBIT A  
(Continued)

<u>Assets</u>	<u>September 30,</u> 2012	<u>September 30,</u> 2011	<u>Liabilities and Fund Balance</u>	<u>September 30,</u> 2012	<u>September 30,</u> 2011
<u>Plant funds</u>					
Unexpended			Plant funds		
State appropriations receivable	-	-	Unexpended	3,857,196	3,244,639
Capital Improvement Fund	3,857,196	3,244,639	Fund balances	-	-
Total unexpended	<u>3,857,196</u>	<u>3,244,639</u>	Restricted	-	-
			Total unexpended	<u>3,857,196</u>	<u>3,244,639</u>
Cash from Bond Proceeds	1,776	22,853	Investment in plant		
Deposit with trustees	-	-	Interest payable	-	-
Due from general fund	13,547,252	12,928,689	Capital lease payable	88,667	45,252
Land	29,618,235	29,618,235	Accounts payable	12,425,000	13,690,000
Improvements other than buildings	12,117,274	12,117,274	Bonds payable	-	-
Buildings	153,504,658	141,491,181	Deferred Gift Annuity	-	-
Movable equipment, furniture			Net investment in plant	164,102,753	161,101,251
and library books	38,346,292	42,702,505			
Construction-in-progress	4,202,609	3,917,866	Total investment in plant	<u>176,616,420</u>	<u>174,836,503</u>
Other Assets	236,931	257,513	Total plant funds	<u>\$ 180,473,616</u>	<u>\$ 178,081,142</u>
Less: accumulated depreciation	(74,958,606)	(68,219,613)			
Total investment in plant	<u>176,616,421</u>	<u>174,836,503</u>	<u>Agency funds</u>		
Total plant funds	<u>\$ 180,473,616</u>	<u>\$ 178,081,142</u>	Deposits held in custody for others	-	-
			Due to educational and general fund	9,558,728	1,090,495
<u>Agency funds</u>			Total agency funds	<u>9,558,728</u>	<u>1,090,495</u>
Cash	-	-		[C]	[D]
Due from agencies	329,084	772,052			
Due from general fund	9,229,644	318,443			
Total agency funds	<u>9,558,728</u>	<u>1,090,495</u>			
	[A]	[B]			

(See accompanying summary of significant accounting policies and notes to financial statements)

COLUMBUS STATE COMMUNITY COLLEGE  
 OPERATIONAL BUDGET COMPARISON  
 FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2012  
 With Comparative Figures at September 30, 2011

EXHIBIT B

	FY 13			FY 13 Projected Year End		
	Budget as approved May 2012	Expended to Date (Actual & Encumbrances)	% of Budget Expended to Date	Projected FY 13 Year End Budget	Projected % of Budget	
<u>Revenues</u>						
<u>Appropriations</u>						
Subsidy	\$ 60,368,520	\$ 15,092,130	25.00%	\$ 60,368,520	100.00%	(1)
Access Challenge	-	-	-	-	-	(2)
Student Support Services	-	-	-	-	-	(3)
Jobs Challenge	-	-	-	-	-	(4)
	<u>60,368,520</u>	<u>15,092,130</u>	<u>25.00%</u>	<u>60,368,520</u>	<u>100.00%</u>	<u>(5)</u>
<u>Student</u>						
Tuition	90,088,301	17,050,018	18.93%	73,156,221	81.21%	(6)
Fees	4,973,724	1,613,162	32.43%	4,973,724	100.00%	(7)
Special courses	1,399,467	266,414	19.04%	1,399,467	100.00%	(8)
	<u>96,461,492</u>	<u>18,929,594</u>	<u>19.62%</u>	<u>79,529,412</u>	<u>82.45%</u>	<u>(9)</u>
<u>Contracted Services</u>						
Net	600,000	101,504	16.92%	600,000	100.00%	(10)
	<u>600,000</u>	<u>101,504</u>	<u>16.92%</u>	<u>600,000</u>	<u>100.00%</u>	<u>(11)</u>
<u>Other</u>						
Partnership Revenue	430,000	-	0.00%	430,000	100.00%	(12)
Miscellaneous	250,000	36,566	14.63%	250,000	100.00%	(13)
	<u>680,000</u>	<u>36,566</u>	<u>5.38%</u>	<u>680,000</u>	<u>100.00%</u>	<u>(14)</u>
Total revenues	<u>158,110,012</u>	<u>34,159,794</u>	<u>21.61%</u>	<u>141,177,932</u>	<u>89.29%</u>	<u>(15)</u>
<u>Operating Expenditures</u>						
Educational & general (Instructional)	87,603,671	20,387,349	23.27%	78,085,837	89.14%	(16)
Library	2,170,555	606,546	27.94%	2,164,804	99.74%	(17)
General	12,391,871	2,475,401	19.98%	12,076,497	97.45%	(18)
Information Technology	13,360,772	4,175,315	31.25%	12,491,343	93.49%	(19)
Student Services	14,469,534	3,538,135	24.45%	13,874,365	95.89%	(20)
Operation and maintenance of plant	14,616,032	3,078,708	21.06%	14,577,304	99.74%	(21)
Administration	10,790,761	2,423,714	22.46%	9,847,089	91.25%	(22)
Transfer for debt service	1,460,906	365,227	25.00%	1,460,906	100.00%	(23)
Total expenditures	<u>156,864,102</u>	<u>37,050,395</u>	<u>23.62%</u>	<u>144,578,145</u>	<u>92.17%</u>	<u>(24)</u>
<u>Non-operating &amp; Encumbered</u>						
Transfer for equipment and replacement	3,000,000	See Exhibit C		500,000	16.67%	(25)
Transfer for Semester Conversion	-			-	N/A	(26)
Transfer for scholarships	-			-	-	(27)
Transfer for One-Time Compensation	-			-	-	(28)
Total expenditures and transfers	<u>159,864,102</u>	<u>37,050,395</u>	<u>23.18%</u>	<u>145,078,145</u>	<u>90.75%</u>	<u>(29)</u>
Operational revenues	<u>(1,754,090)</u>	<u>(2,890,601)</u>	<u>N/A</u>	<u>(3,900,213)</u>	<u>N/A</u>	<u>(30)</u>
						<u>(31)</u>
<u>Reserve Funding</u>						
Transfer-in Delaware Campus	823,668	574,186	69.71%	823,668	0.00%	(32)
Reserve Funding for 5% Enrollment Decrease	3,076,545	-	-	3,076,545	0.00%	(33)
Reserve Operation revenues	<u>3,900,213</u>	<u>574,186</u>	<u>14.72%</u>	<u>3,900,213</u>		<u>(34)</u>
<u>Interest Income</u>						
	-	218,446		250,000	N/A	(35)
Net Operating revenues	<u>\$ 2,146,123</u>	<u>\$ (2,097,969)</u>	<u>-97.76%</u>	<u>\$ 250,000</u>	<u>11.65%</u>	<u>(36)</u>
	[A]	[B]	[C]	[G]	[H]	



EXHIBIT C

COLUMBUS STATE COMMUNITY COLLEGE  
STATEMENT OF CHANGES IN FUND BALANCES OF CURRENT  
EDUCATIONAL AND GENERAL FUNDS  
FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2012

	Balance at June 30, 2012	Net Increase for Current Period	Board Approved Additions	Transfers	Expenditures	Balance at September 30, 2012	
Unrestricted							
Allocated							
Capital Improvements & Land Acquisition	\$ 7,321,991	\$ -	-	-	(8,166)	7,313,825	(1)
Carpet/Furniture Reupholstering	180,719	-	-	-	(10,203)	170,516	(2)
Space Efficiency Upgrades	1,723,769	-	-	-	(364,980)	1,358,789	(3)
Project Planning	18,349	-	-	-	(11,273)	7,077	(4)
Union Hall Renovation	11,323,938	-	-	-	(2,212,506)	9,111,432	(5)
Site Development Delaware Campus	1,176,282	-	-	-	-	1,176,282	(6)
Bookstore/DX Modifications	266,064	-	-	-	-	266,064	(7)
Facilities Infrastructure Improvements	81,808	-	-	-	-	81,808	(8)
145-149 Cleveland Avenue Purchase	12,617	-	-	-	-	12,617	(9)
Capital Equipment	4,971,885	-	3,000,000	-	(56,073)	7,915,812	(10)
Target 2002	333,088	-	-	-	-	333,088	(11)
Collective Bargaining	33,104	-	-	-	16,652	49,756	(12)
Budget/Tuition Stabilization	22,756,987	-	-	(2,000,000)	-	20,756,987	(13)
Accumulated Lab Fees	1,746,562	-	-	456,648	(350,587)	1,852,622	(14)
Broadbanding	221,079	-	-	-	-	221,079	(15)
Think Again Scholarship	3,322,462	-	-	-	(306,120)	3,016,342	(16)
Teaching and Learning Initiatives	6,497,131	-	-	-	(198,606)	6,298,525	(17)
Strategic Growth Initiatives	2,150,000	-	-	-	(213,896)	1,936,104	(18)
Technology Initiatives	1,966,744	-	-	-	(230,135)	1,736,609	(19)
Human Capacity Development/Wellness	311,266	-	-	-	-	311,266	(20)
Campus Safety Initiatives	1,391,921	-	-	-	-	1,391,921	(21)
Energy Efficiency/Sustainability Initiatives	2,885,934	-	-	-	(42,732)	2,843,202	(22)
Delaware Campus Operations	1,098,432	-	-	-	-	1,098,432	(23)
Health Care Self-Insurance Escrow	1,023,018	-	-	-	-	1,023,018	(24)
Health Care HSA Incentive	368,196	-	-	-	(70,489)	297,707	(25)
Self-Insured Workers Compensation Benefits	152,500	-	-	-	-	152,500	(26)
Voluntary Separation Incentive Plan	512,458	-	-	2,000,000	(480,634)	2,031,824	(27)
One-Time Compensation	2,452,361	-	-	-	(2,369,725)	82,636	(28)
Partnerships for Student Success	478,547	-	-	-	(22,422)	456,125	(29)
PERFORMS	7,211	-	275,000	-	(267,815)	14,396	(30)
	76,786,423	-	3,275,000	456,648	(7,199,711)	73,318,359	(31)
Unallocated	22,214,783	(9,304,659)	(3,275,000)	(456,648)	7,199,711	16,378,187	(32)
Total General Fund	\$ 99,001,206	\$ (9,304,659)	\$ -	\$ -	\$ -	\$ 89,696,547	(33)
	[A]	[B]	[C]	[D]	[E]	[F]	

EXHIBIT C-1

COLUMBUS STATE COMMUNITY COLLEGE  
BOND FUNDED PROJECTS  
FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2012

	Bond Proceed Allocation	Proceeds Budget	Prior Budget Reallocations	Budget Reallocation 2011/2012	Proceeds Expended to Date	Bond Proceeds Encumbered	Available to Spend	
	\$	\$	\$	\$	\$	\$	\$	
Refunding 1993 Bonds	3,445,000	3,445,000	709,635	3,408	3,445,000	-	-	(1)
Bookstore Facilities	7,000,000	7,000,000	-	-	7,709,870	-	-	(2)
Aquinas Hall*	3,400,000	1,531,673	(88,521)	588	1,538,816	-	-	(3)
366/370 N. Grant*		1,760,304	(51,066)		1,709,238	-	-	(4)
Unallocated		8,022	(8,022)		-	-	-	(5)
Child Development Center	3,000,000	3,000,000	(891,666)	(108,124)	1,999,698	-	-	(6)
Columbus Campus Facility Projects								(7)
356 N. Grant			158,931	(8,953)	155,445	-	-	(8)
Madison Hall			62,913	6,076	68,989	-	-	(9)
Rhodes Hall			27,979		27,979	-	-	(10)
Franklin Hall Suite Efficiencies			80,950	2,800	83,750	-	-	(11)
Planning			100,000	409	100,409	-	-	(12)
TRIO			67,500	432	67,932	-	-	(13)
Student Life/Judicial			48,000	(3,284)	44,716	-	-	(14)
K-12 Move			20,000	(20,000)	-	-	-	(15)
Cisco Lab			65,000	(16,289)	48,711	-	-	(16)
339 Cleveland Avenue			32,985		32,985	-	-	(17)
Automotive Flooring			137,832		137,832	-	-	(18)
Bolton Field Upgrades			75,000	(11,156)	63,844	-	-	(19)
CWD Space Adjustments			16,000	(16,000)	-	-	-	(20)
Office Space Efficiencies				22,000	-	-	-	(21)
Rhodes Hall Space Efficiencies			98,000		21,077	-	923	(22)
Bridgeview Signage				6,000	97,855	-	145	(23)
Issuance Costs	315,000	315,000	(55,830)	27,797	286,967	-	130	(24)
Interest Income			(297,395)	(190,177)	-	-	-	(25)
Total	\$ 17,160,000	\$ 17,160,000	\$ 308,225	\$ -	\$ 17,546,983	\$ -	\$ 1,776	(26)
	[A]	[B]	[C]	[D]	[E]	[F]	[G]	(27)

\* These two projects were funded from both the General Fund and the Bond Proceeds.

\*\* As approved by the Board of Trustees on January 26, 2006, available balances in projects funded by the 2003 bond proceeds were reallocated to the Bookstore/Retail Complex.

\*\*\*As approved by the Board of Trustees on September 28, 2006, certain Columbus Campus Facility Projects may be funded by unspent balances from 2003 bond proceeds.

**EXHIBIT D**  
**COLUMBUS STATE COMMUNITY COLLEGE**  
**OPERATIONAL BUDGET COMPARISON FOR AUXILIARY SERVICES**  
**FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2012**  
 With Comparative Figures at September 30, 2011

	FY 13			Projected FY 13 Year End Budget	Projected % of Budget
	Budget as approved May 2012	Actual to Date	% of Budget Expended to Date		
<b>Auxiliary</b>					
<b>Sales/Revenues</b>					
Bookstore	\$ 13,224,503	\$ 5,626,825	42.55%	13,224,503	100.00%
Child Development Center	599,320	190,519	31.79%	599,320	100.00%
Food Services	670,815	204,169	30.44%	670,815	100.00%
Bridgeview	459,300	181,292	39.47%	459,300	100.00%
<b>Total Revenues</b>	<b>14,953,938</b>	<b>6,202,805</b>	<b>41.48%</b>	<b>14,953,938</b>	<b>100.00%</b>
<b>Cost of Goods Sold</b>					
Bookstore	10,256,189	4,260,667	41.54%	10,256,189	100.00%
Bridgeview	28,800	11,155	38.73%	28,800	100.00%
Food Service	191,650	30,892	16.12%	191,650	100.00%
<b>Gross Margin</b>	<b>4,477,299</b>	<b>1,900,091</b>	<b>42.44%</b>	<b>4,477,299</b>	<b>100.00%</b>
<b>Operating Expenses</b>					
Bookstore	2,149,899	461,540	21.47%	2,149,899	100.00%
Child Development Center	795,761	242,720	30.50%	795,761	100.00%
Food Services	316,944	42,257	13.33%	316,944	100.00%
Bridgeview	524,833	152,477	29.05%	524,833	100.00%
Auxiliary Administration	596,709	138,256	23.17%	596,709	100.00%
<b>Total Expenses</b>	<b>4,384,146</b>	<b>1,037,251</b>	<b>23.66%</b>	<b>4,384,146</b>	<b>100.00%</b>
<b>Auxiliary Net Operating Income/(Loss)</b>	<b>93,153</b>	<b>862,840</b>		<b>93,153</b>	<b>-</b>
<b>Net Income/(Loss)</b>					
Bookstore	818,415	904,618	110.53%	818,415	100.00%
CDC	(196,441)	(52,201)	26.57%	(196,441)	100.00%
Food Services	182,221	131,020	80.77%	182,221	100.00%
Bridgeview	(94,333)	17,660	18.72%	(94,333)	100.00%
Auxiliary Administration	(596,709)	(138,256)	23.17%	(596,709)	100.00%
<b>Net Auxiliary Income/(Loss)</b>	<b>93,153</b>	<b>862,840</b>	<b>926.26%</b>	<b>93,153</b>	<b>-</b>
<b>Auxiliary Fund Balance at June 30, 2012</b>	<b>10,988,604</b>				
<b>Non-operating Expenditures</b>	<b>(27,742)</b>				
<b>Transfers</b>					
<b>Auxiliary Fund Balance at September 30, 2012</b>	<b>\$ 11,823,702</b>				

EXHIBIT E

COLUMBUS STATE COMMUNITY COLLEGE  
CASH FLOW FORECAST  
AS OF SEPTEMBER 30, 2012

	Actual April 2012	Actual May 2012	Actual June 2012	Actual July 2012	Actual August 2012	Actual September 2012	
Beginning Cash	\$ 8,982,081	9,984,417	5,938,626	7,776,458	6,249,982	21,447,433	(1)
Cash Receipts	6,604,396	7,522,002	12,648,809	7,172,689	17,492,330	7,594,151	(2)
Cash Disbursements	(13,677,691)	(14,574,198)	(14,369,189)	(15,236,825)	(17,871,222)	(14,868,295)	(3)
Financial Aid	(21,924,369)	6,405	3,568,212	(1,462,340)	38,187,343	(24,775,359)	(4)
Outflow for investments	-	-	-	-	(30,000,000)	-	(5)
Inflow from investments	30,000,000	3,000,000	-	8,000,000	7,389,000	20,000,000	(6)
Ending Cash	\$ 9,984,417	5,938,626	7,776,458	6,249,982	21,447,433	9,397,930	(7)

  

	Forecasted October 2012	Forecasted November 2012	Forecasted December 2012	Forecasted January 2013	Forecasted February 2013	Forecasted March 2013	
Beginning Cash	\$ 9,397,930	6,088,653	5,747,704	5,508,323	5,650,787	5,359,815	(8)
Cash Receipts	6,730,710	6,230,710	7,230,710	17,130,710	6,730,710	6,730,710	(9)
Cash Disbursements	(14,044,987)	(13,571,659)	(13,970,091)	(14,338,246)	(15,026,682)	(13,500,000)	(10)
Financial Aid	(1,995,000)	-	-	10,350,000	1,505,000	-	(11)
Outflow for investments	-	-	-	(13,000,000)	-	-	(12)
Inflow from investments	6,000,000	7,000,000	6,500,000	-	6,500,000	7,000,000	(13)
Ending Cash	\$ 6,088,653	5,747,704	5,508,323	5,650,787	5,359,815	5,590,525	(14)

COLUMBUS STATE COMMUNITY COLLEGE  
 PRESIDENT'S DISCRETIONARY FUND  
 STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS  
 FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2012

EXHIBIT F

Cash at Beginning of Period		\$ 12,296	(1)
			(2)
<u>Receipts:</u>			(3)
			(4)
Deposit	-	7,704	(5)
			(6)
			(7)
<u>Disbursements:</u>			(8)
Oberer's Flowers	474		
		474	(9)
		\$ 19,526	(10)
	[A]	[B]	(11)
		[C]	

NOTE:

The President's Discretionary fund is a separate fund from the operating and capital funds of the college. The source of funds is from other-than-public (governmental) monies or student fees, as specified by the Board of Trustees.

The purpose of the fund is to enhance the mission of the college. Expenditures are to promote or enhance the image of the college, the college educational programs, operations, entertainment, contributions, and other appropriate expenditures not provided for in the college operating budget.

COLUMBUS STATE COMMUNITY COLLEGE DEVELOPMENT FOUNDATION, INC.  
BALANCE SHEET AT SEPTEMBER 30, 2012  
With Comparative Figures at September 30, 2011

<u>Assets</u>	<u>September 30, 2012</u>	<u>September 30, 2011</u>	
Cash	\$ 244,544	\$ 274,935	(1)
Investments at market value (see note)	5,919,246	4,984,734	(2)
Pledges Receivable	75,850	59,596	(3)
Student Emergency Loans restricted - Net	<u>-</u>	<u>-</u>	(4)
			(5)
Total Assets	<u>\$ 6,239,640</u>	<u>\$ 5,319,265</u>	(6)
<u>Liabilities</u>			
Due to general fund	\$ 100,843	\$ 90,830	(7)
Pledge Payable	-	-	(8)
Trade Payables	-	-	(9)
Total Liabilities	<u>100,843</u>	<u>90,830</u>	(10)
<u>Fund balance</u>			
Permanently Restricted	3,654,470	3,565,869	(11)
Temporarily Restricted	1,526,393	1,589,948	(12)
Unrestricted	<u>957,934</u>	<u>72,618</u>	(13)
			(14)
Total fund balance	<u>6,138,797</u>	<u>5,228,435</u>	(15)
			(16)
Total Liabilities and fund balance	<u>\$ 6,239,640</u>	<u>\$ 5,319,265</u>	(18)
	[A]	[B]	(19)

Note: Investments

Investments are valued at market, which is generally determined by use of published market quotations. Realized gains and losses from sale or redemption of investments are based upon the cost of the specific investment sold or redeemed. Purchases and sales of investments are reflected on a trade-date basis.

A summary of investments is as follows:

	<u>Cost</u>	<u>Market</u>	<u>Percent of Portfolio</u>
Cash	\$ 145,979	145,979	2.47%
Equities	2,655,307	3,212,008	54.26%
Fixed Income	484,820	554,388	9.37%
Mutual Funds	<u>1,881,227</u>	<u>2,006,871</u>	<u>33.90%</u>
Total Investments	<u>\$ 5,167,333</u>	<u>\$ 5,919,246</u>	<u>100.00%</u>

EXHIBIT H

COLUMBUS STATE COMMUNITY COLLEGE DEVELOPMENT FOUNDATION, INC  
 STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
 FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2012  
 With Comparative Figures at September 30, 2011

	September 30, 2012				September 30, 2011	
	Unrestricted	Temporarily Restricted	Permanently Restricted	Total All Funds		
Revenue						
Contributions	\$ 117,945	\$ 67,764	\$ 7,950	\$ 193,659	\$ 173,388	(1)
Contributions for Columbus State Administration Fee Income	-	36,400	-	36,400	55,000	(2)
Interest Income	-	-	-	-	-	(3)
Investment Income	14	-	-	14	9	(4)
Realized	48,448	13,745	-	62,193	32,708	(5)
Unrealized	152,570	43,527	-	196,097	(590,026)	(6)
Investment income-subtotal	201,018	57,272	-	258,290	(557,318)	(7)
Total revenues	318,977	161,436	7,950	488,363	(328,921)	(8)
Expenditures						(9)
Scholarships	-	124,482	-	124,482	78,589	(10)
Contributions to Columbus State Administrative Fee Expense	-	38,750	-	38,750	50,060	(11)
Management and general	20,360	-	-	20,360	-	(12)
Total expenditures	20,360	163,232	-	183,592	28,637	(13)
Excess (deficit) of revenues over expenditures	298,617	(1,796)	7,950	304,771	(486,207)	(15)
Transfers	-	-	-	-	(57,675)	(16)
Fund balance at beginning of period	659,317	1,528,189	3,646,520	5,834,026	5,772,317	(17)
Fund balance at end of period	957,934	1,526,393	3,654,470	6,138,797	5,228,435	(18)
	[A]	[B]	[C]	[D]	[F]	(19)

COLUMBUS STATE COMMUNITY COLLEGE  
 NOTES TO FINANCIAL STATEMENTS  
 AS OF SEPTEMBER 30, 2012

1) Investments

Investment Fund	Cost	Market Value	Yield to Maturity*	Average Maturity (days)
STAR Ohio/Operating	\$ 14,652,513	\$ 14,652,513	0.10%	1
STAR Ohio/Plant	3,857,196	3,857,196	0.10%	1
STAR Ohio/Auxiliary	285,139	285,139	0.10%	1
CSCC Operating Fund 1	42,143,937	42,039,825	0.14%	72
CSCC Operating Fund 2	49,625,425	49,872,346	0.81%	1037
Auxiliary Services	5,813,656	5,851,386	0.98%	880
Plant Fund	4,823,252	4,850,166	0.88%	951
	<u>\$ 121,201,118</u>	<u>\$ 121,408,572</u>		

\* Weighted

<u>Portfolio Composition</u>	<u>Type</u>	<u>% of Total</u>
	STAR Ohio	15.48%
	Agencies	73.94%
	Cash & Equivalents	10.58%
		<u>100.00%</u>

2) Inventories

Bookstore inventories at year-end are stated at actual cost. At or near year-end a complete physical inventory is taken and adjustments, if any, are recorded.

3) Plant Funds

Physical plant and equipment are stated at cost at date of acquisition or fair value at date of donation in case of gifts. Depreciation of physical plant and equipment is recorded.

4) Long-term debt

Outstanding long-term debt consists of bonds payable in annual installments varying from \$800,000 to \$1,530,000 with interest at rates varying from 3.50% to 4.5%, the final installment being due in 2023, collateralized by a gross pledge basis, of the general receipts of the college, which include the full of every type and character of receipts, excepting only those specifically excluded which are primarily those that are appropriated from the State of Ohio.

Debt service for this long-term debt is paid from an annual allocation in the College's Operating fund, the Auxiliary Services fund, and from the State's Capital Component Program.

5) Interfund Accounts

All interfund borrowings have been made from current funds and amounts are due currently without interest.





## COLUMBUS STATE COMMUNITY COLLEGE BOARD ACTION

Date \_\_\_\_\_

### **SUBJECT:**

Refinancing Outstanding General Receipts Bonds Issued in 2003

### **BACKGROUND INFORMATION:**

The College's 2003 debt was sold with a call feature and is eligible to be refinanced.

As interest rates have fallen since 2003, the College may realize interest savings of approximately \$600,000 to \$800,000 over the remaining life of the issue by using the call and replacing the old bonds with new bonds based on current rates. Because interest rates fluctuate daily, actual savings will be determined at the time of sale. If the market deteriorates before the sale, the transaction will not proceed.

The accompanying Bond Resolution establishes the parameters within which the College's President and Treasurer can proceed in refinancing the outstanding bonds.

The Bond Resolution establishes parameters that must be met in order for the sale to proceed, and delegates the specifics to the President and the Chief Financial Officer. Key parameters include:

1. Savings must exceed 4% of the principal amount of the refunded bonds. Projected savings could be double this amount.
2. A maximum principal amount of the new bonds of \$8,800,000. We expect the actual amount to be less.
3. A maximum true interest cost of 4% on the new bonds. We expect the true interest cost to be under 2.5%.
4. The final maturity date will be not later than December 1, 2023, the same year as the bonds being refinanced. The first principal date will not be later than the first maturity date of the bonds being refinanced.

In addition to these key parameters, the Bond Resolution outlines a variety of administrative directives by which the President and Chief Financial Officer will abide in the process of refinancing the bonds. Also, the proposed refinancing must be reviewed by the Ohio Board of Regents before it is executed.

### **RECOMMENDATION:**

That the Board of Trustees adopt the attached Bond Resolution for the authorization, issuance and sale of an amount not to exceed \$8.8 million of General Receipts Bonds of the Columbus State Community College District for purposes of refunding the Series 2003 bonds, with the understanding that the refinancing shall occur only if the college realizes a minimum present value savings of at least 4% of the principal amount of the bonds being refunded.

## BOND RESOLUTION

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL RECEIPTS BONDS OF COLUMBUS STATE COMMUNITY COLLEGE IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,800,000 FOR THE PURPOSE OF REFUNDING A PORTION OF THE COLLEGE'S OUTSTANDING GENERAL RECEIPTS BONDS, SERIES 2003, AND TO PAY THE COSTS OF ISSUANCE OF THE SERIES 2012 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A SIXTH SUPPLEMENTAL TRUST AGREEMENT AND AN ESCROW AGREEMENT; AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, IF NECESSARY; AUTHORIZING THE USE, DISTRIBUTION AND EXECUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE ORIGINAL SALE OF THE SERIES 2012 BONDS, IF NECESSARY; AND AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER INSTRUMENTS, DOCUMENTS OR AGREEMENTS APPROPRIATE TO THE FOREGOING AND RELATED MATTERS.

WHEREAS, pursuant to Sections 3345.12, 3354.121 and 3358.10 of the Revised Code, as enacted under authority of the Ohio Constitution, and particularly Section 2i of Article VIII, Columbus State Community College, a state community college district of the State of Ohio created and existing pursuant to Chapter 3358 of the Revised Code, is authorized and empowered, among other things, (a) to issue Obligations of the College to pay the Costs of Facilities and to refund, fund or retire Obligations previously issued for that purpose; (b) to pledge to the payment of those Obligations the gross amount of the General Receipts of the College in priority to all other expenses, claims or payments; (c) to covenant that the College will make, fix, adjust and collect the fees, rates, rentals, charges and other items comprising General Receipts to produce General Receipts sufficient at all times to meet requirements with respect to the Obligations; and (d) to provide for a trust agreement and make further provisions for securing the payment of the Obligations, all as defined below; and

WHEREAS, this Board on June 25, 1990 adopted a resolution (the General Bond Resolution) which authorized the issuance from time to time of General Receipts Bonds of the College, with each issue to be authorized by a resolution of this Board pursuant to the trust agreement authorized by the General Bond Resolution; and

WHEREAS, pursuant to a resolution adopted by this Board on November 20, 2003, the College issued \$17,160,000 General Receipts Bonds, Series 2003 (the Series 2003 Bonds) pursuant to the Trust Agreement dated as of July 1, 1990 between the College and The Huntington National Bank (the Trust Agreement) as amended by the Fourth Supplemental Trust Agreement dated as of December 1, 2003 (the Fourth Supplemental Trust Agreement), of which \$8,800,000 is currently outstanding; and

WHEREAS, the College has determined that it may be economically advantageous to refund all or a portion of the outstanding Series 2003 Bonds maturing on June 1 in the years 2014 through 2023 (the Refunded Bonds) and subject to prior redemption at the option of the College, in whole and at par, on any date on or after December 1, 2013; and

WHEREAS, this Board finds and determines that it is necessary and in the best interest of the College to issue the Series 2012 Bonds described herein for the purpose of paying the costs of refunding all or a portion of the College's outstanding and callable General Receipts Bonds, Series 2003, and paying the costs of issuance of the Series 2012 Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Columbus State Community College (the College), that:

Section 1. Definitions; Interpretations and References.

(a) Definitions. In addition to words and terms defined in the Bond Proceedings (as defined in the General Bond Resolution), the following words and terms shall have the following meanings unless otherwise therein provided or unless the context or use clearly indicate another or different meaning or intent:

"Authorized Denominations" means, as to the Series 2012 Bonds, \$100,000 or any integral multiple of \$5,000 in excess thereof or such other denominations as set forth in the Award Certificate.

"Award Certificate" means, as to the Series 2012 Bonds, the certificate authorized in Section 3, setting forth and determining certain terms and other matters pertaining to the Series 2012 Bonds and their issuance, sale and delivery, consistent with this Resolution.

"Board" means the Board of Trustees of the College.

"Bond Purchase Agreement" means, as to the Series 2012 Bonds, any Bond Purchase Agreement between the College and the Original Purchaser authorized in Section 3.

"Bondholder" or "holder" or "holder of Bonds", or "registered owner", or any similar term means the person in whose name a Bond is registered, or the holder or owner of Bonds as may otherwise be prescribed by applicable Bond Legislation.

"Escrow Agreement" means the Escrow Agreement between the College and the Escrow Trustee, in customary form providing for the defeasance and redemption of the Refunded Bonds in accordance with this Resolution and the Trust Agreement.

"Escrow Trustee" means The Huntington National Bank.

"Interest Payment Dates" means, as to the Series 2012 Bonds, June 1 and December 1 of each year commencing no later than June 1, 2014 or such other interest payment dates commencing no later than June 1, 2014 specified in the Award Certificate.

"Original Purchaser" means the original purchaser of the Bonds identified in the Award Certificate.

“Principal Payment Dates” means, as to the Series 2012 Bonds, June 1 in each of the years in which principal is payable or such other dates as may be specified in the Award Certificate, commencing no later than the first maturity date of the Refunded Bonds.

“Refunded Bonds” means the portion of the College’s Series 2003 Bonds to be refunded with proceeds of the Series 2012 Bonds and identified in the Award Certificate.

“Refunding Savings Threshold” means an aggregate reduction in debt service that has a present value at the time of sale of the Series 2012 Bonds equal to at least four percent (4.00%) of the aggregate principal amount of the Refunded Bonds.

“Series 2003 Bonds” means the College’s General Receipts Bonds, Series 2003.

“Series 2012 Bonds” means the College’s General Receipts Refunding Bonds, Series 2012 authorized by this Resolution.

“Series 2012 Cost of Issuance Subaccount” means the Series 2012 Cost of Issuance Subaccount created within the Bond Service Account under the Sixth Supplemental Trust Agreement.

“Sixth Supplemental Trust Agreement” means the Sixth Supplemental Trust Agreement between the College and the Trustee authorized in Section 8.

Section 2. Issuance of Series 2012 Bonds. This Board finds and determines that it is necessary and proper and in the best interest of the College to, and the College shall, issue General Receipts Bonds in the maximum aggregate principal amount not to exceed \$8,800,000 for the purpose of paying (i) the costs of refunding the Refunded Bonds and (ii) the costs of issuance of the Series 2012 Bonds. Those Bonds shall be designated “General Receipts Refunding Bonds, Series 2012” or as otherwise provided in the Award Certificate. The Award Certificate may specify that the Series 2012 Bonds may be issued in one or more separate series, each bearing a distinctive designation, provided that the Bonds of all series satisfy the requirements of this Resolution. The aggregate principal amount of Series 2012 Bonds to be issued, not exceeding the amount of \$8,800,000, shall be in an amount (rounded to the next higher or lower multiple of \$5,000) determined in the Award Certificate to be the aggregate principal amount that is necessary, taking into account any discount from the aggregate principal amount of the Series 2012 Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Series 2012 Bonds are to be issued, including payment of financing costs relating to the Series 2012 Bonds.

(a) General Terms and Provisions of the Series 2012 Bonds. The Series 2012 Bonds shall be issued only as Registered Bonds, substantially in the form to be set forth in the Sixth Supplemental Trust Agreement. The Fiscal Officer (being the Treasurer and Chief Financial Officer of the College) is authorized and directed to sign and deliver, in the name and on behalf of the College, a letter agreement with a Securities Depository generally relating to the book entry system. The terms, provisions, denominations and principal maturities of, redemption provisions applicable to, and the interest rates to be borne by, the Series 2012 Bonds shall be those as set forth in the Award Certificate, which shall not be inconsistent with the provisions of this Resolution. The Series 2012 Bonds shall be dated as of the date of their initial delivery which shall be established in the Award Certificate.

Series 2012 Bonds shall be numbered in such manner as determined by the Fiscal Officer in order to distinguish each Series 2012 Bond from any other Series 2012 Bond, may be subject to optional redemption in the amounts, upon the conditions, and at the times and prices, and may be subject to mandatory sinking fund redemption in the amounts and at the times and prices, all as set forth in or provided for by or pursuant to this Resolution or Award Certificate and upon the terms and conditions set forth in the Sixth Supplemental Trust Agreement. Bond Service Charges on the Series 2012 Bonds shall be payable as provided in the Trust Agreement, without deduction for the services of any Paying Agent.

(b) Principal Maturities and Interest Rates. The Series 2012 Bonds shall mature on the Principal Payment Dates, and shall be payable in the principal amounts or in accordance with Mandatory Sinking Fund Requirements, as to be set forth in the Award Certificate subject to the provisions of Section 3. The Series 2012 Bonds shall bear interest from their date or the most recent date to which interest has been paid or duly provided for at the rates per annum, payable on each Interest Payment Date and calculated in the manner, as to be set forth in the Award Certificate subject to the provisions of Section 3.

(c) Mandatory and Optional Redemption. The Series 2012 Bonds may be subject to optional redemption prior to stated maturity, and may be subject to mandatory sinking fund redemption, as to be provided in the Award Certificate.

Mandatory Sinking Fund Redemption. If requested by the Original Purchaser and confirmed in the Award Certificate, any annual principal maturity amount may be consolidated with one or more consecutive preceding annual principal maturity amounts into a single aggregate principal amount maturing on that stated annual maturity date. In that case, those Series 2012 Bonds (Term Bonds) then maturing on that stated annual maturity date shall be subject to mandatory redemption prior to stated maturity in part pursuant to Mandatory Sinking Fund Requirements, at a redemption price of 100% of the principal amount redeemed plus interest accrued to the redemption date. Portions of the Term Bonds shall be so redeemed on the principal payment date in each of those preceding years and in the respective full annual principal amounts listed in a principal maturity schedule set forth in the Award Certificate for payment in those preceding years.

The aggregate of the money to be deposited with the Trustee in the Bond Service Account for payment of Bond Service Charges on Term Bonds shall include amounts sufficient to redeem the principal amount of Term Bonds on the respective dates as stated in the principal maturity schedule set forth in the Award Certificate (less the amount of any credit as provided below). If retired only by mandatory sinking fund redemption prior to their stated maturity, the remaining principal amount of any Term Bonds will be paid at their stated maturity date.

The College shall have the option to deliver to the Trustee for cancellation Term Bonds in any aggregate principal amount and to receive a credit against any then current Mandatory Sinking Fund Requirement for any Term Bonds. That option shall be exercised by the College on or before the 45th day preceding the applicable mandatory redemption date, by furnishing the Trustee a certificate signed by the Fiscal Officer setting forth the extent of the credit to be applied with respect to the then current Mandatory Sinking Fund Requirement. If a certificate is not timely furnished to the Trustee, the Mandatory Sinking Fund Requirement shall not be reduced. A credit against the then current Mandatory Sinking Fund Requirement also shall be received by the College for any Term Bonds which prior thereto have been redeemed (other than through the operation of Mandatory Sinking Fund Requirements) or purchased for cancellation and cancelled by the Trustee. Each Term Bond so delivered, or previously redeemed, or purchased and cancelled, shall be credited by the Trustee at 100% of its principal amount against the then current Mandatory Sinking

Fund Requirement. Any excess of that amount over the then current Mandatory Sinking Fund Requirement shall be credited against subsequent Mandatory Sinking Fund Requirements in the order directed by the Fiscal Officer.

Optional Redemption. The Series 2012 Bonds maturing on or after a date stated in the Award Certificate may be subject to redemption by and at the option of the College in whole or in part on the dates provided in the Award Certificate and in Authorized Denominations and at the redemption prices equal to the percentages of the principal amount redeemed as provided in the Award Certificate plus in each case accrued interest to the redemption date.

Series 2012 Bonds to be redeemed pursuant to optional redemption shall be redeemed only upon written notice from the College to the Trustee, given upon the direction of the Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Trustee. In the event that notice of redemption shall have been given by the Trustee to the registered owners as provided in the Trust Agreement, there shall be deposited with the Trustee, on or prior to the redemption date, moneys that, in addition to any other money available therefor and held by the Trustee, will be sufficient to redeem at the redemption price thereof, plus interest accrued to the redemption date, all of the redeemable Bonds for which notice of redemption has been given.

Further procedures and conditions for the satisfaction of the Mandatory Sinking Fund Requirements and optional redemption are to be set forth in the Sixth Supplemental Trust Agreement.

(d) Signing. The Series 2012 Bonds shall be signed by at least two of the following officers: the President of the College (President), Fiscal Officer and Chair of the Board. Any or all of those signatures may be by facsimile.

(e) Authorization of Bond Rating and Credit Support Instrument. If in the judgment of the Fiscal Officer the filing of applications for a rating on the Series 2012 Bonds by one or more Rating Services, or for a Credit Support Instrument relating to the Series 2012 Bonds, are necessary or desirable for marketing purposes, the Fiscal Officer is authorized to prepare and submit either or both of those applications, to provide such information as may be required in support of them and to provide for the payment of the cost of such a rating or other Credit Support Instrument as financing costs payable by the College from proceeds of the Series 2012 Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

(f) Book Entry Form. The Series 2012 Bonds may be issued to a Securities Depository for use in a book entry system. If and as long as a book entry system is utilized, all of the following apply:

(i) The Series 2012 Bonds shall be issued in the form of a single Registered Bond representing each maturity and registered in the name of the Securities Depository or its nominee, as registered owner, and immobilized in the custody of the Securities Depository.

(ii) The owners of book entry interests shall have no right to receive Bonds in the form of physical securities or certificates.

(iii) Ownership of book entry interests in book entry form shall be shown by book entry on the system maintained and operated by the Securities Depository and its

participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Securities Depository and its participants.

(iv) The Bonds as such shall not be transferable or exchangeable, except for transfer to another Securities Depository or to another nominee of a Securities Depository, without further action by the College.

If any Securities Depository determines not to continue to act as a Securities Depository for the Series 2012 Bonds for use in a book entry system, the Fiscal Officer and Trustee may attempt to establish a securities depository/book entry relationship with another qualified Securities Depository. If the Fiscal Officer and Trustee do not or are unable to do so, the Fiscal Officer and Trustee, after making provision for notification of the owners of book entry interests in the Bonds by the then Securities Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Securities Depository, and authenticate and deliver Registered Bond certificates in Authorized Denominations to the assigns of the Securities Depository or its nominee, and if the event is not the result of College action or inaction, all at the cost and expense (including any costs of printing) of those persons requesting such issuance.

The Fiscal Officer and Trustee are authorized and directed to the extent necessary or required to enter into any agreements or make any representations determined necessary in connection with the book entry system for the Series 2012 Bonds, after determining (as evidenced by their signing) that their signing will not endanger the funds or securities of the College under the Trust Agreement.

### Section 3. Sale of Series 2012 Bonds; Disclosure Documents; Continuing Disclosure Agreement.

(a) General. The Fiscal Officer is hereby authorized to solicit and receive proposals for the purchase of the Bonds. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchaser designated in the Award Certificate. The Series 2012 Bonds are awarded and sold to the Original Purchaser in accordance with the Award Certificate and any Bond Purchase Agreement and at a purchase price (not less than 97% of the aggregate principal amount of the Series 2012 Bonds), as determined in the Award Certificate, plus accrued interest on the aggregate principal amount of the Series 2012 Bonds from their date to the date of delivery of and payment for them. The sale of the Bonds and the terms thereof shall result in the College meeting the Refunding Savings Threshold as to be conclusively evidenced by a certificate in respect of the same in the Award Certificate.

For the purpose of implementing the provisions of this Resolution, the Fiscal Officer is authorized and directed to sign the Award Certificate selling the Series 2012 Bonds to the Original Purchaser at the price established in the Award Certificate and in accordance with this Resolution, and to evidence that sale and the further terms and provisions of that sale and of the Series 2012 Bonds by completing, signing and delivering the Award Certificate, and any Bond Purchase Agreement in the customary form. The Award Certificate and any Bond Purchase Agreement shall have provisions as are not inconsistent with this Resolution and not substantially adverse to the College and as shall be approved by the Fiscal Officer. The determination that those provisions are not substantially adverse to the College shall be conclusively evidenced by that officer's signing.

Having due regard to the best interests of the College and the anticipated General Receipts, there shall be further determined in the Award Certificate or, as appropriate, in the Sixth Supplemental Trust Agreement, consistent with the provisions of this Resolution, (a) the date of the Series 2012 Bonds and the final aggregate principal amount of the Series 2012 Bonds, (b) the aggregate principal amount and principal maturities of the Series 2012 Bonds to be issued as Serial

Bonds or as Term Bonds (each as identified in the Sixth Supplemental Trust Agreement), the Principal Payment Dates for those Bonds and the principal amount of those Bonds that shall be stated to mature on each such Principal Payment Date, and as to any Term Bonds the Principal Payment Date(s) on which Term Bonds shall be subject to mandatory sinking fund redemption and the principal amount that shall be payable pursuant to Mandatory Sinking Fund Requirements on each mandatory redemption date in accordance with the provisions of the Trust Agreement and the Sixth Supplemental Trust Agreement, (c) any optional redemption provisions, (d) the rate or rates of interest to be borne by the Series 2012 Bonds and the manner of calculating that interest, and (e) the identity of the Refunded Bonds, all subject, however, to the following further considerations and limitations:

(i) The rate or rates of interest per year to be borne by the Series 2012 Bonds shall be such as are determined to be required by marketing considerations and to result in the sale of the Series 2012 Bonds on a basis most favorable to the College. The true interest cost of the Series 2012 Bonds shall not exceed 4.00%.

(ii) The final principal payment shall be not later than December 1, 2023. The schedule of the maturing principal amounts of the Series 2012 Bonds shall be such that the weighted average maturity of the Series 2012 Bonds shall not exceed 12 years. There shall be no optional redemption premium in respect of Series 2012 Bonds subject to optional redemption.

It is hereby determined by this Board that the terms of the Series 2012 Bonds, the procedures for their sale, and the determination of the price to be paid for them, all as established in accordance with this Resolution, any Bond Purchase Agreement and the Sixth Supplemental Trust Agreement, are and will be in the best interest of the College and in compliance with all legal requirements.

The President, the Fiscal Officer, the Chair of the Board and the Secretary are directed to make the necessary arrangements on behalf of the College to establish the date, location, procedure and conditions for the delivery of the Series 2012 Bonds to the Original Purchaser and to take all actions necessary to effect due signing, authentication and delivery of the Series 2012 Bonds under the terms of this Resolution, any Bond Purchase Agreement and the Trust Agreement. The retention of PRISM Municipal Advisors, LLC, as financial advisor to the College in connection with the Series 2012 Bonds hereby is confirmed, ratified and approved.

(b) Disclosure Documents. If determined necessary and in the best interest of the College, each of them, the President and the Fiscal Officer, each are authorized and directed, on behalf of the College and in their official capacities, to:

(i) Prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of a preliminary official statement relating to the issuance of the Series 2012 Bonds, and determine, and certify or otherwise represent, when the preliminary official statement as so prepared is a “deemed final” official statement (except for permitted omissions) by the College as of its date for purposes of SEC Rule 15c2-12(b)(1). The distribution and use of such a preliminary official statement is hereby authorized and approved.

(ii) Complete that preliminary official statement with such modifications, changes and supplements as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the official statement as so revised is a final official statement for purposes of SEC Rule 15c2-12(b) (3) and (4). Those officers each are further authorized to use and distribute, or authorize the use and



distribution of, the final official statement and supplements thereto in connection with the original issuance of the Series 2012 Bonds as may, in their judgment, be necessary or appropriate.

Those officers and each of them are also authorized to sign and deliver, on behalf of the College and in their official capacities, the final official statement and such certificates in connection with the accuracy of the preliminary official statement and the final official statement and any amendment thereto as may, in their judgment, also be necessary or appropriate.

(c) Continuing Disclosure Agreement. For purposes of SEC Rule 15c2-12, to the extent required by law, the College, for the benefit of the holders and beneficial owners of the Series 2012 Bonds, may make the continuing disclosure agreements as authorized in this Section and to be further detailed in the Sixth Supplemental Trust Agreement and the Continuing Disclosure Certificate. The Fiscal Officer shall have the responsibility for the compliance by the College with any continuing disclosure agreement, and that officer shall establish procedures in order to ensure that compliance, including signing the Continuing Disclosure Certificate. That continuing disclosure agreement shall be the continuing disclosure agreement for purposes of that Rule.

Section 4. Application of Proceeds of Series 2012 Bonds. The proceeds of sale of the Series 2012 Bonds shall be allocated and deposited as follows and in the following order:

(a) To the Bond Service Account, any accrued interest paid by the Original Purchaser.

(b) To the Escrow Trustee an amount, to be deposited in the Escrow Fund, proceeds of the Series 2012 Bonds in an amount, which together with any available monies under the Trust Agreement, shall be sufficient to refund the Refunded Bonds in accordance with the Escrow Agreement.

(c) To the Series 2012 Cost of Issuance Subaccount proceeds in an amount sufficient to pay costs incurred in connection with the issuance of the Series 2012 Bonds.

The proceeds of the sale of the Series 2012 Bonds are appropriated and shall be used for the purpose for which those Bonds are issued as provided in this Resolution and the Sixth Supplemental Trust Agreement. Cost of issuance may also be paid from other sources legally available for such purpose.

Section 5. Refunding of the Series 2003 Bonds; Escrow Agreement; Application for SLGS; Escrow Fund. The Fiscal Officer is authorized and directed to execute and deliver on behalf of the College the Escrow Agreement between the College and the Escrow Trustee. That form of Escrow Agreement is hereby approved with such changes therein not materially adverse to the College as may be permitted by the Sixth Supplemental Trust Agreement and the Act and approved by the Fiscal Officer on behalf of the College. The approval of any changes, and that such changes are not materially adverse to the College, shall be conclusively evidenced by the execution of the Escrow Agreement by the Fiscal Officer.

The Refunded Bonds shall be redeemed on the date established by the Fiscal Officer in the Award Certificate.

The Fiscal Officer of the College is hereby authorized to make arrangements with the Trustee for the irrevocable call for optional redemption of the Refunded Bonds, which irrevocable call for redemption is hereby authorized at the redemption price of 100% of the principal amount to be redeemed plus accrued interest to the redemption date. The Trustee is hereby authorized and

directed to call the Refunded Bonds for optional redemption pursuant to and in accordance with the terms of the Series 2003 Bonds, the Trust Agreement and the Fourth Supplemental Trust Agreement. The Fiscal Officer of the College is hereby authorized to execute and deliver such documents, instruments and certificates as may be necessary to accomplish the defeasance and redemption of the Refunded Bonds or provide for the investment or reinvestment of the related escrow securities, all pursuant to the Trust Agreement, the Fourth Supplemental Trust Agreement and the Escrow Agreement.

If U.S. Treasury Securities – State and Local Government Series (SLGS) are to be purchased for the Escrow Fund, the Fiscal Officer or any other appropriate officer of the College, is each hereby authorized and directed to authorize, on behalf of the College, the subscription for the purchase by an appropriate third party of those SLGS. If necessary, the Fiscal Officer is authorized to appoint a verification agent in connection with the refunding of the Refunded Bonds, provided such verification agent shall have the qualifications specified by the Trust Agreement.

The Escrow Fund shall be established, in accordance with the Trust Agreement and the Escrow Agreement. On the date of delivery and payment for the Series 2012 Bonds, the Fiscal Officer or Trustee is authorized to transfer funds available under the Trust Agreement for refunding the Refunded Bonds to the Escrow Fund, and the Fiscal Officer or the Escrow Trustee, as applicable, is directed to receive that portion of the proceeds of the Series 2012 Bonds described in Section 4, in accordance with the General Bond Resolution and this Resolution, as applicable.

Section 6. Covenants of the College. The College, by issuance of the Series 2012 Bonds, covenants and agrees with their holders to perform its applicable covenants and agreements set forth in the General Bond Resolution, this Resolution and in the Trust Agreement. Each of those obligations is binding upon the College, and upon each College officer or employee as from time to time may have the authority under law to take any action on behalf of the College that may be necessary to perform all or any part of that obligation, as a duty of the College and of each of those officers and employees resulting from an office, trust or station within the meaning of Section 2731.01 of the Revised Code, providing for enforcement by writ of mandamus.

Section 7. Tax Covenants. The College covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 2012 Bonds in such manner and to such extent as may be necessary so that (a) the Series 2012 Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The College further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Series 2012 Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series 2012 Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the College or this Board having responsibility for issuance of the Series 2012 Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the College with respect to the Series

2012 Bonds as the College is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Series 2012 Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the College, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Series 2012 Bonds, and (c) to give one or more appropriate certificates of the College, for inclusion in the transcript of proceedings for the Series 2012 Bonds, setting forth the reasonable expectations of the College regarding the amount and use of all the proceeds of the Series 2012 Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Series 2012 Bonds.

Each covenant made in this section with respect to the Series 2012 Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Series 2012 Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Series 2012 Bonds from gross income or federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Series 2012 Bonds.

Section 8. Sixth Supplemental Trust Agreement. To secure the payment of the Bond Service Charges as the same shall become due and payable and the performance by the College of its obligations provided for in the Bond Proceedings and the Series 2012 Bonds, the President and the Fiscal Officer are authorized and directed, for and in the name of the College and on its behalf, to sign and deliver to the Trustee the Sixth Supplemental Trust Agreement containing provisions not inconsistent with this Resolution and not substantially adverse to the College, and permitted by the Act and as shall be approved by the officers signing it. The determination that such provisions are not substantially adverse to the College shall be conclusively evidenced by the signing of the Sixth Supplemental Trust Agreement by those officials.

Section 9. Other Documents. The President, the Fiscal Officer, and the Chair and Vice-Chair of the Board are authorized and directed to furnish, sign and deliver such other documents, certificates and instruments as may be necessary or appropriate to issue the Series 2012 Bonds and to consummate the transactions contemplated in this Resolution, the Sixth Supplemental Trust Agreement, the Escrow Agreement and any Bond Purchase Agreement. The Secretary to the Board or other appropriate officials of the College shall furnish the Original Purchaser a true transcript of proceedings certified by such officers of the College as may be appropriate of all proceedings had with reference to the issuance of the Series 2012 Bonds.

Section 10. Interpretations and References. Any reference in the Bond Proceedings to the College, or to its Board or College, or its or their officers, or to other public bodies, boards, commissions, departments, institutions, agencies, bodies, entities or officers, shall include those that succeed to their functions, duties or responsibilities pursuant to or by operation of law or otherwise are lawfully performing their functions.

Any reference in the Bond Proceedings to a section or provision of the Revised Code or to the Act or to the laws of Ohio or Board resolutions shall include that section or provision and the Act and those laws and resolutions as from time to time amended, modified, revised, supplemented or superseded. No amendment, modification, revision, supplement or superseding section or provision shall be applicable solely by reason of this provision, if it constitutes in any way an impairment of the rights or obligations of the College, the holders, the Trustee, any Credit Support Provider, or the Registrar, under the Bond Proceedings or any other instrument or document entered into in connection with any of the foregoing, including without limitation, any alteration of the obligation to pay Bond Service Charges in the amount and manner, at the times and from the sources provided in the Bond Proceedings and the Bonds, except as permitted in the Trust Agreement.

Section 11. Compliance with Open Meeting Law. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or committee, and that all deliberations of this Board and of any committee that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

Adopted: \_\_\_\_\_, 2012

COLUMBUS STATE COMMUNITY COLLEGE

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Secretary, Board of Trustees of the  
Columbus State Community College



## COLUMBUS STATE COMMUNITY COLLEGE BOARD ACTION

Date \_\_\_\_\_

### **SUBJECT:**

Tuition Increase Effective Summer Semester 2013

### **BACKGROUND INFORMATION:**

Students at Columbus State paid \$79 per quarter credit hour beginning Summer Quarter 2006 through Summer Quarter 2012. During that period, the Board of Trustees increased tuition just once, by 3.5% to \$81.75 per quarter credit hour. The \$2.75 increase was waived repeatedly through Summer Quarter 2012. By not charging a rate higher than \$79 per credit hour through Summer Quarter 2012, Columbus State students and their families saved \$22.1 million compared to what they would have spent had tuition been increased by amounts allowable each year by state statute.

Adjusting for the semester calendar which began in August 2012, students began paying the unwaived rate of \$81.75, adjusted for a semester credit hour to \$122.62 per credit hour, and will do so through Spring Semester 2013.

During the same period that the tuition students paid was held constant, the College made scholarships available to students, hired full-time faculty, enhanced student services, and resourced its public safety program. The College also implemented a number of cost efficiency measures, including refinancing its debt, reshaping its health care program, and offering cash incentives for employees to separate from the college as a means of slowing the growth of payroll. Additional cost-savings measures are underway and others are being considered.

Coupled with cost savings measures, it is necessary to increase tuition so the College can continue to provide its students the academic and other services they need to meet their goals. It is recommended that a new tuition rate become effective Summer Semester 2013. For Ohio residents, tuition will be increased by \$6.63 or 5.4% per semester credit hour, and commensurate adjustments will be effective for non-Ohio/U.S. residents and international students as noted below:

**Ohio Resident Fee:** \$129.25 per credit hour. This fee includes a \$115.75 instructional fee and a \$13.50 general fee.

**Non-Ohio, U.S. Resident Fee:** \$286.25 per credit hour. This fee includes a \$262.25 instructional fee and a \$24.00 general fee.

**International Student Fee:** \$343.50 per credit hour. This fee includes a \$312.00 instructional fee and a \$31.50 general fee.

The table below illustrates the fee structure by number of credit hours that would be effective Summer Semester 2013.

**COLUMBUS STATE COMMUNITY COLLEGE**  
**Fee Structure**

Tuition for Autumn 2012 through Spring 2013				Proposed Tuition Effective Summer 2013		
Semester Credit Hours	Ohio Resident	Non-Resident of Ohio	International Students	Ohio Resident	Non-Resident of Ohio	International Students
1	\$ 122.62	\$ 271.50	\$ 325.87	\$ 129.25	\$ 286.25	\$ 343.50
2	245.24	543.00	651.74	258.50	572.50	687.00
3	367.86	814.50	977.61	387.75	858.75	1,030.50
4	490.48	1,086.00	1,303.48	517.00	1,145.00	1,374.00
5	613.10	1,357.50	1,629.35	646.25	1,431.25	1,717.50
6	735.72	1,629.00	1,955.22	775.50	1,717.50	2,061.00
7	858.34	1,900.50	2,281.09	904.75	2,003.75	2,404.50
8	980.96	2,172.00	2,606.96	1,034.00	2,290.00	2,748.00
9	1,103.58	2,443.50	2,932.83	1,163.25	2,576.25	3,091.50
10	1,226.20	2,715.00	3,258.70	1,292.50	2,862.50	3,435.00
11	1,348.82	2,986.50	3,584.57	1,421.75	3,148.75	3,778.50
12	1,471.44	3,258.00	3,910.44	1,551.00	3,435.00	4,122.00
13	1,594.06	3,529.50	4,236.31	1,680.25	3,721.25	4,465.50
14	1,716.68	3,801.00	4,562.18	1,809.50	4,007.50	4,809.00
15	1,839.30	4,072.50	4,888.05	1,938.75	4,293.75	5,152.50
16	1,961.92	4,344.00	5,213.92	2,068.00	4,580.00	5,496.00
17	2,084.54	4,615.50	5,539.79	2,197.25	4,866.25	5,839.50
18	2,207.16	4,887.00	5,865.66	2,326.50	5,152.50	6,183.00
19 or more*	122.62	271.50	325.87	129.25	286.25	343.50

\* Cost per additional semester credit hour

If approved, Columbus State's in-state tuition rate will be the third lowest among Ohio's 23 community colleges. The lowest rate is \$111 per semester credit hour, and the highest is \$175 per semester credit hour. For institutions that have levy income in addition to State Subsidy and tuition revenue, the lowest in-county rate is \$92.37 per semester credit hour and the highest is \$129.50.

**RECOMMENDATION:**

That the Board of Trustees approve, effective Summer Semester 2013, a tuition rate increase of \$6.63 or 5.4% per semester credit hour for Ohio residents, with commensurate increases per credit hour for non-resident and international students as reflected in the fee structure above.



# COLUMBUS STATE COMMUNITY COLLEGE BOARD ACTION

Date \_\_\_\_\_

## **SUBJECT:**

Accept New Proposed Policies:

- Policy 3-41, Americans with Disabilities Act (ADA), Americans with Disabilities Act Amendments Act (ADAAA) and Section 504 of the Rehabilitation Act of 1973
- Policy 3-42, Equal Opportunity/Affirmative Action
- Policy 3-43, Non-Discrimination/Anti-Harassment
- Policy 3-44, Sexual Harassment/Misconduct
- Policy 3-45, Workplace, Family and Relationship Violence

Rescind Current Policies:

- Policy 11-05, Reasonable Accommodations for Persons with Disabilities
- Policy 3-28, Affirmative Action
- Policy 3-33, Harassment
- Policy 3-34, Sexual Harassment
- Policy 3-35, Sexual Misconduct

## **BACKGROUND INFORMATION:**

Columbus State Community College has a long-standing tradition of maintaining an environment where all persons are treated with dignity and respect. The College has a strong commitment to equal employment opportunity and affirmative action, and it will not tolerate discrimination, harassment or violence in the workplace, classroom, or on any campus location. The new policies are more comprehensive and serve to better inform employees and students of their rights and responsibilities in relationship to governing federal and state legislation.

## **RECOMMENDATION:**

That the Board of Trustees adopt new Policies 3-41, 3-42, 3-43, 3-44, and 3-45, and rescind current Policies 11-05, 3-28, 3-33, 3-34, and 3-35, effective October 1, 2012.

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POLICY AND PROCEDURES MANUAL**

AMERICANS WITH DISABILITIES ACT (ADA),  
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AMENDMENTS ACT (ADAAA) AND  
SECTION 504 OF THE REHABILITATION  
ACT OF 1973  
Policy 3-41  
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**NEW POLICY DRAFT**

**(A) PURPOSE**

THE AMERICANS WITH DISABILITIES ACT (ADA), THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT (ADAAA), AND SECTION 504 OF THE REHABILITATION ACT OF 1973 REQUIRE EMPLOYERS TO REASONABLY ACCOMMODATE QUALIFIED INDIVIDUALS WITH DISABILITIES. IT IS THE POLICY OF COLUMBUS STATE COMMUNITY COLLEGE TO COMPLY WITH ALL FEDERAL AND STATE LAWS CONCERNING THE EMPLOYMENT, APPLICATION PROCEDURES, HIRING, ADVANCEMENT, DISCHARGE, COMPENSATION, TRAINING OR OTHER TERMS, CONDITIONS AND PRIVILEGES OF EMPLOYMENT OF PERSONS WITH DISABILITIES.

IT IS ALSO THE POLICY OF COLUMBUS STATE COMMUNITY COLLEGE TO COMPLY WITH ALL FEDERAL AND STATE LAWS CONCERNING THE APPLICATION, ADMISSION OR OTHER TERMS AND CONDITIONS OF EDUCATIONAL PROGRAMS FOR QUALIFIED STUDENTS, STUDENT APPLICANTS AND OTHER PARTICIPANTS OF COLLEGE SPONSORED PROGRAMS OR SERVICES WHO HAVE DISABILITIES.

THIS POLICY SPEAKS PRIMARILY TO REQUESTING A REASONABLE ACCOMMODATION FOR A DISABILITY. ANY INDIVIDUAL WITH A DISABILITY WHO WISHES TO FILE A REPORT ABOUT DISCRIMINATION BECAUSE OF HIS/HER DISABILITY SHOULD CONSULT THE NON-DISCRIMINATION/ANTI-HARASSMENT POLICY NO. 3-34 AND THE EEO/TITLE IX REPORTING AND INVESTIGATION PROCEDURE NO. 3-42.

**(B) REASONABLE ACCOMMODATIONS**

IT IS THE POLICY OF COLUMBUS STATE COMMUNITY COLLEGE TO MAKE REASONABLE ACCOMMODATIONS, AS DEFINED IN THIS POLICY, WHICH WILL PROVIDE OTHERWISE QUALIFIED APPLICANTS, EMPLOYEES AND STUDENTS WITH DISABILITIES EQUAL ACCESS TO PARTICIPATE IN OPPORTUNITIES, PROGRAMS AND SERVICES OFFERED BY THE COLLEGE.



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Policy 3-41

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IT IS THE INTENT OF THE COLLEGE TO PROVIDE ACCOMMODATIONS TO SUCH APPLICANTS, EMPLOYEES AND STUDENTS WITH A QUALIFIED PHYSICAL, MENTAL OR LEARNING DISABILITY, UNLESS TO DO SO WOULD FUNDAMENTALLY ALTER THE NATURE OF THE EMPLOYMENT, EDUCATIONAL PROGRAM OR SERVICE, WOULD RESULT IN AN UNDUE HARDSHIP TO THE COLLEGE, OR WOULD RESULT IN A DIRECT THREAT TO THE HEALTH OR SAFETY OF THE INDIVIDUAL OR OTHERS.

**(C) DEFINITIONS**

AS USED IN THIS POLICY, THE FOLLOWING TERMS ARE DEFINED AND WILL BE ADHERED TO AS FOLLOWS:

**DISABILITY** - A PHYSICAL OR MENTAL IMPAIRMENT THAT SUBSTANTIALLY LIMITS ONE OR MORE MAJOR LIFE ACTIVITIES OF THE INDIVIDUAL, A RECORD OF SUCH AN IMPAIRMENT, OR BEING REGARDED AS HAVING SUCH AN IMPAIRMENT.

**MAJOR LIFE ACTIVITIES** - INCLUDE BUT ARE NOT LIMITED TO: CARING FOR ONESELF, PERFORMING MANUAL TASKS, SEEING, HEARING, EATING, SLEEPING, WALKING, STANDING, LIFTING, BENDING, SPEAKING, BREATHING, LEARNING, READING, CONCENTRATING, THINKING, COMMUNICATING AND WORKING.

**MAJOR BODILY FUNCTIONS** - INCLUDE BUT ARE NOT LIMITED TO: FUNCTIONS OF THE IMMUNE SYSTEM, NORMAL CELL GROWTH, DIGESTIVE, BOWEL, BLADDER, NEUROLOGICAL, BRAIN, RESPIRATORY, CIRCULATORY, ENDOCRINE AND REPRODUCTIVE FUNCTIONS.

**DIRECT THREAT** - A SIGNIFICANT RISK TO THE HEALTH OR SAFETY OF OTHERS THAT CANNOT BE ELIMINATED BY A REASONABLE ACCOMMODATION.

**QUALIFIED INDIVIDUAL** - AN INDIVIDUAL WHO, WITH OR WITHOUT REASONABLE ACCOMMODATION(S), MEETS THE ELIGIBILITY

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REQUIREMENTS FOR EMPLOYMENT, EDUCATIONAL PROGRAMS OR OTHER COLLEGE SPONSORED PROGRAMS AND SERVICES SUCH THAT HE/SHE CAN PERFORM THE ESSENTIAL FUNCTIONS OF:

- (1) AN EMPLOYMENT POSITION THAT SUCH EMPLOYEE HOLDS OR AN EMPLOYMENT APPLICANT WISHES TO HOLD.
- (2) AN EDUCATIONAL PROGRAM OR OTHER COLLEGE SPONSORED PROGRAM OR SERVICE IN WHICH AN INDIVIDUAL IS ENROLLED OR WISHES TO ENROLL OR PARTICIPATES OR WISHES TO PARTICIPATE.

**REASONABLE ACCOMMODATIONS** - MAKING APPROPRIATE AND NEEDED CHANGES OR MODIFICATIONS WITHOUT IMPOSING UNDUE HARDSHIP SO THAT INDIVIDUALS WITH DISABILITIES CAN ENJOY THE SAME RIGHTS AND PRIVILEGES OF OTHERS WITHOUT DISABILITIES.

**UNDUE HARDSHIP** - AN ACTION REQUIRING SIGNIFICANT DIFFICULTY OR EXPENSE TO THE COLLEGE. FACTORS TO BE CONSIDERED IN DETERMINING WHETHER AN ACCOMMODATION WOULD IMPOSE AN UNDUE HARDSHIP INCLUDE, BUT ARE NOT LIMITED TO:

- (1) THE NATURE AND COST OF THE ACCOMMODATION;
- (2) THE OVERALL FINANCIAL RESOURCES OF THE FACILITY OR FACILITIES INVOLVED IN THE PROVISION OF THE REASONABLE ACCOMMODATION;
- (3) THE NUMBER OF PERSONS AT SUCH FACILITY;
- (4) THE EFFECT ON EXPENSES AND RESOURCES OR THE IMPACT OF SUCH ACCOMMODATION UPON THE OPERATION OF THE FACILITY;
- (5) THE OVERALL FINANCIAL RESOURCES OF THE COLLEGE;

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- (6) THE NUMBER, TYPE AND LOCATION OF FACILITIES;
- (7) THE COMPOSITION, STRUCTURE AND FUNCTIONS OF THE WORKFORCE;
- (8) THE OWNERSHIP AND/OR LEASE RELATIONSHIP OF THE FACILITY IN WHICH THE COLLEGE CONDUCTS BUSINESS.

**ESSENTIAL FUNCTIONS OF THE JOB** - THOSE ACTIVITIES THAT ARE DETERMINED BY THE COLLEGE TO BE ESSENTIAL OR CORE TO PERFORMING THE JOB, COMPLETION OF AN ACADEMIC PROGRAM OR PARTICIPATION IN OTHER COLLEGE SPONSORED PROGRAMS OR SERVICES. THESE FUNCTIONS CANNOT BE MODIFIED.

**(D) EMPLOYEES**

- (1) ACCOMMODATIONS FOR EMPLOYEES MAY INCLUDE: JOB RESTRUCTURING, PART-TIME OR MODIFIED WORK SCHEDULES, REASSIGNMENT TO A VACANT POSITION, ACQUISITION OR MODIFICATION OF EQUIPMENT OR DEVICES, APPROPRIATE ADJUSTMENT OR MODIFICATIONS OF EXAMINATIONS, TRAINING MATERIALS OR POLICIES AND OTHER SIMILAR ADJUSTMENTS.
- (2) THE TYPES OF ACCOMMODATIONS NEEDED AND PROVIDED WILL DEPEND ON THE LIMITATIONS OF THE DISABILITY AND THE INDIVIDUAL EMPLOYEE'S ABILITY TO PERFORM THE ESSENTIAL DUTIES OF THE POSITION. ONE STANDARDIZED TYPE OF ACCOMMODATION MAY NOT MEET THE NEEDS OF EMPLOYEES WHO HAVE SIMILAR DISABILITIES BUT DIFFERENT IMPAIRMENTS/LIMITATIONS WHEN PERFORMING THEIR ESSENTIAL JOB FUNCTIONS. ACCOMMODATIONS ARE DESIGNED TO MEET THE SPECIFIC CIRCUMSTANCES OF THE INDIVIDUAL.
- (3) ALL EMPLOYEES WHO WISH TO REQUEST A REASONABLE

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ACCOMMODATION MAY FOLLOW THE PROCEDURES FOUND IN THE  
REASONABLE ACCOMMODATIONS PROCEDURE 3-41 (A).

**(E) APPLICANTS**

REASONABLE ACCOMMODATIONS FOR QUALIFIED EMPLOYMENT APPLICANTS ARE MODIFICATIONS OR ADJUSTMENTS TO THE APPLICATION PROCESS WHICH SHALL ALLOW PERSONS WITH DISABILITIES EQUAL ACCESS TO EMPLOYMENT OPPORTUNITIES THAT ARE AVAILABLE TO PERSONS WITHOUT DISABILITIES.

**(F) STUDENTS**

REASONABLE ACCOMMODATIONS FOR QUALIFIED STUDENTS SHALL INCLUDE: THOSE SERVICES OR ACADEMIC ADJUSTMENTS WHICH WILL ENSURE THE STUDENT HAS ACCESS TO SERVICES OR AUXILIARY AIDS WHICH WILL AFFORD THEM ACCESS TO AND ALLOW THEM TO BENEFIT FROM EDUCATIONAL PROGRAMS OR SERVICES; AND THAT THE STUDENT'S PARTICIPATION IN THE DELIVERY OF EDUCATIONAL PROGRAMS OR SERVICES IS EQUAL TO THOSE OPPORTUNITIES OF STUDENTS WITHOUT DISABILITIES.

(1) ALL STUDENT APPLICANTS OF EDUCATIONAL PROGRAMS WILL BE ADVISED AT THE TIME OF SCHEDULING A PLACEMENT TEST OF THEIR RIGHT TO REQUEST REASONABLE ACCOMMODATIONS FOR THE TESTING SESSION. IF THE COLLEGE REQUIRES ADDITIONAL TIME TO REVIEW OR ARRANGE THE REQUESTED ACCOMMODATION, THE TESTING SESSION MAY BE RESCHEDULED AT A TIME THAT IS MUTUALLY CONVENIENT TO THE APPLICANT AND THE COLLEGE.

(2) A STUDENT WHO IS NOT SATISFIED WITH A DETERMINATION ABOUT HIS/HER REQUEST FOR ACCOMMODATIONS SHOULD CONSULT WITH DISABILITY SERVICES. THE STUDENT MAY APPEAL THE DECISION IN ACCORDANCE WITH THE STUDENT COMPLAINT POLICY 7-13.

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AMERICANS WITH DISABILITIES ACT (ADA),  
THE AMERICANS WITH DISABILITIES ACT  
AMENDMENTS ACT (ADAAA) AND  
SECTION 504 OF THE REHABILITATION  
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**(G) PARTICIPANTS OF OTHER COLLEGE SPONSORED PROGRAMS AND SERVICES**

PARTICIPANTS OF OTHER COLLEGE SPONSORED PROGRAMS OR SERVICES MAY REQUEST REASONABLE ACCOMMODATIONS. ANY COLLEGE SPONSORED PROGRAMS (JOB FAIRS, OPEN HOUSE, WORKSHOPS, ETC.) WILL INCLUDE IN THEIR REGISTRATION PROCEDURES THE APPROPRIATE METHODS FOR PARTICIPANTS TO REQUEST REASONABLE ACCOMMODATIONS.

ALL APPLICANTS OF OTHER COLLEGE SPONSORED PROGRAMS AND SERVICES WHO WISH TO REQUEST A REASONABLE ACCOMMODATION SHOULD FOLLOW THE PROCEDURES FOUND IN THE REASONABLE ACCOMMODATIONS PROCEDURE 3-41(A).

**(H) REPORTING ADA DISCRIMINATION**

ANY INDIVIDUAL WITH A DISABILITY WHO BELIEVES THAT HE/SHE HAS BEEN A VICTIM OF DISCRIMINATION BECAUSE OF HIS/HER DISABILITY SHOULD CONSULT THE NON-DISCRIMINATION/ANTI-HARASSMENT POLICY 3-43 AND THE EEO/TITLE IX REPORTING AND INVESTIGATION PROCEDURE 3-42 (A).

*\*New Policy*

*Rescind current Policy 11-05, Reasonable Accommodations for Persons with Disabilities, Effective June 26, 2000*

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**NEW POLICY DRAFT**

**(A) PURPOSE**

IT IS THE POLICY OF COLUMBUS STATE COMMUNITY COLLEGE TO PROVIDE EQUAL EMPLOYMENT OPPORTUNITY WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION, AGE, NATIONAL ORIGIN, ANCESTRY, GENETIC INFORMATION (GINA), DISABILITY, OR VETERAN STATUS.

FURTHER, COLUMBUS STATE COMMUNITY COLLEGE SHALL TAKE AFFIRMATIVE ACTION TO ENSURE THAT THE COLLEGE'S POLICIES AND PRACTICES ARE NON-DISCRIMINATORY AND TO ADVANCE EMPLOYMENT OPPORTUNITIES FOR VETERANS, INDIVIDUALS WITH DISABILITIES, WOMEN, AND MINORITIES.

THE COLLEGE SHALL ALSO PROMOTE EQUAL EDUCATIONAL OPPORTUNITIES TO STUDENTS AND STUDENT APPLICANTS FOR ADMISSION AND ENROLLMENT AND PARTICIPATION IN ATHLETICS OR OTHER COLLEGE PROGRAMS AND SERVICES.

**(B) DEFINITIONS**

AS USED IN THIS POLICY, THE FOLLOWING TERMS ARE DEFINED AND WILL BE ADHERED TO AS FOLLOWS:

- (1) **AFFIRMATIVE ACTION** – A PROCESS USED TO ANALYZE CURRENT PRACTICES, POLICIES, AND PROCEDURES, IDENTIFY AREAS FOR IMPROVEMENT, AND ADOPT NEW PRACTICES, POLICIES, AND PROCEDURES TO ELIMINATE PAST AND PRESENT DISCRIMINATION AND TO ENSURE THERE ARE EQUAL OPPORTUNITIES FOR QUALIFIED INDIVIDUALS FROM UNDERREPRESENTED GROUPS.
- (2) **UNDERREPRESENTED** - MEANS THERE ARE LOWER NUMBERS OF QUALIFIED VETERANS, INDIVIDUALS WITH DISABILITIES, WOMEN, AND MINORITIES EMPLOYED THAN WOULD REASONABLY BE EXPECTED BASED UPON THEIR AVAILABILITY.
- (3) **AVAILABILITY** – REFERS TO THE NUMBERS OF QUALIFIED VETERANS, INDIVIDUALS WITH DISABILITIES, WOMEN, AND

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MINORITIES WHO ARE AVAILABLE FOR EMPLOYMENT IN A  
RECRUITMENT AREA.

**(C) EEO/AFFIRMATIVE ACTION PRINCIPLES OF THE COLLEGE**

- (1) ENSURE THE UTILIZATION OF FAIR RECRUITMENT, SELECTION, TRAINING, RETENTION, AND PROMOTION PROCESSES TO ATTRACT A DIVERSE POOL OF QUALIFIED APPLICANTS, WITH DUE CONSIDERATION OF PERSONS FROM UNDERREPRESENTED GROUPS.
- (2) UNDERTAKE GOOD FAITH EFFORTS TO REACH UNDERREPRESENTED GROUPS WITH INFORMATION ABOUT THE COLLEGE'S EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY AND ABOUT EMPLOYMENT OPPORTUNITIES AT THE COLLEGE.
- (3) ESTABLISH AND MAINTAIN AN AFFIRMATIVE ACTION PLAN TO MEASURE PROGRESS IN EMPLOYING QUALIFIED INDIVIDUALS FROM UNDERREPRESENTED GROUPS.
- (4) CREATE PROACTIVE INITIATIVES, EMPLOYMENT PRACTICES, AND POLICIES AND PROCEDURES THAT ARE DESIGNED TO PREVENT DISCRIMINATION AND HARASSMENT.
- (5) PROVIDE EQUAL EDUCATIONAL AND ATHLETIC OPPORTUNITIES TO ALL INDIVIDUALS WHO MEET THE COLLEGE'S ADMISSION AND ENROLLMENT REQUIREMENTS.

**(D) EEO/TITLE IX COORDINATOR OBJECTIVES**

- (1) MAINTAIN AND IMPLEMENT AN AFFIRMATIVE ACTION PLAN AND ENSURE GOOD FAITH EFFORTS TO MEET AFFIRMATIVE ACTION GOALS.
- (2) PROVIDE ADMINISTRATORS AND MANAGERS WITH AFFIRMATIVE ACTION, EEO, NON-DISCRIMINATION AND ANTI-HARASSMENT INFORMATION, TRAINING AND RESOURCES, AS DEFINED IN THIS POLICY AND IN THE NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY 3-43.

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- (3) INVESTIGATE COMPLAINTS AND REPORTS OF DISCRIMINATION AND HARASSMENT UTILIZING THE EEO REPORTING AND INVESTIGATION PROCEDURE.
- (E) ADMINISTRATOR OBJECTIVES
- (1) SUPPORT EQUAL OPPORTUNITES AND AFFIRMATIVE ACTION BY HIRING, TRAINING AND PROMOTING DIVERSE POOLS OF QUALIFIED APPLICANTS.
  - (2) ENSURE THAT MANAGEMENT PRACTICES PREVENT DISCRIMINATION AND/OR HARASSMENT AND SUPPORT AFFIRMATIVE ACTION AND EQUAL OPPORTUNITIES IN BOTH EMPLOYMENT AND ACADEMIC ENVIRONMENTS.
  - (3) MODEL AND ENCOURAGE INCLUSIVE ENVIRONMENTS.
- (F) THE PRESIDENT SHALL ESTABLISH PROCEDURES TO ADMINISTER THIS POLICY, INCLUDING AN EEO/TITLE IX REPORTING AND INVESTIGATION PROCEDURE.

*\*New Policy*

*Rescind current Policy 3-28, Affirmative Action*

*Effective August 15, 1985*



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**NEW POLICY DRAFT**

**(A) PURPOSE AND EXPECTATIONS**

COLUMBUS STATE COMMUNITY COLLEGE IS COMMITTED TO MAINTAINING A WORKPLACE, ACADEMIC ENVIRONMENT, AND ATHLETIC ENVIRONMENT FREE OF DISCRIMINATION AND HARASSMENT. THEREFORE, THE COLLEGE SHALL NOT TOLERATE DISCRIMINATORY OR HARASSING BEHAVIOR BY OR AGAINST EMPLOYEES, FACULTY MEMBERS, VENDORS, CUSTOMERS, STUDENTS OR OTHER PERSONS PARTICIPATING IN A COLLEGE PROGRAM OR ACTIVITY.

EMPLOYEES AND STUDENTS ARE EXPECTED TO ASSIST IN THE COLLEGE'S EFFORTS TO PREVENT DISCRIMINATION OR HARASSMENT FROM OCCURRING. ADMINISTRATORS, SUPERVISORS, FACULTY MEMBERS OR EMPLOYEES WHO HAVE BEEN DESIGNATED TO ACT ON BEHALF OF THE COLLEGE ARE SPECIFICALLY RESPONSIBLE FOR IDENTIFYING AND TAKING PROPER ACTION TO END SUCH BEHAVIOR .

WHILE THE COLLEGE DOES NOT TOLERATE ANY FORM OF DISCRIMINATION OR HARASSMENT, THE NON-DISCRIMINATION/ANTI-HARASSMENT POLICY AND RELATED PROCEDURES ARE INTENDED TO COVER DISCRIMINATION AND HARASSMENT BASED ON PROTECTED CLASS. PROTECTED CLASSES FOR PURPOSES OF THIS POLICY ARE SEX, RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, AGE, DISABILITY, GENETIC INFORMATION (GINA), MILITARY STATUS, SEXUAL ORIENTATION, AND GENDER IDENTITY AND EXPRESSION.

ANYONE WHO IS SUBJECTED TO CONDUCT THAT CREATES AN INTIMIDATING OR HOSTILE ENVIRONMENT, REGARDLESS IF THE CONDUCT IS BASED ON A PROTECTED CLASS, SHOULD REPORT THE CONDUCT TO A PERSON OUTLINED IN SECTION (E) OF THIS POLICY.

**(B) EEO/TITLE IX DEFINITIONS OF DISCRIMINATION/HARASSMENT**

AS USED IN THIS POLICY, THE FOLLOWING TERMS ARE DEFINED AND WILL BE ADHERED TO AS FOLLOWS:

**DISCRIMINATION** - WHEN A PERSON OR A GROUP OF PEOPLE ARE TREATED LESS FAVORABLY THAN ANOTHER PERSON OR GROUP OF PEOPLE ON THE BASIS OF A PROTECTED CLASS.

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DISCRIMINATION MAY OCCUR IN SEVERAL FORMS, SUCH AS:

- (1) **DISPARATE TREATMENT** - WHEN AN INDIVIDUAL IS TREATED DIFFERENTLY FROM A PERSON WHO IS SIMILARLY SITUATED BECAUSE OF MEMBERSHIP IN A PROTECTED CLASS.
- (2) **DISPARATE IMPACT** - WHEN A COLLEGE POLICY, PRACTICE OR DECISION IS BASED ON NEUTRAL FACTORS THAT HAVE AN ADVERSE IMPACT ON A PROTECTED CLASS.

**HARASSMENT** - PHYSICAL, NON-VERBAL OR VERBAL CONDUCT THAT HAS THE PURPOSE OR EFFECT OF CREATING AN INTIMIDATING, HOSTILE OR OFFENSIVE WORK OR ACADEMIC ENVIRONMENT. THE HARASSMENT MUST BE BASED ON A PROTECTED CLASS AND INTERFERE WITH AN EMPLOYEE'S TERMS AND CONDITIONS OF EMPLOYMENT OR A STUDENT'S ACADEMIC OR ATHLETIC ACHIEVEMENT.

**HOSTILE ENVIRONMENT** - OCCURS WHEN THE CONDUCT AT ISSUE IS SO SEVERE OR PERVASIVE THAT IT CREATES AN INTIMIDATING, ABUSIVE OR OFFENSIVE ENVIRONMENT REGARDING EMPLOYMENT, ACADEMIC OR ATHLETIC DECISIONS FOR A PERSON IN A PROTECTED CLASS.

**(C) EEO/TITLE IX DISCRIMINATION/HARASSMENT INDICATORS AND EXAMPLES**

- (1) DISCRIMINATION OR HARASSMENT MAY OCCUR WITHOUT EMPLOYMENT, ACADEMIC OR ECONOMIC INJURY TO THE VICTIM.
- (2) THE HARASSER'S CONDUCT MUST BE UNLAWFUL, UNWELCOME, PERVASIVE OR SEVERE.
- (3) THE VICTIM DOES NOT HAVE TO BE THE PERSON HARASSED BUT COULD BE A THIRD PARTY OR ANYONE AWARE OF, OR AFFECTED BY THE OFFENSIVE CONDUCT.
- (4) EXAMPLES OF DISCRIMINATION/HARASSMENT INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
  - (a) CONDUCT THAT EXPLICITLY OR IMPLICITLY AFFECTS AN INDIVIDUAL'S OR GROUP'S EMPLOYMENT OR ACADEMIC ACHIEVEMENT; UNREASONABLY INTERFERES WITH AN INDIVIDUAL'S WORK PERFORMANCE OR LEARNING ABILITY; AND/OR CREATES AN INTIMIDATING, HOSTILE OR OFFENSIVE

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WORK, ACADEMIC OR ATHLETIC ENVIRONMENT WHEN THAT PERSON BELONGS TO A PROTECTED CLASS;

- (b) VERBAL BEHAVIORS OR COMMENTS, SLURS, JOKES, RECORDINGS, MUSIC AND PERSONAL REFERENCES OR USE OF NEGATIVE TERMS USED TO IDENTIFY SOMEONE IN A PROTECTED CLASS;
- (c) NON-VERBAL, OFFENSIVE, GRAPHIC COMMUNICATION (I.E., OBSCENE HAND OR FINGER GESTURES), BULLYING, DEMEANING, INSULTING, INTIMIDATING, OR SUGGESTIVE WRITTEN MATERIAL, EMAIL, POSTERS, GRAFFITI, CARTOONS, OTHER ELECTRONICALLY TRANSMITTED MESSAGES OR POSTINGS ON SOCIAL MEDIA WHICH ARE DIRECTED AT SOMEONE BECAUSE OF A PROTECTED CLASS;
- (d) ANY OTHER CONDUCT THAT HAS THE EFFECT OF CREATING AN INTIMIDATING, HOSTILE, OFFENSIVE WORK ENVIRONMENT, OR UNREASONABLY INTERFERES WITH A PERSON'S WORK, ACADEMIC OR ATHLETIC ENVIRONMENT BECAUSE OF A PROTECTED CLASS.

**(D) CONSEQUENCES OF DISCRIMINATION/HARASSMENT**

- (1) **EMPLOYEES** - ANY EMPLOYEE FOUND TO BE IN VIOLATION OF THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.
- (2) **STUDENTS** - ANY STUDENT FOUND TO BE IN VIOLATION OF THIS POLICY WILL BE REFERRED TO THE STUDENT CONDUCT OFFICE FOR RESOLUTION IN ACCORDANCE WITH THE STUDENT CODE OF CONDUCT POLICY 7-10.

**(E) REPORTING RESPONSIBILITIES**

- (1) ANYONE WHO BELIEVES THAT AN ADMINISTRATOR, SUPERVISOR, EMPLOYEE, FACULTY MEMBER, STUDENT, OR NON-EMPLOYEE'S BEHAVIOR CONSTITUTES DISCRIMINATION OR HARASSMENT HAS A RESPONSIBILITY TO COMPLAIN OR REPORT THE BEHAVIOR/ACTION AS SOON AS IT IS KNOWN OR WITHIN 180 DAYS OF THE OCCURRENCE SO THAT THE COLLEGE MAY ADMINISTER THIS POLICY.

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- (2) IN CASES OF ALLEGED DISCRIMINATION/HARASSMENT IN EMPLOYMENT OR IF THE VICTIM OR ALLEGED PERPETRATOR IS AN EMPLOYEE, THE COMPLAINT MAY BE MADE TO ANY OF THE FOLLOWING:
  - (a) THE EQUAL EMPLOYMENT OPPORTUNITY (EEO)/TITLE IX COORDINATOR;
  - (b) A SUPERVISOR, DIRECTOR, DEAN, CHAIRPERSON, OR OTHER ADMINISTRATOR;
  - (c) AN EMPLOYEE OF HUMAN RESOURCES; OR
  - (d) AN EMPLOYEE OF THE PUBLIC SAFETY DEPARTMENT.
  
- (3) IN CASES OF AN ALLEGED VIOLATION OF TITLE IX OR IF THE VICTIM AND/OR ALLEGED PERPETRATOR IS A STUDENT, A POTENTIAL STUDENT, OR SOMEONE PARTICIPATING IN A COLLEGE ATHLETIC EVENT, THE COMPLAINT MAY BE MADE TO ANY OF THE FOLLOWING:
  - (a) THE EQUAL EMPLOYMENT OPPORTUNITY (EEO)/TITLE IX COORDINATOR;
  - (b) A DEAN, CHAIRPERSON, OR OTHER ACADEMIC ADMINISTRATOR;
  - (c) THE COLLEGE'S ATHLETIC MANAGER OR A COACH;
  - (d) THE STUDENT CONDUCT DIRECTOR OR THE STUDENT CONDUCT PROGRAM COORDINATOR; OR
  - (e) AN EMPLOYEE OF THE PUBLIC SAFETY DEPARTMENT.
  
- (4) ANY PERSON DESIGNATED TO RECEIVE COMPLAINTS UNDER THIS POLICY WHO HAS DIRECT OR CONSTRUCTIVE KNOWLEDGE OF ALLEGED DISCRIMINATORY OR HARASSING BEHAVIOR MUST TAKE IMMEDIATE APPROPRIATE ACTION TO REPORT THE BEHAVIOR TO THE EEO/TITLE IX COORDINATOR. FAILURE TO DO SO WILL RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

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**(F) ACADEMIC FREEDOM/FIRST AMENDMENT GUIDELINES**

- (1) THE COLLEGE IS COMMITTED TO PROVIDING A SAFE, ANTI-HARASSING, AND NONDISCRIMINATORY ENVIRONMENT THAT PROTECTS THE CIVIL RIGHTS OF INDIVIDUALS, AND THE COLLEGE RECOGNIZES THE CONSTITUTIONAL PROTECTION OF ACADEMIC FREEDOM IN THE CLASSROOM.
  
- (2) THIS POLICY IS NOT INTENDED TO RESTRICT SERIOUS DISCUSSION OF CONTROVERSIAL ISSUES IN A TRAINING OR ACADEMIC SITUATION. IN ORDER TO PREVENT CLAIMS THAT COURSE CONTENT IS DISCRIMINATORY, HARASSING OR OFFENSIVE, IT IS RECOMMENDED THAT PARTICIPANTS IN SUCH DISCUSSIONS ARE PROVIDED WITH A DISCLOSURE THAT THE CONTENT MAY BE CONTROVERSIAL.

**(G) CONFIDENTIALITY**

TO THE EXTENT POSSIBLE, ALL INFORMATION RECEIVED IN CONNECTION WITH THE REPORTING, INVESTIGATION, AND RESOLUTION OF ALLEGATIONS WILL BE TREATED AS CONFIDENTIAL, EXCEPT TO THE EXTENT IT IS NECESSARY TO DISCLOSE INFORMATION ABOUT THE INVESTIGATION OR WHEN COMPELLED TO DO SO BY LAW. ALL INDIVIDUALS INVOLVED IN THE PROCESS SHOULD OBSERVE THE SAME STANDARD OF DISCRETION AND RESPECT FOR THE REPUTATION OF EVERYONE INVOLVED IN THE PROCESS.

**(H) RETALIATION**

COLLEGE POLICY AND FEDERAL, STATE AND LOCAL LAW PROHIBIT RETALIATION IN ANY FORM AGAINST ANY EMPLOYEE, FACULTY MEMBER, STUDENT, VENDOR, CUSTOMER, OR OTHER PERSON PARTICIPATING IN A COLLEGE PROGRAM OR ACTIVITY WHO COMPLAINS OR REPORTS AN ALLEGATION, OR WHO PARTICIPATES IN AN INVESTIGATION OF DISCRIMINATION OR HARASSMENT. RETALIATION IS A SERIOUS VIOLATION THAT CAN SUBJECT THE OFFENDER TO SANCTIONS INDEPENDENT OF THE MERITS OF THE ALLEGATION. ALLEGATIONS OF RETALIATION SHOULD PROMPTLY BE DIRECTED TO THE EEO/TITLE IX COORDINATOR.

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**(I) REPORTING**

COMPLAINTS MADE IN GOOD FAITH WILL NOT BE HELD AGAINST AN EMPLOYEE OR STUDENT IN ANY WAY.

(1) ANY EMPLOYEE WHO KNOWINGLY OR MALICIOUSLY MAKES A FALSE OR FRIVOLOUS ALLEGATION OF DISCRIMINATION OR HARASSMENT WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

(2) ANY STUDENT WHO KNOWINGLY OR MALICIOUSLY MAKES A FALSE OR FRIVOLOUS ALLEGATION OF DISCRIMINATION OR HARASSMENT WILL BE SUBJECT TO THE PROCESS OUTLINED BY THE STUDENT CODE OF CONDUCT POLICY 7-10.

(J) THE PRESIDENT SHALL ESTABLISH PROCEDURES TO ADMINISTER THIS POLICY, INCLUDING AN EEO/TITLE IX REPORTING AND INVESTIGATION PROCEDURE.

*\*New Policy*

*Rescind current Policy 3-33, Harassment; Policy 3-34, Sexual Harassment; and Policy 3-35, Sexual Misconduct*

*All Policies Effective April 15, 1999*

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SEXUAL HARASSMENT/MISCONDUCT

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**NEW POLICY DRAFT**

**(A) PURPOSE AND EXPECTATIONS**

COLUMBUS STATE COMMUNITY COLLEGE IS COMMITTED TO MAINTAINING A WORKPLACE AND ACADEMIC ENVIRONMENT WHERE EVERYONE IS TREATED WITH DIGNITY AND RESPECT. THE COLLEGE DOES NOT TOLERATE SEXUAL HARASSMENT, SEXUAL MISCONDUCT OR OTHER INAPPROPRIATE BEHAVIOR THAT IS OF A SEXUAL NATURE, OR BASED ON SEX, AND DIRECTED TOWARDS, BY OR AGAINST EMPLOYEES, STUDENTS, VENDORS, CUSTOMERS OR PERSONS PARTICIPATING IN A COLLEGE PROGRAM OR ACTIVITY. EMPLOYEES AND STUDENTS ARE EXPECTED TO MAINTAIN A PRODUCTIVE WORK, ACADEMIC AND ATHLETIC ENVIRONMENT THAT IS FREE OF SEXUAL HARASSMENT AND SEXUAL MISCONDUCT AND TO ASSIST IN THE COLLEGE'S EFFORTS TO PREVENT SUCH BEHAVIOR FROM OCCURRING.

ADMINISTRATORS, SUPERVISORS, FACULTY MEMBERS OR EMPLOYEES WHO HAVE BEEN DESIGNATED TO ACT ON BEHALF OF THE COLLEGE ARE SPECIFICALLY RESPONSIBLE FOR IDENTIFYING AND, WITH AUTHORITY, TAKING PROPER ACTION TO END SUCH BEHAVIOR THAT OCCURS IN THE WORKPLACE, ON CSCC PROPERTY, IN THE CLASSROOM OR AT ANY EVENT OR ATHLETIC VENUE THAT IS HOSTED OR SPONSORED BY THE COLLEGE.

**(B) DEFINITIONS OF SEXUAL HARASSMENT**

**SEXUAL HARASSMENT** - CONDUCT OF A SEXUAL NATURE BASED ON A PERSON'S SEXUAL ORIENTATION, GENDER OR GENDER IDENTITY AND EXPRESSION THAT PREVENTS OR IMPAIRS THE FULL REALIZATION OF OCCUPATIONAL, EDUCATIONAL OR ATHLETIC OPPORTUNITIES OR BENEFITS. SEXUAL HARASSMENT OCCURS WHEN THIS CONDUCT EXPLICITLY OR IMPLICITLY AFFECTS OR INTERFERES WITH A PERSON'S ABILITY TO PURSUE THE TERMS AND CONDITIONS OF EMPLOYMENT, ACADEMIC OR ATHLETIC ATTAINMENT.

FORMS OF SEXUAL HARASSMENT INCLUDE:

- (1) **QUID PRO QUO HARASSMENT** (A.K.A – “THIS FOR THAT”) - IS THE ABUSE OF POWER AND/OR AUTHORITY. SUCH BEHAVIOR IS ESPECIALLY HARMFUL IN SITUATIONS WHERE THE IMPOSITION OF UNWANTED SEXUAL ATTENTION IS ACCOMPANIED BY EITHER AN EXPLICIT OR IMPLIED PROMISE OF EMPLOYMENT, ACADEMIC

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SUCCESS, PREFERENTIAL TREATMENT, THE THREAT OF REPRISAL OR A NEGATIVE CONSEQUENCE FOR REFUSAL TO ENGAGE IN BEHAVIOR OF A SEXUAL NATURE. SEXUAL HARASSMENT MAY OCCUR WITHOUT EMPLOYMENT, ACADEMIC, ATHLETIC OR ECONOMIC INJURY TO THE VICTIM.

- (2) **HOSTILE WORK ENVIRONMENT** - INCLUDES ANY UNWELCOME, AND SEVERE OR PERVASIVE ACTION OF A SEXUAL NATURE WHICH UNREASONABLY INTERFERES WITH JOB PERFORMANCE OR LEARNING ABILITY AND CREATES AN INTIMIDATING OR OFFENSIVE WORK, ACADEMIC OR ATHLETIC ENVIRONMENT, EVEN IF IT LEADS TO NO TANGIBLE OR ECONOMIC CONSEQUENCES.

**(C) INDICATORS AND EXAMPLES OF SEXUAL HARASSMENT**

- (1) THE HARASSER'S CONDUCT MUST BE UNWELCOME, NON – CONSENSUAL AND SEVERE OR PERVASIVE.
- (2) SEXUAL HARASSMENT CAN OCCUR IN A VARIETY OF CIRCUMSTANCES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
- (a) THE VICTIM DOES NOT HAVE TO BE OF THE OPPOSITE SEX. THE VICTIM AND/OR THE HARASSER MAY BE A WOMAN OR A MAN.
  - (b) THE HARASSER CAN BE ANY FULL OR PART-TIME FACULTY, STAFF, ADMINISTRATOR, EMPLOYEE, STUDENT OR NON-EMPLOYEE CONDUCTING BUSINESS AT THE COLLEGE.
  - (c) THE VICTIM DOES NOT HAVE TO BE THE PERSON HARASSED BUT COULD BE A THIRD PARTY OR ANYONE AWARE OF, OR AFFECTED BY THE OFFENSIVE CONDUCT.
- (3) EXAMPLES OF SEXUAL HARASSMENT INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
- (a) SEXUAL ADVANCES OR REQUESTS OR DEMANDS FOR SEXUAL FAVORS;
  - (b) UNWANTED PHYSICAL CONTACT OF ANY KIND INCLUDING TOUCHING, HUGGING OR KISSING;



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- (c) VERBAL HARASSMENT, SUCH AS SLURS, PROPOSITIONS, LEWD COMMENTS, RECORDINGS, MUSIC, JOKES AND OFFENSIVE PERSONAL REFERENCES OF A SEXUAL NATURE;
- (d) NON-VERBAL HARASSMENT, SUCH AS OBSCENE HAND OR FINGER GESTURES, EXPLICIT DRAWINGS, PICTURES, POSTERS, AND CARTOONS OR SEXUALLY SUGGESTIVE WRITTEN OR ELECTRONICALLY TRANSMITTED MESSAGES AND POSTINGS ON SOCIAL MEDIA;
- (e) CONDUCT OF A SEXUAL NATURE THAT IS DEMEANING, BULLYING, INSULTING, OR INTIMIDATING.

**(D) DEFINITIONS AND EXAMPLES OF SEXUAL MISCONDUCT**

AS USED IN THIS POLICY, THE FOLLOWING TERMS WILL BE DEFINED AND ADHERED TO AS FOLLOWS:

**SEXUAL MISCONDUCT** - AN ATTEMPT TO INTIMIDATE, BULLY, COERCE OR FORCE AN UNWILLING PERSON INTO A SEXUAL RELATIONSHIP WITHOUT HIS/HER CONSENT.

NON-CONSENSUAL SEXUAL CONTACT AND/OR INTERCOURSE ARE FELONY CRIMES IN THE STATE OF OHIO. THESE CRIMES AND THE POSSIBLE PENALTIES ARE DEFINED IN TITLE 29 OF THE OHIO REVISED CODE. THE COLLEGE'S PUBLIC SAFETY DEPARTMENT SHALL REPORT THE CRIME TO THE COLUMBUS OR LOCAL POLICE DEPARTMENT, IN ACCORDANCE WITH THE CLERY ACT.

**CONSENT** - CLEAR, KNOWING AND VOLUNTARY ACCEPTANCE. CONSENT IS ACTIVE, NOT PASSIVE. SILENCE, IN AND OF ITSELF, CANNOT BE INTERPRETED AS CONSENT. CONSENT CAN BE GIVEN BY SPOKEN WORDS AS LONG AS THOSE WORDS OR ACTIONS CREATE MUTUALLY UNDERSTANDABLE CLEAR PERMISSION. CONSENT IS NOT NECESSARILY GIVEN IF ONE OF THE PARTICIPANTS IS UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.

**FORCE** - THE USE OF PHYSICAL VIOLENCE AND/OR IMPOSING ON SOMEONE PHYSICALLY TO GAIN SEXUAL ACCESS.

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**NON-CONSENSUAL SEXUAL CONTACT** - ANY INTENTIONAL SEXUAL TOUCHING, HOWEVER SLIGHT, WITH ANY OBJECT, BY A MAN OR A WOMAN UPON ANOTHER PERSON THAT IS WITHOUT CONSENT AND/OR BY FORCE.

**COERCION** - UNREASONABLE, INTIMIDATING OR FORCIBLE PRESSURE FOR SEXUAL ACTIVITY.

**SEXUAL CONTACT** – INCLUDES INTENTIONAL CONTACT WITH THE BREASTS, BUTTOCKS, GROIN, GENITALS, OR TOUCHING ANOTHER WITH ANY OF THESE BODY PARTS, OR MAKING ANOTHER TOUCH YOU OR THEMSELVES WITH OR ON ANY OF THESE BODY PARTS; AND ANY INTENTIONAL BODILY CONTACT IN A SEXUAL MANNER.

**INTERCOURSE** – INCLUDES VAGINAL PENETRATION BY A PENIS, OBJECT, TONGUE OR FINGER; ANAL PENETRATION BY A PENIS, OBJECT, TONGUE, OR FINGER; AND ORAL COPULATION (MOUTH TO GENITAL CONTACT), NO MATTER HOW SLIGHT THE PENETRATION OR CONTACT.

**SEXUAL EXPLOITATION** - OCCURS WHEN SOMEONE TAKES NON-CONSENSUAL OR ABUSIVE SEXUAL ADVANTAGE OF ANOTHER FOR HIS/HER OWN ADVANTAGE OR BENEFIT, OR TO THE BENEFIT OR ADVANTAGE OF ANYONE OTHER THAN THE PERSON BEING EXPLOITED.

**EXAMPLES OF SEXUAL MISCONDUCT INCLUDE, BUT ARE NOT LIMITED TO:**

- (1) SEXUAL BATTERY;
- (2) SEXUAL ASSAULT;
- (3) RAPE;
- (4) INVASION OF SEXUAL PRIVACY;
- (5) PROSTITUTING ANOTHER PERSON;
- (6) NON-CONSENSUAL VIDEO OR AUDIO-TAPING OF SEXUAL ACTIVITY;
- (7) KNOWINGLY TRANSMITTING A SEXUALLY TRANSMITTED DISEASE OR HIV TO SOMEONE;
- (8) EXPOSING ONE'S GENITALS OR SEXUALLY BASED STALKING.

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**(E) PROHIBITIONS AGAINST CONSENSUAL SEXUAL RELATIONSHIP MISCONDUCT**

CONSENSUAL SEXUAL RELATIONSHIPS INCLUDE ROMANTIC, INTIMATE OR SEXUAL RELATIONSHIPS IN WHICH BOTH PARTIES AGREE TO PARTICIPATE IN THE RELATIONSHIP. THE COLLEGE RECOGNIZES THAT CONSENSUAL SEXUAL RELATIONSHIPS ARE GENERALLY NOT PROBLEMATIC, EXCEPT WHEN THE RELATIONSHIP MAY COMPROMISE THE INTEGRITY OF THE COLLEGE, CREATE THE POTENTIAL FOR THE ABUSE OF AUTHORITY, OR CREATE THE INABILITY TO REMAIN IMPARTIAL. CONSENSUAL SEXUAL RELATIONSHIPS MAY ALSO CREATE A THIRD-PARTY PERCEPTION THAT A SUBORDINATE IS RECEIVING PREFERENTIAL TREATMENT.

**(1) CONSENSUAL SEXUAL RELATIONSHIP MISCONDUCT AMONG EMPLOYEES:**

CONSENSUAL SEXUAL RELATIONSHIPS BETWEEN ADMINISTRATORS, SUPERVISORS, DEANS OR CHAIRPERSONS AND THE EMPLOYEES THEY SUPERVISE, PROFESSIONALLY ADVISE, COUNSEL, OR EMPLOYEES OVER WHOM THEY HAVE DIRECT IMPACT ON THE EMPLOYEE'S TERMS AND CONDITIONS OF EMPLOYMENT, IS STRICTLY PROHIBITED.

**(2) CONSENSUAL SEXUAL RELATIONSHIP MISCONDUCT WITH STUDENTS:**

**(a)** THE COLLEGE STRICTLY PROHIBITS CONSENSUAL SEXUAL RELATIONSHIPS BETWEEN FACULTY MEMBERS AND THE STUDENTS OR STUDENT EMPLOYEES ENROLLED IN A CLASS OR CLASS SEQUENCE(S) TAUGHT, ADVISED, COUNSELED, COACHED OR SUPERVISED BY THE FACULTY MEMBER, OR OVER WHOM THE FACULTY MEMBER HAS DIRECT IMPACT ON THE STUDENT OR STUDENT EMPLOYEE'S ACADEMIC ENROLLMENT OR SUCCESS.

**(b)** THE COLLEGE STRICTLY PROHIBITS CONSENSUAL SEXUAL RELATIONSHIPS BETWEEN ADMINISTRATORS, SUPERVISORS, DEANS, CHAIRPERSONS OR EMPLOYEES AND THE STUDENTS OR STUDENT EMPLOYEES WHOM THEY ADVISE, COUNSEL, COACH OR SUPERVISE OR OVER WHOM THEY HAVE A DIRECT IMPACT ON THE STUDENT OR STUDENT EMPLOYEE'S ACADEMIC ENROLLMENT OR SUCCESS.

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- (c) THE COLLEGE STRONGLY DISCOURAGES ALL EMPLOYEES OR FACULTY MEMBERS FROM ENGAGING IN CONSENSUAL SEXUAL RELATIONSHIPS WITH STUDENTS AS LONG AS THE STUDENT IS CONSIDERED TO BE IN AN ACTIVE STATUS AS A STUDENT, EVEN IF THE STUDENT IS NOT CURRENTLY ENROLLED IN A CLASS.

**(F) CONSEQUENCES OF SEXUAL HARASSMENT OR SEXUAL MISCONDUCT**

- (1) **FOR EMPLOYEES** - VIOLATIONS OF THIS POLICY WILL RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.
- (2) **FOR STUDENTS** - THE STUDENT CONDUCT HEARING PROCESS WILL BE INITIATED BY THE STUDENT CONDUCT OFFICE TO DETERMINE HOW A VIOLATION OF THIS POLICY IS TO BE RESOLVED PER THE STUDENT CODE OF CONDUCT POLICY 7-10. SANCTIONS FOR VIOLATING THIS POLICY MAY RANGE FROM A WARNING TO EXPULSION FROM THE COLLEGE.

**(G) CONSEQUENCES OF CONSENSUAL SEXUAL RELATIONSHIP MISCONDUCT**

- (1) ANY EMPLOYEE OR FACULTY MEMBER WHO IS ENGAGED IN A CONSENSUAL SEXUAL RELATIONSHIP THAT MAY BE IN VIOLATION OF THIS POLICY HAS THE RESPONSIBILITY TO NOTIFY HIS/HER ADMINISTRATOR, DEAN OR CHAIRPERSON, THE HUMAN RESOURCES DEPARTMENT AND/OR THE EQUAL EMPLOYMENT OPPORTUNITY (EEO)/TITLE IX COORDINATOR ABOUT THE RELATIONSHIP AS SOON AS IT IS KNOWN THAT IT MAY VIOLATE THIS POLICY.
  - (a) THE EMPLOYMENT OF THE PARTIES INVOLVED IN THE CONSENSUAL SEXUAL RELATIONSHIP IN WHICH ONE PERSON HAS AUTHORITY OVER OR INFLUENCE UPON THE STATUS OF THE OTHER WILL BE MODIFIED SO THAT THE AUTHORITY OR INFLUENCE NO LONGER EXISTS. THIS SHALL OCCUR BY MOVING ONE OF THE PERSONS TO ANOTHER POSITION, DEPARTMENT OR SUPERVISOR, IF POSSIBLE.
  - (b) AN EMPLOYEE WHO DOES NOT NOTIFY HIS/HER ADMINISTRATOR, SUPERVISOR, DEAN OR CHAIRPERSON THAT HE/SHE IS INVOLVED IN A CONSENSUAL SEXUAL RELATIONSHIP IN VIOLATION OF THIS POLICY SHALL BE

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SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

- (c) IF AN EMPLOYEE AND/OR FACULTY MEMBER IS FOUND TO BE ENGAGED IN A CONSENSUAL SEXUAL RELATIONSHIP WITH A STUDENT THAT VIOLATES THIS POLICY, DISCIPLINARY ACTION MAY BE EXPEDITED.
- (d) WHEN ONE PERSON IN A CONSENSUAL SEXUAL RELATIONSHIP OF ANY KIND CLEARLY INFORMS THE OTHER PERSON THAT THE RELATIONSHIP IS NO LONGER WELCOME, THE OTHER PERSON SHOULD NOT PURSUE THE RELATIONSHIP. TO CONTINUE THE PURSUIT OF THE RELATIONSHIP MAY BECOME A VIOLATION OF THIS POLICY, AND THE PURSUING PERSON WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

**(H) REPORTING RESPONSIBILITIES FOR SEXUAL HARASSMENT/SEXUAL MISCONDUCT**

- (1) ANYONE WHO BELIEVES THAT AN ADMINISTRATOR, SUPERVISOR, EMPLOYEE, FACULTY MEMBER, STUDENT, OR NON-EMPLOYEE'S BEHAVIOR CONSTITUTES DISCRIMINATION OR HARASSMENT HAS A RESPONSIBILITY TO COMPLAIN OR REPORT THE BEHAVIOR/ACTION AS SOON AS IT IS KNOWN OR WITHIN 180 DAYS OF THE OCCURRENCE SO THAT THE COLLEGE MAY ADMINISTER THIS POLICY.
- (2) IN CASES OF ALLEGED SEXUAL HARASSMENT WHERE THE VICTIM OR ALLEGED PERPETRATOR IS AN EMPLOYEE, THE COMPLAINT MAY BE MADE TO ANY OF THE FOLLOWING:
  - (a) THE EQUAL EMPLOYMENT OPPORTUNITY (EEO)/TITLE IX COORDINATOR;
  - (b) A SUPERVISOR, DIRECTOR, CHAIRPERSON, DEAN OR OTHER ADMINISTRATOR;
  - (c) AN EMPLOYEE OF HUMAN RESOURCES; OR
  - (d) AN EMPLOYEE OF THE PUBLIC SAFETY DEPARTMENT.
- (3) ANY PERSON DESIGNATED TO RECEIVE COMPLAINTS UNDER THIS POLICY WHO HAS DIRECT OR CONSTRUCTIVE KNOWLEDGE OF

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ALLEGED DISCRIMINATORY OR HARASSING BEHAVIOR MUST TAKE IMMEDIATE APPROPRIATE ACTION TO REPORT THE BEHAVIOR TO THE EEO/TITLE IX COORDINATOR. FAILURE TO DO SO SHALL RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

- (4) IN CASES OF AN ALLEGED VIOLATION OF TITLE IX, OR IF THE VICTIM AND/OR ALLEGED PERPETRATOR IS A STUDENT, A POTENTIAL STUDENT, OR SOMEONE PARTICIPATING IN A COLLEGE ATHLETIC EVENT, THE COMPLAINT MAY BE MADE TO ANY OF THE FOLLOWING:
- (a) THE EQUAL EMPLOYMENT OPPORTUNITY (EEO)/TITLE IX COORDINATOR;
  - (b) A DEAN, CHAIRPERSON, OR OTHER ACADEMIC ADMINISTRATOR;
  - (c) THE COLLEGE'S ATHLETIC MANAGER OR A COACH;
  - (d) THE STUDENT CONDUCT DIRECTOR OR THE STUDENT CONDUCT PROGRAM COORDINATOR; OR
  - (e) AN EMPLOYEE OF THE PUBLIC SAFETY DEPARTMENT.

**(I) ACADEMIC FREEDOM/FIRST AMENDMENT GUIDELINES**

- (1) THE COLLEGE IS COMMITTED TO PROVIDING A SAFE, ANTI-HARASSING, AND NONDISCRIMINATORY ENVIRONMENT THAT PROTECTS THE CIVIL RIGHTS OF INDIVIDUALS, AND THE COLLEGE RECOGNIZES THE CONSTITUTIONAL PROTECTION OF ACADEMIC FREEDOM IN THE CLASSROOM.
- (2) THIS POLICY IS NOT INTENDED TO RESTRICT SERIOUS DISCUSSION OF CONTROVERSIAL ISSUES IN A TRAINING OR ACADEMIC SITUATION. IN ORDER TO PREVENT CLAIMS THAT COURSE CONTENT IS DISCRIMINATORY, HARASSING OR OFFENSIVE, IT IS RECOMMENDED THAT PARTICIPANTS IN SUCH DISCUSSIONS ARE PROVIDED WITH A DISCLOSURE THAT THE CONTENT MAY BE CONTROVERSIAL.

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**(J) CONFIDENTIALITY**

TO THE EXTENT POSSIBLE, ALL INFORMATION RECEIVED IN CONNECTION WITH THE REPORTING, INVESTIGATION, AND RESOLUTION OF ALLEGATIONS OF SEXUAL HARASSMENT/MISCONDUCT WILL BE TREATED AS CONFIDENTIAL, EXCEPT TO THE EXTENT IT IS NECESSARY TO DISCLOSE INFORMATION ABOUT THE INVESTIGATION, OR WHEN COMPELLED TO DO SO BY LAW. ALL INDIVIDUALS INVOLVED IN THE PROCESS SHOULD OBSERVE THE SAME STANDARD OF DISCRETION AND RESPECT FOR THE REPUTATION OF EVERYONE INVOLVED IN THE PROCESS.

**(K) RETALIATION**

COLLEGE POLICY AND FEDERAL, STATE AND LOCAL LAW PROHIBIT RETALIATION IN ANY FORM AGAINST ANY EMPLOYEE, FACULTY MEMBER, STUDENT, VENDOR, CUSTOMER, OR OTHER PERSON PARTICIPATING IN A COLLEGE PROGRAM OR ACTIVITY WHO COMPLAINS OR REPORTS AN ALLEGATION, OR WHO PARTICIPATES IN AN INVESTIGATION OF SEXUAL HARASSMENT OR MISCONDUCT. RETALIATION IS A SERIOUS VIOLATION THAT CAN SUBJECT THE OFFENDER TO SANCTIONS INDEPENDENT OF THE MERITS OF THE ALLEGATION. ALLEGATIONS OF RETALIATION SHOULD BE DIRECTED TO THE EEO/TITLE IX COORDINATOR.

**(L) REPORTING**

(1) ANY EMPLOYEE WHO KNOWINGLY OR MALICIOUSLY MAKES A FALSE OR FRIVOLOUS ALLEGATION OF SEXUAL HARASSMENT/MISCONDUCT WILL BE SUBJECT TO THE COLLEGE'S DISCIPLINARY POLICY AND PROCEDURES.

(2) ANY STUDENT WHO KNOWINGLY OR MALICIOUSLY MAKES A FALSE OR FRIVOLOUS ALLEGATION OF SEXUAL HARASSMENT OR MISCONDUCT WILL BE SUBJECT TO THE PROCESS OUTLINED BY THE STUDENT CODE OF CONDUCT POLICY 7-10.

(M) THE PRESIDENT SHALL ESTABLISH PROCEDURES TO ADMINISTER THIS POLICY, INCLUDING AN EEO/TITLE IX REPORTING AND INVESTIGATION PROCEDURE.

*\*New Policy*

*Rescind current Policy 3-33, Harassment; Policy 3-34, Sexual Harassment; and Policy 3-35, Sexual Misconduct  
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**NEW POLICY DRAFT**

**(A) PURPOSE**

COLUMBUS STATE COMMUNITY COLLEGE IS COMMITTED TO MAINTAINING AN ENVIRONMENT THAT IS SAFE, SECURE AND FREE FROM THREATS, INTIMIDATION AND VIOLENCE FOR ALL FACULTY, STAFF, AND STUDENTS. THIS INCLUDES PROVIDING A SUPPORTIVE WORKPLACE AND ACADEMIC ENVIRONMENT IN WHICH TO DISCUSS WORKPLACE, FAMILY AND RELATIONSHIP VIOLENCE AND SEEK ASSISTANCE WITH THOSE CONCERNS.

IT IS THE GOAL OF COLUMBUS STATE COMMUNITY COLLEGE TO PROVIDE A WORKPLACE AND ACADEMIC ENVIRONMENT IN WHICH VIOLENCE OF ANY KIND IS NEITHER TOLERATED NOR EXCUSED. FULL-TIME EMPLOYEES MAY ALSO SEEK ASSISTANCE WITH THESE CONCERNS IN THEIR LIVES OUTSIDE OF THE WORKPLACE THROUGH THE EMPLOYEE ASSISTANCE PROGRAM (EAP), WHICH IS A BENEFIT OFFERED BY THE COLLEGE TO PROMOTE AN ATMOSPHERE THAT ENCOURAGES A PRODUCTIVE EMPLOYMENT AND ACADEMIC ENVIRONMENT.

**(B) BEHAVIORAL INTERVENTION TEAMS**

BEHAVIORAL INTERVENTION TEAMS CONSIST OF A CROSS-SECTION OF TRAINED PERSONS WHO ARE TASKED TO:

- (1) IDENTIFY, ASSESS, RECOMMEND AND PREVENT THE RISE OF VIOLENCE AND IMPLEMENT APPROPRIATE INTERVENTION.
- (2) MANAGE THREATS OR INCIDENTS IDENTIFIED AS CREATING IMMINENT DANGER OR VIOLENCE AND COORDINATE A PLAN OF ACTION INVOLVING THE PERSON(S) AND/OR DEPARTMENT(S) INVOLVED.
  - (a) **THE EMPLOYEE BEHAVIORAL INTERVENTION TEAM (EBIT)** CONSISTS OF REPRESENTATIVES FROM THE HUMAN RESOURCE DEPARTMENT, PUBLIC SAFETY DEPARTMENT,



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EMPLOYEE ASSISTANCE PROGRAM, AND OTHER  
DEPARTMENTS, AS APPROPRIATE.

- (b) **THE STUDENT BEHAVIORAL INTERVENTION TEAM (BIT)** CONSISTS OF REPRESENTATIVES FROM STUDENT LIFE, STUDENT CONDUCT, DISABILITY SERVICES, COUNSELING SERVICES, THE PUBLIC SAFETY DEPARTMENT, AND OTHER DEPARTMENTS, AS APPROPRIATE.

**(C) DEFINITIONS**

AS USED IN THIS POLICY, THE FOLLOWING TERMS ARE DEFINED AND WILL BE ADHERED TO AS FOLLOWS:

**WORKPLACE VIOLENCE** - ANY ACT THAT RESULTS IN THREATS OR CAUSES ACTUAL HARM TO A PERSON OR PROPERTY IN THE WORKPLACE, INCLUDING BUT NOT LIMITED TO: ASSAULT; COERCIVE BEHAVIOR; PSYCHOLOGICAL INTIMIDATION OR BULLYING; ISOLATION; NAME-CALLING; OR VERBAL, EMOTIONAL, OR PHYSICAL ABUSE.

**DEADLY WEAPON** - ANY INSTRUMENT, DEVICE OR THING CAPABLE OF INFLECTING DEATH AND DESIGNED OR SPECIALLY ADAPTED FOR USE AS A WEAPON, OR POSSESSED, CARRIED OR USED AS A WEAPON, INCLUDING BUT NOT LIMITED TO: A FIREARM (INCLUDES AN UNLOADED, INOPERABLE OR SAWED-OFF FIREARM, STARTER PISTOL, ZIP GUN, STUN GUN, ETC.), KNIFE, CLUB, BRASS KNUCKLES, OR MARTIAL ARTS WEAPON.

**FAMILY AND RELATIONSHIP VIOLENCE** - BEHAVIOR THAT IS USED IN A HOUSEHOLD OR RELATIONSHIP TO CAUSE HARM OR GAIN POWER AND CONTROL OVER ANOTHER INDIVIDUAL, SUCH AS PHYSICAL, SEXUAL, OR EMOTIONAL ABUSE.

**(D) CONDUCT OR BEHAVIOR NOT TOLERATED BY THE COLLEGE**

- (1) DIRECT OR IMPLIED THREATS;
- (2) PHYSICAL CONDUCT THAT RESULTS IN HARM TO PEOPLE OR PROPERTY;

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- (3) POSSESSION OF DEADLY WEAPONS ON COLLEGE PROPERTY, EXCEPT BY THOSE AUTHORIZED TO CARRY SUCH WEAPONS TO PERFORM THEIR JOB DUTIES ON BEHALF OF THE COLLEGE;
- (4) STORING DEADLY WEAPONS IS PROHIBITED ON CAMPUS, INCLUDING IN PERSONAL VEHICLES PARKED ON COLLEGE-OWNED AND/OR LEASED PROPERTY;
- (5) INTIMIDATING CONDUCT OR HARASSMENT THAT DISRUPTS THE WORK OR ACADEMIC ENVIRONMENT OR RESULTS IN FEAR FOR PERSONAL SAFETY (E.G., STALKING OR BULLYING);
- (6) USE OF COLLEGE PROPERTY OR RESOURCES, SUCH AS WORK TIME, TELEPHONES, FAX MACHINES, MAIL, E-MAIL, INTERNET, OR OTHER MEANS TO THREATEN, HARASS, OR ABUSE SOMEONE.

**(E) CONSEQUENCES OF POLICY VIOLATIONS**

INDIVIDUALS FOUND TO ENGAGE IN BEHAVIOR IN VIOLATION OF THIS POLICY WILL BE SUBJECT TO CORRECTIVE ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT, OR ACADEMIC SANCTIONS. CRIMINAL CHARGES MAY ALSO BE FILED, AS APPROPRIATE.

- (1) **EMPLOYEES** WHO ARE PERPETRATORS OF WORKPLACE, FAMILY, AND/OR RELATIONSHIP VIOLENCE OCCURRING IN THE WORKPLACE MAY BE REQUIRED TO SEEK AND SUCCESSFULLY COMPLETE TRAINING, COUNSELING, TREATMENT AND/OR DISCIPLINARY ACTION, AS DETERMINED BY THE EMPLOYEE BEHAVIORAL INTERVENTION TEAM (EBIT). THE EMPLOYEE ASSISTANCE PROGRAM CAN PROVIDE EMPLOYEES WITH COUNSELING AND/OR REFERRALS TO A FAMILY AND RELATIONSHIP VIOLENCE PERPETRATORS TREATMENT PROGRAM FOR FULL-TIME EMPLOYEES AND THEIR DEPENDENTS.
- (2) **STUDENTS** WHO ARE PERPETRATORS OF WORKPLACE, FAMILY, AND/OR RELATIONSHIP VIOLENCE OCCURRING IN THE LEARNING ENVIRONMENT MAY BE REQUIRED TO SEEK AND SUCCESSFULLY

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COMPLETE TRAINING, COUNSELING, TREATMENT OR ACADEMIC  
SANCTIONS AS DETERMINED BY THE STUDENT CONDUCT OFFICE  
AND/OR THE STUDENT BEHAVIORAL INTERVENTION TEAM (BIT).

- (3) **NON-EMPLOYEES** WHO ARE PERPETRATORS OF WORKPLACE, FAMILY, AND RELATIONSHIP VIOLENCE OCCURRING AT THE COLLEGE WILL HAVE THEIR CONSEQUENCES DETERMINED BY THE APPROPRIATE ENTITY OR THE PUBLIC SAFETY DEPARTMENT, INCLUDING BEING TRANSFERRED TO THE COLUMBUS OR LOCAL POLICE DEPARTMENT, AS APPLICABLE.

**(F) STUDENTS**

STUDENT MATTERS WILL BE HANDLED THROUGH THE STUDENT CODE OF CONDUCT PROCESS AND THE STUDENT BEHAVIORAL INTERVENTION TEAM (BIT). INFORMATION ABOUT THE STUDENT CODE OF CONDUCT CAN BE FOUND IN THE STUDENT HANDBOOK.

**(G) CONFIDENTIALITY**

TO THE EXTENT POSSIBLE, ALL INFORMATION RECEIVED IN CONNECTION WITH THE REPORTING, INVESTIGATION, AND RESOLUTION OF WORKPLACE, FAMILY AND RELATIONSHIP VIOLENCE ALLEGATIONS WILL BE TREATED AS CONFIDENTIAL, EXCEPT TO THE EXTENT IT IS NECESSARY TO DISCLOSE INFORMATION ABOUT THE INVESTIGATION OR WHEN COMPELLED TO DO SO BY LAW. ALL INDIVIDUALS INVOLVED IN THE PROCESS SHOULD OBSERVE THE SAME STANDARD OF DISCRETION AND RESPECT FOR THE REPUTATION OF EVERYONE INVOLVED IN THE PROCESS.

**(H) REPORTING**

- (1) ANY EMPLOYEE WHO KNOWINGLY OR MALICIOUSLY MAKES A FALSE OR FRIVOLOUS ALLEGATION OF WORKPLACE, FAMILY AND RELATIONSHIP VIOLENCE WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

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- (2) ANY STUDENT WHO KNOWINGLY OR MALICIOUSLY MAKES A FALSE OR FRIVOLOUS ALLEGATION OF WORKPLACE, FAMILY AND RELATIONSHIP VIOLENCE WILL BE SUBJECT TO THE PROCESS OUTLINED BY THE STUDENT CODE OF CONDUCT POLICY 7-10.
- (I) **KEY RESOURCES FOR CONSULTATION AND SUPPORT:**
- (1) HUMAN RESOURCES DEPARTMENT;
  - (2) EEO/TITLE IX COORDINATOR;
  - (3) PUBLIC SAFETY DEPARTMENT;
  - (4) STUDENT CONDUCT PROGRAM COORDINATOR;
  - (5) CHOICES FOR VICTIMS OF DOMESTIC VIOLENCE 24-HOUR;
  - (6) CRISIS/SHELTER (INCLUDES YOUTH ISSUES/REFERRALS);
  - (7) OHIO DOMESTIC VIOLENCE NETWORK;
  - (8) COLUMBUS COALITION AGAINST FAMILY VIOLENCE.
- (J) THE PRESIDENT SHALL ESTABLISH PROCEDURES TO ADMINISTER THIS POLICY, INCLUDING AN EEO/TITLE IX REPORTING AND INVESTIGATION PROCEDURE.

***\* NOTE: THIS POLICY IS NOT MEANT TO ADDRESS PERSONALITY OR COMMUNICATION DISPUTES THAT SHOULD BE HANDLED THROUGH THE EMPLOYEE PROBLEM SOLVING PROCESS.***

***\*New Policy  
Rescind current Policy 3-33, Harassment; Policy 3-34, Sexual Harassment; and Policy 3-35, Sexual Misconduct  
All Policies Effective April 15, 1999***

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REASONABLE ACCOMMODATIONS  
FOR PERSONS WITH DISABILITIES

Effective June 26, 2000

Policy No. 11-05  
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RESCIND

(A) — ~~It is the policy of Columbus State Community College to make reasonable accommodations which will provide otherwise qualified applicants, employees, and students with disabilities equal access to participate in opportunities, programs, and services offered by the college. It is the intent of the college to provide accommodations to such applicant, employee, and student with a qualified physical, mental, or learning disability unless to do so would fundamentally alter the nature of the program or service, would result in an undue hardship to the college, or would result in a direct threat to the health or safety of the individual or others.~~

(B) — ~~Definition of A Qualified Person With a Disability~~

~~A qualified person with a disability refers to those individuals with a disability who meet the essential eligibility requirements for receipt of services or participation or work in the college's programs or services.~~

~~The college subscribes to the definitions of the Americans with Disabilities Act of 1990 (P.L. 101-336) as follows:~~

~~The term disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual.~~

~~Individuals who have a record of such impairment or who are regarded as having such impairments are also covered by this policy. According to the U.S. Department of Justice's Title II Technical Assistance Manual, major life activities include but are not limited to walking, seeing, hearing, speaking, breathing, learning, or working.~~

(C) — ~~Definitions of Reasonable Accommodations:~~

(1) — ~~Reasonable accommodations for qualified employment applicants are modifications or adjustments to the application process which allow persons with disabilities equal access to employment opportunities as are available to persons without disabilities.~~

(2) — ~~Reasonable accommodations for employment are modifications or adjustments to a job, the work environment, or the way work is performed which enable qualified~~

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~~employees with disabilities to attain an equal level of performance or to enjoy equal benefits and privileges of employment as are available to employees without disabilities.~~

- ~~(3) Reasonable accommodations for qualified students shall include those services or auxiliary aids which will assist in ensuring that opportunities to access educational programs or services, to benefit from programs or services, and to participate in the delivery of programs or services are equal to those opportunities of students without disabilities.~~

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AFFIRMATIVE ACTION

Effective August 15, 1995

Policy No. 3-28

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RESCIND

- (A) — ~~It is the established policy of Columbus State Community College not to discriminate against any individual employee or student, groups of employees or students, or prospective employees or students for reasons of race, color, religion, ancestry, national origin, sex, age, disability, or veteran status. This college is fully committed to providing equal opportunities in all employment, related activities, and educational programs, including, but not limited to, recruiting, hiring, advancement, compensation, training, benefits, transfers, tuition assistance, terms of employment, physical access to facilities, and social and recreational programs, within the financial resources of the college. The college will promote equal opportunities to all employees, applicants for employment, students, and student applicants for admission to the college through a positive and continuing affirmative action program. Columbus State Community College will fully comply with all federal, state, and local laws and regulations to guarantee equal opportunities. All contractors of this college will comply with existing federal and state regulations concerning equal employment opportunities and affirmative action.~~

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RESCIND

~~(A) — To help ensure that employees and students are not subjected to illegal harassment, and in order to create a comfortable work and learning environment, the college strongly opposes and prohibits by this policy any offensive physical, written, spoken, or non-verbal conduct as defined and otherwise prohibited by state and federal law.~~

~~College community members or others who feel that they have been victims of harassment in the work place or academic setting will be provided with appropriate support from the college. Members of the college community shall include all CSCC students, members of the Board of Trustees, faculty, staff, and administrators, whether full or part-time.~~

~~All administrators have an affirmative duty to maintain a workplace that is free of harassment and intimidation.~~

~~(B) — Examples of harassment include but are not limited to the following:~~

~~(1) — Unwelcome written, spoken, or physical conduct regarding race, color, religion, national origin, age, gender, sexual orientation, pregnancy, disability, or as defined by law.~~

~~(2) — Creating a work environment that is intimidating, hostile, abusive, or offensive because of unwelcome or unwanted conversations, suggestions, requests, demands, attentions, or the display of offensive items that relate to an individual's race, color, religion, national origin, age, gender, sexual orientation, pregnancy, disability, or as defined by law.~~

~~(C) — For issues related to sexual harassment see Sexual Harassment Policy No. 3-34.~~

~~(D) — It is Columbus State Community College's policy to investigate thoroughly and remedy any known incidents of harassment.~~

~~(E) — Procedures related to this policy are detailed in the Sexual Harassment/Harassment investigative procedure, Procedure No. 3-33 (E).~~



COLUMBUS STATE COMMUNITY COLLEGE  
POLICY AND PROCEDURES MANUAL

SEXUAL HARASSMENT  
Policy No. 3-34  
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Effective April 15, 1999

RESCIND

~~(A) It is the policy of Columbus State Community College to provide a positive, discrimination-free educational and working environment. Sexual harassment of students, employees, or others working or visiting in the employment or academic setting will not be tolerated. Offenders will be subject to appropriate college adjudication processes and the full range of disciplinary action provided by college policy, up to and including discharge or dismissal. This policy and its procedures shall be the only internal college forum of resolution for sexual harassment complaints.~~

~~College community members or others who feel that they have been victims of sexual harassment in the work place or academic setting will be provided with appropriate support from the college. Members of the college community shall include all CSCC students, members of the Board of Trustees, faculty, staff, and administrators, whether full or part-time.~~

~~(B) Sexual harassment is behavior based on gender, sexuality, or sexual identity of persons that prevents or impairs their full realization of educational or occupational opportunities or benefits. What is often at issue is not sexual attention per se, but intimidation, coercion, or abuse of power. Such behavior is especially harmful in situations where the imposition of unwanted sexual attention is accompanied by the promise of academic or employment rewards or the threat of reprisal.~~

~~The college values and protects academic freedom. Since vigorous, open discussion of controversial issues can cause discomfort, and since vital teaching and learning can itself be the occasion for students, employees, and faculty to face difficult or awkward or painful matters, it is important for all to realize that this policy on sexual harassment is not intended to restrict serious discussion of controversial issues in academic situations.~~

~~No matter how carefully worded a definition of sexual harassment might be, unforeseen situations may arise which cannot easily be included in any definition. Thus, sexual harassment is defined to include but is not limited to the following:~~

~~(1) "Quid pro quo" sexual harassment occurs when an individual's submission to or rejection of unwelcome sexual conduct is the basis for decisions affecting such individual. This kind of sexual harassment usually involves administrators, faculty, or others in an evaluative position who use the following:~~

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~~Threats—firing, blocking promotion, transferring, or giving a bad evaluation or grade if a person does not submit to sexual advances; and/or~~

~~Rewards—hiring, promoting, or giving a salary increase or grade if a person does submit to sexual advances.~~

~~(2) —“Hostile environment” sexual harassment covers severe, persistent, or pervasive actions which unreasonably interfere with job performance or create an intimidating, hostile, or offensive work environment even if it leads to no tangible or economic job consequences.~~

~~(3) —Examples of sexual harassment include but are not limited to the following:~~

~~(a) —Unwelcome requests or demands for sexual favors. This may include subtle or blatant expectations, pressures, or requests for any type of sexual favor, including repeated unwelcome requests for dates, whether or not accompanied by an implied or stated promise of preferential treatment or negative consequences concerning one’s employment or student status.~~

~~(b) —Unwanted and repeated verbal abuse or kidding that is sexual in nature, such as unwelcome sexual jokes or innuendos, graphic verbal commentaries about an individual’s body, sexually degrading words, or the display of offensive or sexually suggestive items.~~

~~(c) —Unwelcome or unwanted sexual advances. This may include patting, pinching, hugging, cornering, kissing, fondling, or any other similar physical conduct of a sexual nature.~~

~~(C) —Sexual assault involving physical contact, sexual battery, and rape are extreme forms of sexual harassment and are felony crimes in the state of Ohio. These crimes and possible penalties are defined in Title 29 of the Ohio Revised Code.~~

~~(1) —As required by the Ohio Revised Code, Columbus State Community College’s~~

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~~Public Safety Department will notify the Columbus Police Department of all reports of sexual assault, sexual battery, and rape for their investigation and prosecution.~~

- ~~(2) — If the accused is prosecuted in a criminal proceeding, the college may defer any internal disciplinary proceeding until after an appropriate decision by the criminal justice system.~~
- ~~(3) — In addition to prosecution under Ohio law, a student or an employee convicted of sexual assault, sexual battery, or rape may be disciplined by the college under college policy and procedures. If appropriate, a student would be disciplined under the Student Misconduct Policy No. 7-10 and Procedure No. 7-10 (D), up to and including dismissal from the college. If appropriate, an employee would be disciplined under college Policy No. 3-32 (Disciplinary Action) up to and including termination from employment.~~
- ~~(D) — It is the policy of Columbus State Community College to investigate thoroughly and take appropriate action concerning any reported incidents of sexual harassment. The very nature of sexual harassment often makes it difficult to detect unless the offended person registers with the appropriate college representative his or her discontent. If anyone believes that he or she is being subjected to any of the above mentioned forms of sexual harassment, or is aware of someone who is being subjected to the above mentioned forms of sexual harassment, he or she is strongly encouraged to bring this to the attention of the appropriate administrators listed in Procedure No. 3-33 (E).~~
- ~~Any person electing to utilize the Sexual Harassment/Harassment Procedure (No. 3-33 (E)), will be treated courteously, and the problem will be handled promptly and as confidentially as practicable. The registering of a complaint will in no way be used against the employee or student, nor will it have an adverse impact on the individual's employment or student status.~~
- ~~(E) — The college reserves the right to use the full range of disciplinary action provided by college policy, up to and including discharge or dismissal, if any member of the college community brings a false complaint of sexual harassment. No complaint will be considered "false" solely because it cannot be corroborated.~~

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- ~~(F) — In cases of alleged sexual harassment, whether formal or informal resolution is sought, anonymous complaints will not be brought against any member of the college community.~~
- ~~(G) — The college will provide annual educational information for students and employees to promote awareness and prevention of sexual harassment and sexual assault.~~
- ~~(H) — Procedures related to this policy are detailed in the Sexual Harassment/Harassment investigative procedure, Procedure No. 3-33 (E).~~

COLUMBUS STATE COMMUNITY COLLEGE  
POLICY AND PROCEDURES MANUAL

SEXUAL MISCONDUCT

Effective April 15, 1999

Policy No. 3-35

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RESCIND

- (A) ~~The policies and procedures of Columbus State Community College are designed to establish and preserve the academic mission of the college, and sexual misconduct in the work or academic setting will not be tolerated. Sexual misconduct is a serious violation of college policy and procedures, and offenders will be subject to appropriate college adjudication processes and the full range of disciplinary action contained in college policy, up to and including discharge or dismissal.~~
- (B) ~~The college seeks to provide and maintain a professional learning and working environment and considers consensual sexual relationships in which one individual has direct responsibility for the evaluation of the other, or has responsibility for supervising, advising, or counseling the other in the course of carrying out his/her job responsibilities, to be unprofessional and subject to disciplinary action up to and including discharge or dismissal.~~
- (1) ~~For example, such consensual sexual relationships are prohibited when a student is enrolled in a class taught by the faculty member, is an advisee, or is in some other way subject to the faculty member=s supervision as the faculty member carries out his/her job responsibilities. Also prohibited are consensual sexual relationships between staff or administrative employees and the students or employees they supervise, professionally advise, or counsel in the course of carrying out their job responsibilities.~~
- (2) ~~To avoid being in violation of the sexual misconduct policy, those involved have the responsibility to notify the EEO Officer about their relationship and to seek a reasonable resolution.~~
- (C) ~~The college will provide annual educational information for students and employees to promote awareness and prevention of sexual misconduct.~~
- (D) ~~The registering of a complaint will in no way be used against the employee or student, nor will it have an adverse impact on the individual=s employment or student status. However, any individual knowingly or maliciously making a false or frivolous allegation of sexual misconduct will be subject to disciplinary action up to and including discharge or dismissal.~~
- (E) ~~Procedures related to this policy are detailed in Sexual Misconduct Policy No. 3-35 (E).~~



## COLUMBUS STATE COMMUNITY COLLEGE BOARD ACTION

Date \_\_\_\_\_

### **SUBJECT:**

Awarding of Emeritus Status:

Professor Lorraine Boyd, Nursing  
Ms. Sheila Butler, Coordinator, Academic Affairs  
Associate Professor Deane Cobler, Hospitality, Massage Therapy  
and Sports & Exercise Studies  
Associate Professor William "Bill" Ferguson, Mathematics  
Professor Elle Feth, Biological & Physical Sciences  
Professor Charles Gallucci, Biological & Physical Sciences  
Assistant Professor Victoria Lackey, Mathematics  
Professor Robert Mergel, Construction Sciences & Engineering  
Technology  
Professor Julie Molnar, Modern Languages  
Professor Katherine Struve, Mathematics

### **BACKGROUND INFORMATION:**

Board of Trustees Policy 3-23 enables the conferral of emeritus status upon the retirement of an employee in recognition of outstanding service to the college. Requirements for consideration of emeritus status include at least fifteen years of employment by the college and favorable recommendations by the administrators in the employee's chain of authority.

### **RECOMMENDATION:**

That the Board of Trustees grant emeritus status to Professor Lorraine Boyd, Ms. Sheila Butler, Associate Professor Deane Cobler, Associate Professor William "Bill" Ferguson, Professor Elle Feth, Professor Charles Gallucci, Assistant Professor Victoria Lackey, Professor Robert Mergel, Professor Julie Molnar, and Professor Katherine Struve.

### **Emeritus Status: Lorraine Boyd**

Lorraine has served continuously at Columbus State Community College for over twenty years and retired from the college at the end of winter quarter 2012.

In addition to her many roles as educator, advisor and mentor to students, Lorraine has served on numerous department and college committees. Her dedication as advisor to the Columbus State Student Nurses Association (CSSNA) has provided the stability and continuation of the organization so that student nurses could benefit from being a part of a professional organization.

Her community service and service to the nursing profession are exemplary.

### **Emeritus Status: Sheila Butler**

Sheila Butler has worked at Columbus State Community College for over 30 years and started when it was still chartered as Columbus Technical Institute. She spent 20 years in Financial Aid holding various positions, each with increased leadership. In her time working in Financial Aid, she served multiple roles; notably, as the Coordinator of Work Study and Scholarships, and as the Coordinator of Veteran Affairs. In December 2000, Sheila began her service to the Regional Learning Centers serving as a Coordinator until December 2012.

Sheila was selected as Employee of the Month in July 2001 and subsequently won Staff Employee of the Year. This Spring, she received her 30 year Service Award from the college.

Sheila is a dedicated, hard working, smart professional that possesses strong management and organizational skills. As a Coordinator in the Regional Learning Centers Department, she is required to interpret and enforce college policy. When making these choices, she supports and promotes the initiatives and philosophies of the organization. Sheila has amassed, through perseverance and tenaciousness, a wealth of knowledge about the college and its functions, both in terms of people but as importantly in terms of college's internal systems such as Colleague, R25, Curriculum Management, HEI reporting, Hobsons and more. Her gifts exist in her ability to connect all of the disparate processes and electronic data that is not always 'stored' as logically as we would like, and turn that into user-friendly data that all recipients appreciate.

While working full time, Sheila advanced her education. She received her Associates degree from Columbus State Community College in Microcomputing in 1999 and then completed her Bachelors in Organizational Management from Wilberforce in 2008. In addition, she pursued and received a Certificate in Deaf Studies in 2003 from Columbus State Community College.

### Emeritus Status: Deane Cobler

Deane has taught at Columbus State Community College since 1987. Prior to coming here, he taught at Hocking Technical College for 6 years. Deane also graduated from Columbus State in 1981, after earning a BS in Mechanical Engineering from the Ohio State University. While teaching here, Deane has had the responsibility of coordinating the Restaurant/Foodservice Management program and advising the students in the program. Deane has played a large part in the development of the curriculum in many areas within the department. He has taught a variety of courses in the areas of foodservice management, including food production courses that produce food and services for Christopher's, a student-run restaurant.

Deane has taken on leadership roles in several initiatives over the years, including the annual Spring Fling, Teaching in Excellence luncheons, In-Service breakfasts and luncheons, and he has served as food coordinator for Taste the Future.

As a former member of the American Culinary Federation, Deane assisted as the Chairman of Audio/Visual and room set-ups for the Northeast Regional Conferences in 1992, 1996 and 2005. This event had numerous demonstrations, seminars and break-out sessions that all needed coordination. Deane took this important responsibility and involved many students which gave them a great educational opportunity in conference and meeting planning.

In his many roles as educator, advisor, and mentor to students and colleagues, Deane has served on numerous department and college committees.

His community service has also been exemplary Deane has chaired or has served on numerous fundraising committees including the Aids Service Connection, Just Desserts, Big Brothers and Big Sisters, and Taste to Remember.

### Emeritus Status: William "Bill" Ferguson

William "Bill" Ferguson has been a longstanding member of the Mathematics Department for more than 15 years and is worthy of the emeritus status. Bill has taught his courses with excellence, served the College in a variety of ways, and has been a vital resource to other faculty.

Bill co-authored (with Ken Seidel) a student solutions manual for the textbook *Basic Technical Mathematics with Calculus*, in 1995. He served as the Technical Mathematics Lead Instructor from 1998 through 2008, and led in a shared capacity thereafter. During his tenure, he collaborated with the engineering department and worked with coordinators from other members of the Career and Technical Programs Division. Bill has also served on a variety of college-wide committees.

Bill has remained quite current in the field of mathematics education over the years. He has modified his instructional practices to include "guided notes" and assignments from MyMathLab. These additions to his instructional repertoire have been most impressive as he pushed himself his last few years to the ultimate benefit of his students.

As a great asset to the department, division and college, Associate Professor Bill Ferguson is emphatically recommended for emeritus status.



### **Emeritus Status: Elle Feth**

Professor Elle Feth retired in January 2012 from Columbus State Community College, after teaching full-time for the Biological and Physical Sciences Department for more than 21 years. She is deserving of emeritus status not only for her commitment to teaching, but also for her contributions to the department and to the college.

During her tenure at CSCC, Professor Feth graciously agreed to participate as an active member of the Department's Curriculum Committee and Promotion Committee for many years. She demonstrated her strong commitment to Columbus State by serving on the Peer Review Committee, the Arts and Sciences Faculty Mentoring Committee, and on the Arts and Sciences Distinguished Professor Committee. Additionally, Elle volunteered as a reviewer for the Choose Ohio First Program and is a regular participant in the Department's Fantastic Friday project.

Professor Feth, throughout her career at CSCC, has shown her strong devotion to teaching Geology. She developed two new courses, National Disasters (GEOL 1151) and Geology and the National Parks (GEOL 1105,) which began this Autumn semester. Professor Feth's instructional planning, assessment strategies, and professional development, as well as her many years of service to Columbus State Community College are but a few of the reasons why she deserves the award of Professor Emeritus.

### **Emeritus Status: Charles Gallucci**

Professor Charles Gallucci retired from Columbus State at the end of the Spring 2012 Quarter. He served as a professor of Chemistry with the Biological and Physical Sciences Department for more than 20 years.

During his tenure here at CSCC, Professor Gallucci has continually shown his devotion to our students and this institution. He is a staunch supporter of the Ohio Region's Phi Theta Kappa chapter. He served as an advisor to the International Student Association and received an award from the local International Voluntary Organization. He is on the planning committee for the All-Ohio Academic Team, and he actively recruits students to participate in various community service activities, including the American Cancer Society. Professor Gallucci served on the general chemistry panel for the Transfer Assurance Guides, under the auspices of the Ohio Board of Regents.

Professor Gallucci is well-deserving of the award of Professor Emeritus. He has proven his worth to Columbus State through his dedication to our students, participation on CSCC committees and service on various national and international organizations.

### **Emeritus Status: Victoria Lackey**

Victoria Lackey has been a highly engaged member of the Mathematics Department for over two decades and is worthy of the emeritus status. Victoria primarily taught algebra and calculus courses. She was a lead instructor for algebra courses, and, in recent years, has served on the Arts and Sciences Faculty Lecture Series Committee.

Victoria has always aspired to make her students more mathematically mature. She emphasized appropriate terminology usage and provided instructional strategies to remedy student misconceptions. Victoria designed supplemental exercises for a CSCC algebra textbook. She developed an online video of graphing calculator tips that is still in use today. On the other end of the curriculum, Victoria was one of the few women in the Mathematics Department to have been a member of the calculus sequence committee for the majority of her Columbus State career.

Victoria is also a consummate scholar. She was a charter member of the Arts and Sciences Faculty Lecture Series Committee, and she served as vice-chair for one year and chair for two years. She remained active with this committee through her last quarter at Columbus State. She also enrolled in Columbus State courses for her own enrichment. In one instance, she enrolled in a course to better determine if the mathematics prerequisite was appropriate.

With her career reflecting the mission of Columbus State, Victoria Lackey's request to join the select group of faculty who have earned emeritus status is strongly supported.

### **Emeritus Status: Robert Mergel**

Professor Mergel began teaching as an adjunct faculty at Columbus Technical Institute in Winter Quarter 1978. He joined the College as a full time instructor in September of 1983. Since 1987, Professor Mergel has been a member of the Construction Sciences Department and Coordinator of Civil Engineering Technology. During his tenure, he has been principally responsible for bringing the Civil Engineering Curriculum from the "Analog" age to the "Digital Age" and the state of the coursework from the 20<sup>th</sup> Century into the 21<sup>st</sup> Century.

Professor Mergel was involved in the development and implementation of the "Construction Core" course concept in the Construction Science Department in the 1980s and 1990s. He was responsible for the overhaul of the Civil Engineering Technology Curriculum in the early 21<sup>st</sup> Century and the development of the Two-Track Curricula (Civil Track and Survey Track) System. He was also responsible for the development of the Survey Certificate, including 24 hours of Surveying Coursework approved by the Ohio State Board of Registration for Engineers and Surveyors. This coursework provides a pathway for graduate civil engineers to qualify for the Professional Surveyors Licensure. From 2001 to 2003, he selected the advisory committee and chaired the curriculum development committee that was responsible for the development of the Geographic Information Technology Program.

### Emeritus Status: Julie Molnar

Julie Molnar has been a member of the Modern Languages Department for almost 25 years. She has taught courses with excellence, served the College in a variety of ways, and has been awarded the Excellence in Teaching Award on three occasions.

Julie led student study abroad trips to France in 2005 and to Quebec, Canada several years earlier. She served as the Interim Chair of the department in 1995. She was a lead instructor for several years thereafter. During her tenure, she collaborated on projects with Communication Skills faculty. She has also served on a variety of college committees.

Several years ago, Julie returned to graduate school to complete an MA in TESOL from Ohio Dominican University. She also developed the first hybrid class taught in French.

### Emeritus Status: Katherine Struve

Katherine “Kathy” Struve has been an esteemed member of the Mathematics Department for more than 20 years, and she is worthy of the emeritus status. Kathy has taught various modalities of algebra courses, served on division and college committees, and has been a vital resource for both full-time and adjunct faculty within the department.

Kathy’s leadership in some of the key initiatives within the Beginning and Intermediate Algebra sequence has spanned three decades. In the 1990s, she served as one of the initial lead instructors. In 2006, she co-developed the MATH 103 web course. Then, in 2011 she joined the developmental mathematics re-design team that created *Bridge to College Math*, which allows students to progress through the curriculum in a self-paced manner. Kathy has also served on promotion and tenure committees, presented at conferences, and successfully mentored faculty across departments towards promotion.

A major achievement in Kathy’s career was her co-authorship of a series of nationally recognized textbooks. The *Elementary and Beginning Algebra* textbook was adopted in 2010 by the department. Usage of this textbook into Autumn 2012 will provide much needed continuity for our students during the semester conversion.

Kathy has taught our general education courses also. However, her career reflects a strong commitment to the academic needs of those learners that are not immediately ready for the college-level curricula. As a great asset to the department, division and College, Professor Katherine Struve is emphatically recommended for emeritus status.



## COLUMBUS STATE COMMUNITY COLLEGE BOARD ACTION

Date \_\_\_\_\_

**SUBJECT:**

Personnel Information Items

**BACKGROUND INFORMATION:**

In accordance with a Board of Trustees resolution approved and adopted at their regular meeting held on October 18, 1978, the President has the authority to make staff appointments to positions which have already been approved by the Board and included in the current budget and to accept faculty and staff resignations.

**FOR INFORMATION ONLY**

**COLUMBUS STATE COMMUNITY COLLEGE**

**BOARD OF TRUSTEES**

**INFORMATION ONLY**

In accordance with a Board Resolution approved and adopted at a regular meeting held on October 18, 1978, which enables the President to make employee appointments to positions which have already been approved by the Board and included in the current budget, the following persons have been **appointed**.

<u>NAME</u>	<u>POSITION</u>	<u>DEPARTMENT</u>	<u>DATE</u>	<u>SALARY</u>
Robin Blazure (Repl. K. Fahringer)	Technician/Dispatcher	Public Safety	10/01/12	\$31,652
Steven Borton (Repl. R. Neal)	Police Officer	Public Safety	10/01/12	\$34,696
Nichole Clark (Repl. T. Banks – headcount transferred)	Advisor	Advising Services	09/04/12	\$44,034
Daniel Collins (Repl. C. Evans)	Instructor	Allied Health (Dental Hygiene)	08/16/12	\$44,224
Sean Ord (Repl. K. Williams)	Police Officer	Public Safety	09/17/12	\$34,696
Charles Steward (New B/A)	Office Associate	Advising & Student Support Services	10/16/12	\$28,652
Jacqueline Walli (Repl. J. Wagner)	Chairperson	Nursing	09/04/12	\$94,958
Yvonne Watson (Repl. L. Slevin – headcount transferred from Westerville Coordinator position and reclassified to Program Coordinator)	Program Coordinator	Off Campus Programs (Gahanna Center)	10/16/12	\$70,426
Jason Woltja (Repl. E. Helms – Reclassified from Office Associate to Specialist)	Specialist	Testing Center	09/01/12	\$33,129

**COLUMBUS STATE COMMUNITY COLLEGE**

**BOARD OF TRUSTEES**

**INFORMATION ONLY**

In accordance with a Board Resolution approved and adopted at a regular meeting held on October 18, 1978, which enables the President to make employee appointments to positions which have already been approved by the Board and included in the current budget, the following resignations/terminations/retirements have been accepted.

<u>NAME</u>	<u>POSITION</u>	<u>DEPARTMENT</u>	<u>DATE</u>
Carla Ardinger (VCSI)	Specialist	Data Center	09/30/12
Sandra Arrighi (VCSI)	Assistant Professor	Medical Laboratory Technology	10/20/12
Alison Baker (Resignation)	Advisor	Advising Services	10/05/12
Jennifer Barker (Resignation)	Representative	Telephone Information Center	09/14/12
Nancy 'Beth' Barnes (Resignation)	Associate Teacher	Child Development Center	08/20/12
Elizabeth Boling (Resignation)	Advisor	Advising Services	10/05/12
Nicholas Cenci (VCSI)	Program Coordinator	Library	09/28/12
Darlene Evans (VCSI)	Supervisor II	Business Office	09/30/12
Patrick Fellers (VCSI)	Associate Professor	Integrated Media and Technology	10/31/12
Clayton Gibson (Resignation)	Program Coordinator	Career Services	10/02/12
Karen Hughes (Resignation)	Assistant Professor	Nursing	08/28/12
Lisa Kesig (Disability Retirement)	Office Associate	Business & Industry	08/31/12
Janina Reese (VCSI)	Director I	Telephone Information Center	10/31/12
Mark Robinson (Resignation)	Building Services I	Physical Plant	08/31/12
Michelle Spencer (Resignation)	Assistant Teacher	Child Development Center	08/24/12

Jo-Yin Tang (Resignation)	Advisor	Admissions	08/31/12
Donald White (VCSI)	Program Coordinator	Curriculum Management	09/21/12
Michael Wilson (Resignation)	Building Services II	Physical Plant (Delaware)	08/31/12

