

# Employee Handbook



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CANKDESKA CIKANA  
COMMUNITY COLLEGE

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*Spirit Lake Dakota Nation*

Human Resource Office  
Cankdeskda Cikana Community  
College  
PO Box 269  
Fort Totten, ND 58335  
(701) 766-1333

# **The thirty year history of Cankdeska Cikana Community College is a story of empowerment of the Dakota people.**

## ***The Vision...***

In the 1960's, Chief Lewis Goodhouse (tribal chairman) had a determined vision of how services should be delivered to the people of Spirit Lake reservation: All projects requiring his endorsement were mandated to be based South of the Lake, in the villages where the Dakota people lived and raised their families.

When Lake Region Junior College President, Merrill Berg, explored ways that institution could better serve neighboring Indian students, Chief Goodhouse was adamant that classes be held on the reservation. With that in mind, he supported Lake Region College as it sought federal funding for projects and classes to be taught in Fort Totten. The course, "History of the Plains Indian," was included on the 1965-66 LRJC calendar and in June 1967 the National Endowment for the Humanities awarded Lake Region a major grant to develop a college program for Spirit Lake. A respected Dakota educator and leader, Alvina Alberts, was employed as a college counselor and advisor with an office in the Tribal headquarters building. The focus of the grant was on preservation of the language, network building between tribal members and Devils Lake community, and the recording of historical stories by tribal elders. In the Spring of 1968, Dakota language classes were offered with Mercie Nelson and Tom Siaka, as the instructors. History of the Plains Indian was taught in the Tribal headquarters building and other history classes were in the meeting room of the newly constructed jail at Fort Totten. William Light, assisted by the Dakota teachers, started a three-year assignment of recording oral histories of elders on the Fort Totten Reservation.

## ***Beginnings...***

In the 1970's the Tribal Council, led by Chairman Carl McKay, appointed a tribal education committee, with Lawrence Joshua, Rosalie Baer, Mary Ann Cavanaugh, Joyce Greene and Roger Yankton serving as members. The committee assisted in obtaining federal and state funding through Lake Region Junior College for the Spirit Lake higher education program. Mrs. Cavanaugh also served on the Board of Trustees for Lake Region Junior College, from 1973 to 1978.

The Lake Region Junior College off campus program received national recognition in November 1970 when leaders from the American Association of Junior Colleges came to Devils Lake for a conference on Indian post secondary education. Funded by the Kellogg Foundation, tribal leaders and educators from eleven reservations and nine Midwest junior colleges discussed the potential for establishing tribal colleges. This conference played a part in the future development of the American Indian Higher Education Consortium (AIHEC) with Cankdeska Cikana Community College one of the six founding members of the Consortium. AIHEC was a major force in post secondary education for Indians when it succeeded in obtaining federal support for tribal colleges under Public Law 95-471, Tribally Controlled Community College Act of 1978. Cankdeska Cikana CC became eligible for federal support under this Act in 1980 and it continues as the primary funding source for the institution.

## ***Facilities...***

The first classes that were convened in the fall of 1970 were held in the new "Kennedy Building" on the reservation which had been built with funds given in memory of John F. Kennedy. The building had been tribal headquarters briefly but in 1975 became the home Little Hoop Community College. With Title III funding, the new institution was equipped with small labs, beginnings of a library and a remedial learning center.

In 1984, the college acquired the former elementary and secondary school buildings that became available when the new Four Winds School (K-12) opened. With this move, Cankdeska Cikana CC was able to grow and develop into a fully accredited (1990), two-year institution that had strong relationships with the state colleges and universities and its sister tribal colleges.

Federal funds were obtained for a new community and college library for the Spirit Lake reservation and it was constructed in 1990, adjoining the 'new' campus building. The Valerie Merrick Memorial Library serves as a reference and research center for students, faculty, and community members.

Foundation funding became available through AIHEC and the American Indian College Fund, in early 2000, for the development of cultural centers at tribal colleges. Cankdeska Cikana CC constructed a log cabin to house a community center and museum. The log cabin is located on the north side of the main building.

Renovations of the administrative offices, faculty offices and student lounge area occurred in the early 2000's and more recently (2004) the institution completed a parking lot project and began construction for four new classrooms, including a new science lab.

## **CANKDESKA CIKANA COMMUNITY COLLEGE HISTORY**

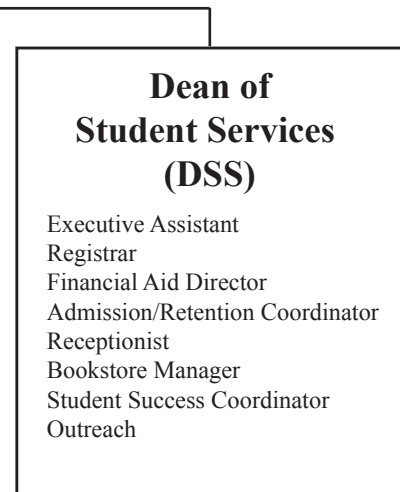
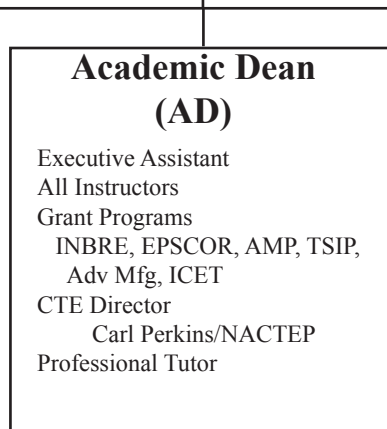
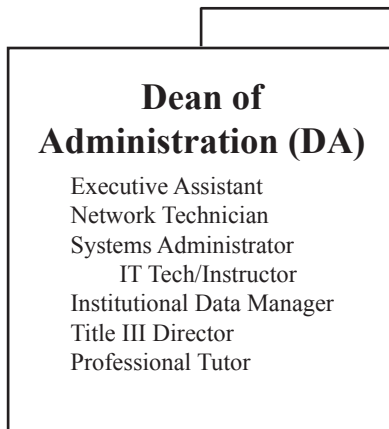
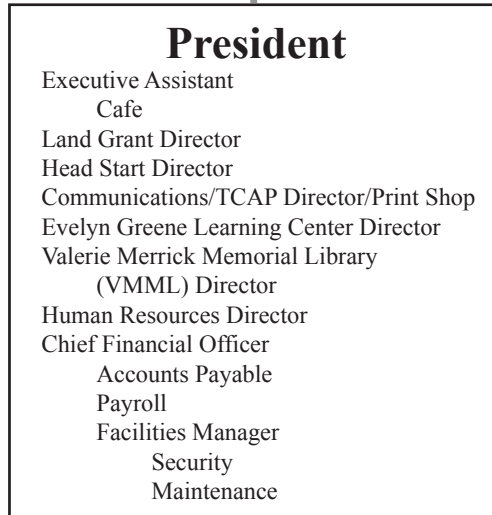
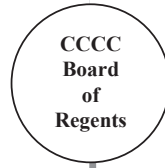
- 1974**    **Bilateral Agreement with Lake Region Junior College.**
- 1975**    **Little Hoop Community College chartered by the Devils Lake Sioux Tribe.**
- 1975**    **LHCC opened for first classes.**
- 1977**    **First graduation class – 5 students.**
- 1978**    **Articles of Incorporation established.**
- 1978**    **State of ND Certificate of Incorporation issued.**
- 1978**    **Initial Board of Regents appointed by Tribal Council.**  
**Board By-Laws established.**
- 1982**    **Bilateral Agreement with LRJC discontinued.**
- 1984**    **LHCC moved into vacant BIA school buildings.**
- 1995**    **LHCC name changed to Cankdeska Cikana Community College (Dakota translation of Little Hoop).**
- 2003**    **CCCC Charter Amended.**
- 2003**    **CCCC Board By-Laws Revised and Approved.**
- 2004**    **CCCC celebrated 30<sup>th</sup> Anniversary.**
- 2005**    **CCCC Board By-Laws Revised and Approved.**
- 2007**    **CCCC released DVD and Spirit Lake History Book.**

## **CCCC ACCREDITATION HISTORY**

- 1974** Spirit Lake Nation and Lake Region Junior College enter bilateral agreement to found a college on the reservation.
- 1977** First graduating class of five.
- 1978** Vocational Education Act funds provide for development and equipment of vocational programs.
- 1980** Eligibility established for federal funds under the Tribally Controlled Community College Assistance Act.
- 1982** Granted candidacy status.
- 1990** Accredited as an associate degree-granting institution.
- 1992** Biennial evaluation visit.  
Continued accreditation at the associate degree-granting level with a five-year revisit cycle.
- 1995** Assessment plan submitted and accepted.
- 1998** Self-Study Visit - Seven Year accreditation granted.
- 2002** Focus Visit- Student Academic Achievement.
- 2002** Initiated Self-Study process to achieve continued accreditation.
- 2003** Placed on probationary status.
- 2005** Comprehensive Self-Study Visit.  
Removed from probationary status and continued accreditation at the associate degree-granting level with a ten-year revisit.
- 2008** Three progress reports (governance, financial stability and student assessment) submitted and accepted.
- 2014-15** Next Comprehensive Evaluation.



# Organizational Chart





## Mission Statement

Cankdeska Cikana Community College provides opportunities that lead to student independence and self-sufficiency through academic achievement and continuation of the Spirit Lake Dakota language and culture.

## Vision Statement

Cankdeska Cikana Community College builds a strong and viable Dakota community that enjoys physical, mental, emotional and spiritual health.

## Key Values

### ***Shared Responsibility***

- We are respectful of each other.
- We believe in the value of educational and vocational training.
- We believe in the potential of our students.

### ***Commitment to Quality***

- We strive to be the very best tribal community college.
- We employ qualified faculty and staff in all positions.
- We maintain accreditation.
- We structure the institution to optimize the skills and contributions of all.

## Dakota Values

- Woksape*** - Wisdom
- Wicowahba*** - Humility
- Wowaditake*** - Courage
- Wawokiya*** - Generosity
- Wowaditake*** - Fortitude
- Waohoda*** - Respect
- Ohañ Owotana*** - Honesty





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# CANKDESKA CIKANA COMMUNITY COLLEGE

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*Spirit Lake Tribe*

## Personnel Policies

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*Think Dakota • Live Dakota*





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## 101 Introduction

CCCC Board of Regents Approved 11/09/2021

Cankdeska Cikana Community College is a higher education institution, and all employees believe and promote the institutional mission, vision, and values:

### **Mission Statement**

Cankdeska Cikana Community College provides opportunities that lead to student independence and self sufficiency through academic achievement and continuation of the Spirit Lake Dakota language and culture.

### **Vision Statement**

Cankdeska Cikana Community College builds a strong and viable Dakota community that enjoys physical, mental, emotional and spiritual health.

### **Key Values**

#### *Shared Responsibility*

We are respectful of each other.

We believe in the value of educational and vocational training. We believe in the potential of our students.

#### *Commitment to Quality*

We strive to be the very best tribal community college.

We employ qualified faculty and staff in all positions.

We maintain accreditation.

We structure the institution to optimize the skills and contributions of all.

## **Expected Outcomes for Essential Studies Upon Graduation**

Student will know and understand critical thinking

Student will be able to skillfully communicate

Student will have basic technology skills, including

safety/security Student will have better life skills

- The CCCC policy manual is developed to acquaint all employees with information regarding working conditions, employee benefits, employer expectations of employees, and policies directly guiding employment. It is the responsibility of the employee to read, understand, and comply with the policies in this manual.
- The CCCC Board of Regents reserves the right to supplement, change, and revise or eliminate any of the policies and benefits described in this manual.

## **102 Reservation of Rights**

Cankdeska Cikana Community College reserves the right to interpret, change, suspend, cancel or dispute, with or without notice, all or any part of the policy or the procedures or benefits discussed herein. Employees will be notified of policy revisions or procedural changes. Further, although adherence to these provisions is considered a condition of employment, nothing in this policy alters the status of the Cankdeska Cikana Community College employees as employees at will and these provisions do not constitute nor can they be deemed a contract or promise of employment.

## **103 Media Policy**

The protection of Cankdeska Cikana Community College's reputation, integrity, and process is vital to the interest and success of the College. With reasonable advance notice, all employees are required to notify the President in writing and receive appropriate authorization to publish news articles and/or grant interviews to the media concerning Cankdeska Cikana Community College.

## 104 Employee Conduct

Cankdeska Cikana Community College serves the residents of the Spirit Lake Dakota reservation community. It is expected that all employees uphold the highest standards of professionalism, integrity, and character in performing their job functions and representing the College. Understanding and emulating the Dakota values is essential to the College's teaching and learning process:

*Think Dakota, Live Dakota*

<i>Woksape</i>	<i>Wisdom</i>
<i>Wicowahba</i>	<i>Humility</i>
<i>Wowaditake</i>	<i>Courage</i>
<i>Wawokiya</i>	<i>Generosity</i>
<i>Wowaditake</i>	<i>Fortitude</i>
<i>Waohoda</i>	<i>Respect</i>
<i>Ohañ owotana</i>	<i>Honesty, integrity</i>

## **105 Employment At Will**

*CCCC Board of Regents Approved 11/09/2021*

CCCC is an “at will” employer per state and federal rules. Employment with CCCC is at will.



## 106 Conflict of Interest

This policy is in addition to other College regulations, policies and guidelines relating directly or indirectly to the duty of loyalty that is owed by members of the College community.

Every member of the College community becomes involved in situations where their loyalties may be divided or where their personal interest may conflict with their duty. This policy sets a general standard to govern conduct when such situations arise.

Application: This policy applies to all members of the College, including Board of Regents, all employees (academic, administrative, and support staff) and, when appropriate, students and volunteers (hereinafter collectively referred to as "members"), and constitutes part of the formal relationship between the member and the College.

Definition: A conflict of interest exists where a member owes a duty of loyalty to CCCC, which is or can be compromised, directly or indirectly, by the pursuit of a member's personal interests.

Examples: The following are examples of conflict of interest situations that may arise in the College context. The situations enumerated are illustrative only and not exhaustive:

- a. Employment, supervision, or evaluation:  
No member shall participate in the appointment, employment, promotion, supervision, or evaluation of members of their family (as defined early in the policy manual under nepotism) or a person to whom they owe a personal or legal obligation.
- b. Acquisition and disposition of assets:  
No member shall influence, participate in or authorize the acquisition or disposition by the College of any asset, including supplies or services from or to an enterprise in which the member has a financial or other interest.
- c. Participation in organizations doing business with the College:  
No member may influence the decisions of an external enterprise doing business with the College, whether or not for profit, as it relates to the College in general and to the member's activities at the College specifically.

### Duty of Loyalty

The following provisions set out some instances of the duty of loyalty, which arises either as a consequence of the employment relation that exists between the member and the College, or by virtue of other voluntary undertakings of members.

- a. External commitments: A member may not accept external employment or engage in activities which by virtue of their time commitment, interfere with or prevent the performance of College duties or bring the member into a position of divided loyalty between the College and the external employer.
- b. Unauthorized use of privileged information:  
Information acquired as a result of the member's College position may not be used for purposes unrelated to that position.

- c. Use of College services and resources:  
A member may not use the services of other members or make more than inconsequential use of College facilities, supplies or resources to serve a personal interest of that member unless authorized to do so.
- d. Acceptance of gifts:  
Acceptance of gifts, gratuities, or favors in any form, (except for gifts of purely nominal value and social entertainment considered in keeping with good professional ethics and which do not obligate the member), are prohibited.
- e. Competition with the College:  
No member may compete with the business of the College, unless such activity has been duly authorized. No member may be associated in any manner with an enterprise, which in any manner, including through its name, publicity or operations, falsely implies that it is associated with or benefits from the College, unless authorized to do so.

#### Procedure

- In addition to reporting requirements contained in other College policies or regulations, a member in a conflict or potential conflict of interest must disclose the circumstances to the President and/or Board of Regents as appropriate and in a timely fashion.
- In the event that such a conflict or potential for conflict does exist, the President and the member will agree in writing on a course of action to avoid or monitor the conflict.
- In the event that agreement cannot be reached, the case will be referred to the next level of authority for resolution/decision.

All information and disclosures made in accordance with this policy will be held in confidence unless otherwise agreed by the parties involved.

It is the responsibility of those with supervisory authority and/or any member who detect what they believe to be violations of the policy, to act promptly in order to provide or initiate the appropriate remedial or disciplinary measures.

## **201 Equal Employment Opportunity**

It is the policy of Cankdeska Cikana Community College to recruit, hire, train and promote employees without discrimination because of race, color, religion, gender, age, creed, status of marriage or public assistance, national origin or physical requirements or bona fide occupational qualification, or where Indian Preference or Veteran's Preference is appropriately claimed.

If Indian Preference is claimed, it is the applicant's responsibility to furnish proof of  $\frac{1}{4}$  or more degree Indian blood.

If Veteran's Preference is claimed, it is the applicant's responsibility to furnish a copy of a United States Government form DD214 or an honorable discharge from any branch of the military service.

## **202 Non-Discrimination**

*Revision Date: 01/24/2017*

Cankdeska Cikana Community College will not discriminate in its educational programs, activities, or employment practices, based on race, color, national origin, gender, sexual orientation, disability, age, religion, ancestry, or any other legally protected classification.

Announcement of this policy is in accordance with Federal law, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

Inquiries or concerns may be referred to the Title IX Coordinator, Cankdeska Cikana Community College, (701) 766-1124 or 1-888-783-1463 or to the Office of Civil Rights, US Department of Education, 500 W. Madison Street Suite 1475 Chicago, IL 60661.

## 203 Non-Disclosure

The materials, products, designs, plans, ideas, and data of Cankdeska Cikana Community College are the property of the College and should never be given to an external firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, including termination, dependent on breach.

Confidential information includes but is not limited to the following examples:

- Personnel Data, records, forms or
- CCCC proprietary information
- Competitive bid information
- Compensation data
- Financial information
- Marketing strategies
- Pending projects and proposals
- Research and development strategies
- Scientific data
- Scientific formulae
- Scientific prototypes
- Student records
- Technological data
- Technological prototypes

## **204 Disabilities or Life-Threatening Illness**

Cankdeska Cikana Community College is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. Reasonable accommodation is available to any disabled employee.

An employee with a life-threatening illness, i.e. cancer, heart disease, HIV/AIDS, may wish to continue working to the extent that their condition allows. A physician statement for work release is needed.

## 205 Privacy

Cankdeska Cikana Community College (CCCC) is respectful of employee privacy. All employee demographic and personal information will be shared only as required in the normal course of business. Healthcare enrollment information is kept in the employee's payroll file separate from the employee personnel file. Worker's Compensation information is not considered private healthcare information; however, this information will be released only on a need-to-know basis.

The college does not make or receive any private healthcare information through the course of normal work. If any employee voluntarily shares private healthcare information with a member of management, this information will be kept confidential. If applicable, the college will set up internal guidelines for employees and management to follow to ensure that company employees conform to the requirements of the Health Insurance Portability and Accountability Act (HIPAA).

## **206 Other Laws and Regulations**

The provision of these procedures and policies shall apply in addition to and shall be subordinated to any requirements imposed by applicable federal, state or Tribal laws, regulations or judicial decisions. Unenforceable provisions in these procedures shall be deemed to be deleted and will not affect the enforceability of the remaining provisions.



## 207 Spirit Lake TERO

Cankdeska Cikana Community College is an equal opportunity employer and will comply with the intent of the Tribal Employment Rights Ordinance (TERO). Charter 15-4-101 of TERO states:

1. All hiring administrators are required to give preference to Native American Indians in hiring, promoting, training and all other aspects of employment, contracting or subcontracting, and must comply with this Title and the rules, regulations and other commission.
2. Order of Native American Indian Preference.
  - a. Enrolled member of the Spirit Lake Tribe.
  - b. Native American Indians enrolled in a federally recognized tribe supporting enrolled members of SLT.
  - c. Local Indians.
  - d. Other minority.
  - e. Non-Indian living within the boundaries of the Spirit Lake Tribe reservation.
  - f. Non-Indian.
3. The above requirement shall apply only to facilities of an employer located or engaged in work on the Reservation.
4. Compliance with applicable federal law is mandated. If any requirement of Charter 15-4-101 Coverage #2 is not consistent with applicable requirement of federal law or regulations, the latter shall take precedence.

## **208 Immigration Law Compliance**

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 on day of hire and present documentation establishing identity and employment eligibility within three business days of date of hire. Former employees who are rehired must also complete an I-9 form if they have not completed an I-9 form with the college within the past three years, or if their previous I-9 form is no longer retained or valid.

## **209 Religious Accommodations**

The college will make reasonable accommodations for employees' observance of religious holidays and practices unless the accommodation would cause an undue hardship on the college's daily operations. If an employee desires a religious accommodation, he/she is required to make the request in writing to their immediate supervisor as far in advance as possible. Employees are encouraged to strive to find co-workers who can assist in the accommodation and cooperate with the supervisor in seeking and evaluating alternatives, during this time.

At the College President's discretion, up to five (5) days per calendar year of administrative leave may be granted for participation at a sun dance ceremony. The employee must provide a written and legible document signed by the sun dance leader stating the dates of the employee(s) involvement and verifying their type of participation (dancer, cook, helper, singer, or supporting a family member). A two-week advance notice is required utilizing the CCCC sun dance leave form.

## **210 Political Neutrality**

*Revision Date: 09/24/2015*

Maintenance of individual freedoms including political affiliation is guaranteed by the U.S. Constitution. As a non-profit organization, CCCC does not take part nor advocate for one position. As educators we promote civic responsibility through educational processes. We encourage participation by enrolled members of the Spirit Lake Tribe concerning Tribal nominations, elections, selections, and recall hearings of Spirit Lake Tribal Council members.

CCCC does not discriminate against employees based on their (lawful) political activity engaged in outside of work. If you are engaging in political activity, however, you should always make it clear that your actions and opinions are your own and not those of CCCC and that you are not representing CCCC.

Unless CCCC provides designated administrative leave for such purposes, eligible Tribal members are required to utilize annual leave when participating and/or attending Tribal meetings, elections, or hearings scheduled during the normal workday.

In the event that a CCCC employee or Board of Regents member who is a Spirit Lake Tribal member is elected to serve on the Spirit Lake Tribal Council then he/she will be required to resign from their position.

## 211 Drug and Alcohol Abuse Prevention Program

Revision Date: 01/24/2017

Cankdeska Cikana Community College as a recipient of Federal funds supports and complies with the provisions of the Drug Free Schools and Communities Act of 1989 and the Drug Free Workplace Act of 1988.

In order to receive federal financial assistance of any kind, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs or alcohol by employees or students, in compliance with the provisions of the Drug Free Schools and Communities Act Amendments of 1989.

To comply with this legislation, Cankdeska Cikana Community College hereby notifies all employees and students that the unlawful possession, manufacture, distribution, dispensation, or use of illicit drugs and alcohol on the campus is prohibited.

Violation of these policies by either employees or students will result in appropriate disciplinary penalties imposed per these Personnel policies. Appropriate disciplinary penalties include a range of actions up to and including termination of employment, expulsion, and referral for prosecution.

In addition, the Drug Free Workplace Act of 1988 ensures that work done under federal contracts or federal grants is performed in a drug free work environment. As a recipient of Federal funds, Cankdeska Cikana Community College supports and complies with the provisions of the Drug Free Workplace Act of 1988.

Cankdeska Cikana Community College has a vital interest in the health and safety of our employees as well as a need to protect the interest of the students served by the institution. To that the Board of Regents adopted a policy to identify and remove the adverse affects of alcohol and drugs in job performance, and to enhance the health and safety of our employees and students.

1. Cankdeska Cikana Community College employees shall be provided with educational information on drug abuse, including information on the availability of drug/alcohol services so that employees who develop drug or alcohol problems will be required to participate in an appropriate treatment program for rehabilitation. The employee will incur the treatment cost.
2. Cankdeska Cikana Community College maintains a drug free and alcohol-free workplace. As part of this policy, **any of the following actions constitute a violation of the policy and may subject an employee to disciplinary action including immediate termination:**
  - Using, selling, purchasing, transferring, possessing, manufacturing, or storing an illegal drug or controlled substance or drug paraphernalia, or

attempting or assisting another to do so, while in the course of employment or engaged in a Cankdeska Cikana Community College sponsored activity or on Cankdeska Cikana College premises or property.

- Working, reporting to work, conducting Cankdeska Cikana Community College business or being on Cankdeska Cikana Community College property while in an intoxicated condition or while having any measurable or detectable amount of alcohol in the employees' system or under the influence of an illegal drug or controlled substance.
  - Illegal use or possession of prescription drugs while in the course of employment or engaging in the provision of care or services, or on Cankdeska Cikana Community College premises or property.
  - An employee who suspects that a colleague or co-worker is under the influence of alcohol or illegal drugs should contact his/her supervisor immediately. An employee who suspects that a supervisor is under the influence of drugs or alcohol should contact the next level of supervision or chain of command.
  - If an employee admits to being under the influence of alcohol or drugs, drug or alcohol testing of the employee may not be necessary. In these cases, a mandatory referral will be made to a licensed treatment program.
  - Tampering and/or altering specimen during drug test process.
3. Cankdeska Cikana Community College will implement necessary measures to maintain a drug and alcohol free workplace including provisions and procedures for testing, random testing, and reasonable cause/reasonable suspicion testing, searching and inspection of personal property, preventive or correction actions and coordination with law enforcement agencies.
  4. Reasonable cause for Suspicion Testing: when an employee, by actions or behavior, gives Cankdeska Cikana Community College reasonable suspicion to believe that a violation of Cankdeska Cikana Community College Drug and Alcohol Policy has occurred, that employee will be required to undergo testing of drug and alcohol use. As a condition of continued employment, all employees are expected to cooperate with drug testing. Employees who refuse to submit to drug testing will be immediately terminated. This policy applies to all employees regardless of rank or position.
  5. Annual/Random Testing: All employees are subject to annual and random drug testing. All employees will be tested the 1<sup>st</sup> quarter and 25% random tested the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> quarter. A recognized and approved random selection process based upon a number assigned to each employee of the institution will be used.

Such random testing may be deferred only when the employee is unavailable for testing. This employee will be subject to an unannounced testing. Once notified, any employee who skips out during an annual/random drug test is subject to immediate termination. The employee must report to the designated testing area immediately upon notification.

6. Pre-Employment: Any candidate for a position at Cankdeska Cikana Community College is subject to drug testing. An applicant who refuses to submit to drug testing, tampers with the test, or fails to pass the drug test will be ineligible for hire at Cankdeska Cikana Community College.
7. Consequences for Positive Testing: any employee who fails a drug test or has arrived for work under the influence of drugs or alcohol will be required to participate in a licensed alcohol/drug treatment program.
  - A. In addition, the employee will be suspended for three days without pay. The institution through weekly progress reports from the treatment program will monitor the progress of the treatment. If the employee does not participate in the treatment program he/she will be immediately terminated. Random drug testing will continue during treatment and after treatment is completed. If the employee tests positive during treatment or after completing treatment he/she will be terminated immediately. If the employee refuses to participate in the appropriate treatment program or does not successfully complete the program, the employee will be subject to immediate termination. This excludes pre-employment and probationary employees.
  - B. Aftercare: Upon completion of the initial drug/alcohol treatment program, the employee may be monitored for up to two years by their immediate supervisor as determined by the treatment program. As part of the aftercare program, monthly reports from the licensed drug/alcohol treatment program will be submitted to the Human Resource office.
  - C. Reports of relapses and/or missed aftercare meetings also will be reported to the supervisor by the licensed drug/alcohol treatment program. Non-compliance in the above stated elements of the aftercare program will result in immediate termination.

### **Convictions of Drug/Alcohol-Related Offenses**

Any employee convicted of any drug/alcohol-related criminal statute must notify their immediate supervisor in writing, no later than five (5) days after such conviction. Failure to inform will result in administrative sanctions, ranging in severity from formal counseling to termination of employment. Satisfactory participation in a college-approved drug abuse assistance or rehabilitation program will be required as a condition of continued employment by the college of all employees who violate this provision and are not terminated from employment.

Employees directly engaged in work under a federal grant or contract are required to notify their supervisors of any criminal drug statute conviction no later than five (5) calendar days after such conviction. The college will notify the granting federal agency within 10 calendar days of receiving notice of criminal drug statute conviction of any employee working under a federal grant or contract when such conviction involves a drug offense. Satisfactory participation in a drug abuse rehabilitation program that is approved by a federal, state, or local health, or law enforcement will be required as a condition of continued employment by the college.

## **212 Workplace Searches**

*Revision Date: 09/24/2015*

To protect college property and to ensure the safety of all employees, the college reserves the right to inspect and search any employee's office, desk, drawers, cabinets, files, equipment, including computers, email and voice mail, company vehicles, and any area on the premises. In this regard, it should be noted that all offices, desks, file drawers, cabinets, and other college equipment and facilities are the property of the college, and are intended for business use only. Employee should have no expectation of privacy with respect to items brought onto college property and/or stored in college facilities. Inspection may be conducted at any time, without notice, at the discretion of college administration.

In addition, when the college deems appropriate, employees may be required to submit to searches of their personal vehicles, parcels, purses, handbags, backpacks, brief cases, lunch containers, or any other possessions or articles brought on to the college's property.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. All employees must cooperate in an inspection; failure to do so is insubordination and will result in disciplinary action, up to and including termination.



### **301 Job Posting**

1. Advertisement of all open full-time positions shall be posted with local organizations and shall include appropriate information such as title, supervisor, qualifications, and duties for the appropriate time period and closing dates specified.
2. Advertisement of part-time or temporary positions will be at the discretion of the President. Direct recruitment for these types of positions (part-time or temporary) will be allowed if it is in the best interest of the College.
3. Local public newspaper, state and tribal employment agencies, radio stations, national ads, and other agencies may be utilized to advertise vacancies.

## **302 Employment Applications**

Any person seeking employment at Cankdeska Cikana Community College must complete and submit the following to the Human Resources Office.

1. Application, resume, or curriculum vitae
2. Transcripts indicating proof of degrees or certificates. (Employee will provide official transcript if hired)
3. Three (3) current references.
4. Any other information to support the applicant's qualifications.

Disclaimer: The materials submitted become the property of CCCC. It is the individual's responsibility to provide what is requested to be considered for a position. We are under no obligation to return materials to applicants.

Any misrepresentation, falsification, or failure to submit materials as requested or required for verification will result in exclusion of the applicant from further consideration. Some positions may not require a degree or certificate, but a high school diploma or GED certificate is required for employment at the College. If a person has been hired, and it is later discovered that the employee had misrepresented him/herself either verbally or in the application process, the employee is subject to immediate termination.

### **303 Employment Background Check**

*Revision Date: 06/05/2019*

It is the policy of Cankdeska Cikana Community College to check references of each applicant to ensure that individuals are qualified and meet the requirements of the position. Cankdeska Cikana Community College reserves the right to do a formal professional or criminal background check on any person who applies for employment with the College, or who is employed by the college, or who may be employed by the college at any point in time.

The CCCC Human Resources Office contracts with the company vendor who completes the national Criminal Record Check (CRC) on each job applicant prior to hiring for a position. All applicants must complete and submit the Disclosure and Background Authorization Form to the Human Resources Director. The company vendor conducts the background investigation and returns the CRC Report to the Human Resources Director. The Human Resources Director reviews the CRC Report to determine if the applicant is eligible for employment.

Upon hire, a tribal background investigation is completed on each employee. The Spirit Lake Tribal Court conducts the background investigation and returns the CRC Report to the Human Resources Director. The Human Resources Director reviews the tribal CRC Report and notifies the supervisor if the employee is eligible to continue employment.

Any finding regarding criminal conduct, not disclosed by the applicant/employee, is grounds for not hiring and/or termination of employment.

Each employee is responsible for half the cost of the background check that can be paid through payroll deduction. The employee has a right to make a written request to Human Resources within sixty days for a copy of the background check findings.

### **304 Hiring Procedure**

*CCCC Board of Regents Approved 11/09/2021*

- Applications are reviewed to determine if they meet qualifications for the position and if all information has been provided.
- Qualified applicants will be invited for an interview.
- A three-member team, determined by the Human Resources Director will interview candidates and submit a written recommendation to the Supervisor.
- Supervisor and Dean/Program Oversight will review recommendation and either approve/disapprove and will forward results to the President for concurrence.
- Selected candidate will be contacted by the HR Director to negotiate salary (based on the CCCC wage scale and budget) and start date.
- Letter of offer will be mailed or provided to candidate from the President.
- The hiring process for CCCC is overseen by the Human Resource Director

### **305 Hiring of Relatives (Nepotism)**

For the purpose of this policy, a relative of an extended Dakota family system is taken into consideration and is defined as a member of the immediate family, including spouse, parents, children, brothers, sisters, brothers and sisters-in-law, fathers and mothers-in-law, stepparents, stepsiblings, stepchildren, foster-children, grandparents, aunts, uncles, nieces, or nephews, and first cousins.

Relatives of persons currently employed by the college may be hired, but will not be under the direct supervision of the relative.

## **306 Orientation**

An orientation will be provided by the HR Director for each new employee with a general review of policies and enrollment in benefit options. Human Resources will provide the employee with the job description for their position and a copy of the policies. The standard acknowledgment and consent forms will be signed by the new employee and will be a part of the employee's personnel file.

The supervisor will review and provide the employee of any required forms necessary to be an employee - i.e. time sheets, travel request forms, purchase order forms - and introductions to appropriate department/division staff.

Human Resources or the supervisor will be available to answer any questions that the employee encounters.

### **307 Chain-of-Command**

*CCCC Board of Regents Approved 11/09/2021*

To assure orderly operations and provide the best possible work environment, employees follow the internal chain-of-command:

Employee > Supervisor > Program Director > Dean > President

Failure to adhere to the chain of command could lead to disciplinary action.

Any employee, other than the President, wanting to approach the Board of Regents with official College business, must submit the request in writing to the President to be put on the Board agenda. Employees may be invited by the Board to attend or present information and they will be notified by the President, Human Resources Director, or a Dean dependent on circumstances. Failure of the employee to comply with the written permission requirement could result in the termination of the employee.

Approaching the Spirit Lake Tribal Council with College business without written permission from both the President and the Board of Regents could result in immediate termination of an employee from the College.

Occasionally the President must be away from the College. During this absence the President will appoint a "person in charge" of the College. The President will notify the staff by memo as to who is in charge of the campus in his/her absence. The order of precedence is 1st Dean of Administration, 2nd Co-Academic Deans, and 3rd Dean of Student Services.

## 308 Probation

All employees will serve a probationary period. All new employees are “probationary” status employees during the initial 90-days of employment. During the probationary period new employees are eligible for those benefits that are required by law, such as Workers’ Compensation insurance, state unemployment, and Social Security. New employees will be covered by CCCC health policy immediately. Upon satisfactory completion of the probationary period, employees become eligible for all employer-provided benefits, subject to the terms and conditions of each. The Human Resources Office will clarify the current benefit provisions.

### Transfers:

Employees who transfer to another position within the college, carries forward 401K, accrued leave, and health benefits. An employee must have completed a 90-day probationary period within their current position, prior to transferring. If employed by a grant program any accrued annual leave will be paid out at the time of transfer.

An employee may be placed on ‘probation’ or have probation extended for a 30, 60, or 90 day period as determined by the supervisor as a component under rules of conduct (section 614) or a disciplinary action (section 615).



## **309 Safety**

*Revision Date: 01/24/2017*

The safety and security of the CCCC campus is overseen by the CCCC Chief Security Officer.

All entry points throughout CCCC will be locked, except for the entrances located by the Registrar's Office and Student Union and the Valerie Merrick Memorial Library (VMML) which will be opened for normal hours of operation.

All faculty and staff will have access to locked entry points via their employee badge. Faculty, staff, and students who have access to locked entry points are strictly prohibited from letting anyone enter, except in the case of an emergency, which is defined as an unexpected or sudden event that must be dealt with urgently and documented via an Incident Report Form.

Campus access for weekend or evening events will be coordinated with the Chief Security Officer to assure coverage.

The ID badge must be turned in immediately to the Chief Security Officer if an employee resigns or employment is terminated by CCCC.

All **visitors** must report to the Student Services offices (main entry/receptionist) for a Visitor's Badge and log-in. Logging-in requires time/length and purpose of visit. Visitors will remain in the designated waiting area at the main public entrance, until the applicable staff member or department representative arrives. A visitor who does not have a Visitor's Badge visible or did not sign in will be escorted by a Security Officer to Student Services to sign-in and receive a Visitor's Badge. Badges will be turned in when visitor departs campus.

Maintaining a safe work and study environment for all the students, faculty, and staff is a responsibility of all and the College will make every attempt to assure a safe environment. The College complies with all federal, state, and local safety regulations.

In the event that any person is endangered by another person, Law Enforcement will be called to the scene. Law Enforcement will remove the person/persons causing the disturbance on College property and will provide the College with a full report of the incident. All faculty and staff complaints or incidents must be directed to the Chief Security Officer. Any student safety complaints must be directed to the Academic Dean, and if appropriate to the Chief Security Supervisor.

## 310 Campus Security

### ID Badge

In order to protect the safety and welfare of students and employees of CCCC and to protect the property of CCCC, all persons on the property under the jurisdiction of CCCC shall be required to visibly wear an ID or Visitor's Badge.

If not wearing an ID or Visitor's Badge the individual will be required to identify themselves upon request of the Safety/Security Officer or any CCCC Employee. A person identifies himself/herself by providing his/her name and complete address; date of birth and by stating truthfully his/her relationship with the College. A person may be asked for some form of identification.

If a person refuses or fails upon request to present evidence of his/her identification and it reasonably appears that the person has no legitimate reason to be on the campus or in the facility, the person will be escorted off the premises of the campus or facility by the Safety/Security Officer or Safety/Security Coordinator.

If such person refuses to be escorted off campus, local law enforcement shall be called to assist. In addition, if the person is a student he/she may be subject to on-campus disciplinary actions.

Each person is responsible for making the workplace a secure environment for everyone. The following security guidelines apply to all employees:

- Keys/ID Badge's given to CCCC Employees may not be duplicated or loaned to anyone. Lost keys/ID Badge's must be reported to the Safety/Security Coordinator immediately.
- Each person is responsible for turning off the lights and equipment, such as fans, heaters, radios, and computers, at his or her individual work area at the end of each workday.
- During working hours, purses, wallets and keys should not be left out in the open where they are easily seen.
- Any employee who notices any unusual condition or office must report this condition to the Safety/Security Coordinator immediately.
- The Safety/Security Office has primary responsibility for building security.

### **311 Children in the Workplace**

*Revision Date: 01/24/2017*

Cankdeska Cikana Community College is sensitive to the needs of working parents and is committed to reasonably accommodate working parents. It is the employee's responsibility to make arrangements for childcare during the workday, however we recognize that there may be unexpected events that disrupt the normal routine.

With the approval of the immediate supervisor, children may be brought to the workplace by parent employees/guardians for brief visits, in the event of an emergency, or other times when there are no other alternatives (e.g., unplanned early dismissal from school, or child care provider suddenly unavailable).

Such arrangements are only temporary and may be granted only under the following:

- The parent/guardian employee must supervise the child (ren) at all times.
- The child (ren) should never be left unattended or with other employees.
- Under no circumstances should a child with an illness that prevents him/her from being accepted by a regular child care provider or from attending school be brought into the workplace.

Although the college strives to be a family-friendly environment, it must be recognized that it is not appropriate to bring children to work for the following reasons:

- Safety is the primary concern when considering the presence of children on campus. Children in the workplace create a potential liability for the department and the College.
- Children in the workplace can disrupt the environment for the employee, co-workers, and others in the area. It creates an atmosphere that is not conducive to work performance and fulfillment of job expectations.

## 401 Employment Classification

The following terms are used to describe employees and their employment status:

**Exempt Employees** - Employees whose positions meet specific tests established by the Federal Labor Standards Act ("FLSA") and North Dakota state law. In general, exempt employees are those engaged in executive, managerial, high-level administrative and professional jobs that are paid a fixed salary and perform certain duties. In addition, certain commissioned sales employees and highly paid computer professionals are exempt. Exempt employees are not subject to the minimum wage and overtime laws.

**Nonexempt Employees** - Employees whose positions do not meet specific tests established by the FLSA and North Dakota state law. All employees who are covered by the federal or state minimum wage and overtime laws are considered nonexempt. Employees working in nonexempt jobs are entitled to be paid at least the minimum wage per hour and a premium for overtime.

## **402 Employment Categories**

*CCCC Board of Regents Approved 11/09/2021*

**FULL-TIME STAFF:** (Includes 12 month instructors) Employees who are not in a temporary or probationary status and who are regularly scheduled to work the organizations full-time schedule (40 hours per week). Generally, they are eligible for the employer's full-time benefit package, subject to the terms, conditions, and limitations of each benefit program. Full time employees may be funded from grants and other funding sources. Full time employees hired for a specific grant will be paid from that grant and are limited to employment for the duration of the grant.

**FULL-TIME FACULTY:** Employees who are eligible for the employee's full benefit package, subject to the terms, conditions, and limitations of each benefit program, with the exception that they are not eligible for annual leave. In lieu of the annual leave benefit, these employees receive three paid personal leave days per nine-month academic year. Employees will not receive pay for any unused personal leave days each year.

**ADJUNCT FACULTY:** Employees who are appointed to work on a contractual basis per semester for an agreed upon number of credit hours. Employees are paid an established rate per credit hour. Employees do not qualify for full-time benefits.

**PART-TIME:** Employees who are scheduled to work less than a full-time schedule. They receive all legally mandated benefits such as Workers' Compensation and Social Security Benefit programs.

**TEMPORARY:** Employees hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited and definite duration. Employment beyond any initially stated period does not in any way imply a change of employment status. "Temporary" employees retain that status until notified, in writing, of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are not eligible for any of the employer's other benefit programs.

**TEMPORARY STUDENT EMPLOYEE:** This classification is for CCCC students hired to assist departments funded from College Work Study or other sources. These employees receive all legally mandated benefits such as Workers' Compensation and Social Security Benefit programs. These appointments are temporary based on need and availability of funds and are limited to their college enrollment period.

### **403 Access to Personnel Files**

*CCCC Board of Regents Approved 7/11/2022*

Personnel files are the property of Cankdeska Cikana Community College and access to the file or information contained in the file is restricted. With reasonable advance notice, an employee may review material in his/her file but only in the Human Resource Office in the presence of the HR Director. No documents may be removed from the personnel file. CCCC does not provide copies of transcripts in an employee's personnel file. It is the responsibility of the employee to keep original copies of their documents for their records. Any release of information from the personnel file must first have the written permission from the employee.

If a former employee would like a copy of a document in their file they must contact the HR Director to see if their file is still available, and if so, a written request from the employee is needed.

## **404 Personnel Data Changes**

It is the responsibility of each employee to promptly (within 10 working days) notify Cankdeska Cikana Community College of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status information should be accurate and current and provided to the College by the employee. Cankdeska Cikana Community College has the right to rely on the last mailing address furnished by an employee for any communications unless otherwise specifically provided.

## **501 Salary Scale**

*CCCC Board of Regents Approved 11/09/2021*

Employee salary is determined by the CCCC Wage Scale established by the Board of Regents.



## **502 Performance Evaluation**

All employees will be evaluated annually. New employees are evaluated at the end of the 90-day probationary period and again at the end of the first year of employment. Supervisors are responsible to conduct performance evaluations and to submit signed copies for the employee's personnel file.

## **503 Break Period**

Each workday, full-time employees are provided with two 15-minute break periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted break period. It is the responsibility of supervisors to see that break periods are not abused and for employees to be respectful of this benefit. Breaks should not interfere with adequate office coverage. The work day may not be shortened, nor lunch hour lengthened, by skipping a break period. Lunch break is for 30-minutes.

## 504 Timekeeping

Federal and state laws require Cankdeska Cikana Community College to keep an accurate record of time worked in order to calculate employee pay and benefits.

- Employee completes weekly timesheet
- Approved by supervisor
- Submitted to payroll

## **505 Overtime**

Nonexempt employees will be paid in accordance with federal and North Dakota state law.

In North Dakota, with some exceptions, the standard work week for employees should not exceed 40 hours per week. Should the College find it necessary to employ an employee in excess of this standard, overtime hours shall be compensated at the rate of one and one-half times the regular rate of pay.

All overtime work by non-exempt employees must be authorized in advance by the College President. Only hours actually worked will be used to calculate overtime pay.

## **506 Paydays**

All employees are paid every week on Thursday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. Paychecks are released only to the employee unless a written authorization, signed by the employee, is provided.

## **507 Pay Advances**

*Revision Date: 01/24/2017*

### Pay advance:

1. Advances of salary will be given when an employee has a death in the immediate family (as defined in bereavement leave). Salary advances shall be limited to the total wages earned for the current pay period and shall be limited to the total time worked and/or leave accumulated at the time of the salary advance request. The balance of earned but non-advance salary shall be tendered on the next payroll. (Early check fee of \$25.00 applies to pay advance)

### Early Check:

1. An employee needing an early check, may do so, by completing and signing early check form, and paying a \$25.00 service charge. (To be deducted from next check)
2. If an employee' is taking approved leave, the employee may receive his/her check the day prior to leave, if a written request is submitted at least one week prior to departing.

Paychecks will be distributed by the Business Office and released only to the employee unless a written authorization, signed by the employee, is provided.

## **508 Direct Deposit**

All employees are encouraged, but not required, to use direct deposit and have their paychecks deposited into a bank account of an accredited participating bank or credit union. Employees are required to complete the direct deposit form and attach appropriate documentation.

The employee's paycheck is deposited and funds are available every week on Wednesday. Employees who utilize direct deposit are unable to receive early paychecks.

## **509 Administrative Pay Corrections**

If there is an error in the amount of pay, the employee will promptly bring the discrepancy to the attention of the payroll clerk so that adjustments/corrections can be made as soon as possible.



## **510 Pay Deductions and Setoffs**

*Revision Date: 01/24/2017*

The law requires that Cankdeska Cikana Community College make certain deductions from every employee's earnings, among these are applicable federal, state, and local income taxes. The College also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". The College matches the amount of Social Security taxes paid by each employee.

The College offers programs and benefits beyond those required by law. Employees who wish to participate in these programs may voluntarily authorize deductions from their checks. The Business Office will assist in explaining these programs.

For optional employee deductions, the cost will be \$3.00 per deduction, per pay period. This is depending on whether or not there are any open deduction codes.

Cankdeska Cikana Community College Employees will check with the Business Office at the beginning of employment and annually to ensure they are not in debt to CCCC.

## **511 Wage Garnishment**

A garnishment is a court order requiring an employee to remit part of an employee's wages to a third party to satisfy a just debt. Once the college receives the legal papers ordering garnishment, we are required by law to continue making deductions from your paycheck until the debt is satisfied or until documentation is received from the third party, and/or legal papers from the court to stop the garnishment. Even if you have already paid the debt, sufficient documentation and/or legal papers are required to stop the garnishment.

## **512 Degree Attainment While A CCCC Employee**

CCCC is an academic institution and thus strongly supports the achievement of terminal degrees for all employees as well as CCCC students. As an encouragement incentive, CCCC will provide a one-time, 'bonus' payment to any employee who achieves a terminal degree as follows:

<b>BA/BS</b>	<b>\$1,000.00</b>
<b>MA/MS</b>	<b>\$2,000.00</b>
<b>Doctorate</b>	<b>\$3,000.00</b>

Payments are contingent on CCCC's budget.

## **601 Work Schedule**

*CCCC Board of Regents Approved 11/09/2021*

The normal work schedule is Monday through Friday 8:00 AM - 4:30 PM and is defined as an eight (8) hour day and a forty (40) hour week but may vary dependent on job responsibilities. All employees perform their regularly scheduled and assigned duties on campus and not at home, unless specified in writing to the contrary.

## **602 Attendance**

Punctuality and attendance are essential to the success of the college's daily operations and business. If an employee is unable to report to work (or to report to work on time) for any reason, the employee must notify his/her immediate supervisor prior to their scheduled shift. If an employee desires to leave work for any reason during the workday, the employee must obtain the approval of his/her immediate supervisor prior to leaving.

In the event that the employee fails to call his or her immediate supervisor or report for work for three (3) consecutive workdays, the employee will be terminated. Excessive absenteeism or tardiness may subject the employee to disciplinary action, up to and including termination.

## **603 Outside Employment**

An employee may hold a position with another organization as long as he/she satisfactorily performs his/her job responsibilities with Cankdeska Cikana Community College and within College work hours.

## **604 Dress Code/Appearance**

*Revision Date: 05/28/2015*

Appearance and dress will be in keeping with the job being performed, both for safety reasons and to reflect a positive image of the College. Employees must present a well-groomed look and style which is consistent with a professional business environment. Clothing must be neat, non-wrinkled, clean, and in good repair at all times. Shorts, tank tops, and flip flop sandals are prohibited with the exception of the Athletic Department and sporting events.

Good personal hygiene is always important, not only for the sake of our students and guests, but also out of respect for your fellow employees. Inappropriate dress or accessories, or poor personal hygiene which is offensive to others (including the display of hickies), will be addressed by the immediate supervisor and Human Resources Director. A staff member in violation of the dress code, appearance, and/or personal hygiene will be sent home immediately to change or remedy the situation.

## **605 Confidentiality**

In the course of your employment you may come in contact with or have access to confidential information, such as personal identifying information or proprietary institutional information. Such information is strictly confidential and must not be used or divulged (directly or indirectly) by any employee, either during or after employment with Cankdeska Cikana Community College. A breach of confidentiality is grounds for termination.

As a condition of employment with the college, all employees are required sign the General Confidentiality Agreement form. (Upon hire and annually)



## **606 Gossip**

CCCC does not tolerate negative and malicious gossiping. Gossiping is unacceptable professional behavior, and can create an uncomfortable atmosphere for not only the person the gossip is about, but for everyone in the workplace. Gossip is defined as passing along information that is not relevant to anyone doing their job effectively or one's professional relationship with their co-workers. Employees who participate in gossip that is negative, malicious, or disrupts the work place and the business of work will be subject to progressive corrective and disciplinary action up to and including termination.

## **607 Smoking**

Cankdeska Cikana Community College is a smoke-free facility. Smoking is allowed outdoors in designated area only and must be at a minimum, twenty-five (25) feet from the campus facilities.

## **608 Cellular Phone Usage**

The use of personal cell phones is prohibited during the normal work schedule. Violation is subject to disciplinary action.

## **609 Use of Phone and Mail Systems**

The phone and mail services are for business purposes only. No personal, long distance phone calls are permitted. The use of college paid postage for personal correspondence is not permitted.

## **610 Internet Usage**

*CCCC Board of Regents Approved 11/09/2021*

Cankdeska Cikana Community College encourages the use of the Internet and e-mail as a means to make business and communication more effective and efficient. This policy applies to employees and non-employees to whom CCCC has granted access to its electronic mail (e-mail) and Internet system. This policy provides guidelines for the access and use of the CCCC e-mail and Internet system. Irresponsible use of these resources is prohibited as it reduces availability for critical business operations, compromises security and network integrity, and leaves the College open to potential litigation.

To ensure that all employees understand their responsibilities, the following guidelines have been established for using Cankdeska Cikana Community College e-mail and Internet access.

Employees are responsible for using the Internet and E-mail resources appropriately. Use that is judged excessive, wasteful, or unauthorized may result in denial of access to E-mail and Internet and may subject the user to appropriate disciplinary (including termination) and legal procedures.

### **Access:**

Employees: E-mail and Internet access will be granted to all full and part time employees who have been authorized by the College to use the e-mail and Internet system.

- Students: E-mail and Internet access will be granted to all full and part time students.
- Non-Employees: In appropriate circumstances, independent contractors or other non-employees with whom Cankdeska Cikana Community College has a business relationship, may be given e-mail access, provided that such access has been approved in writing by the College administration and provided that such third party has agreed in writing to the terms of this policy.

Every staff member has the responsibility to maintain and enhance the College's public image and to use the College's e-mail and access to the Internet in a responsible and productive manner that reflects well on the College. Cankdeska Cikana Community College does not guarantee the privacy of e-mail contents. The College may, at its sole discretion, access and monitor e-mail content at any time. By placing or receiving information on the College's e-mail system, users of the system consent to the College's right to access and monitor e-mail contents and to the College's right to read, print, edit, copy, republish, distribute, disclose or delete e-mail contents and/or account.

E-mail and Internet may not be used as follows:

- Transmitting, retrieving, or storage of any communications of a discriminatory or harassing nature or materials that are obscene, sexually explicit, or "X rated".
- Harassment of any kind is prohibited.
- No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, or sexual preference shall be transmitted.
- No excessively abusive, profane, or offensive language is to be transmitted through the Colleges e-mail or Internet system.
- For unlawful purposes, including activities that violate copyright laws, license agreements for other contractual obligations.
- For personal solicitation purposes or frivolous activities (including so-called "chain mail") or any use of Cankdeska Cikana Community College e-mail or Internet for personal gain, is prohibited.
- To obtain access to third party files or communications without authorization and a legitimate College purpose.
- For operation of a non-College business.
- No employee (faculty/staff/student) of CCCC will make any unauthorized copies of any software under any circumstances. Anyone found unlawfully copying or installing software is subject to institutional disciplinary policies and may be subject to civil and criminal penalties including fines and imprisonment.
- No employee (faculty/staff/student) shall give software to any non-College employee, including clients, customers and others.
- Any employee (faculty/staff/student) who determines that there may be a misuse of software or computer usage within their department shall notify their supervisor. In case of misuse by a supervisor, the employee shall report the incident to a Dean/Program Oversight or the President.
- Electronic media also may not be used for any other purpose that is illegal or against Cankdeska Cikana Community College policy or contrary to the College's best interests.

Each employee is responsible for the content of all text, audio, or images that he/she places or sends over the Cankdeska Cikana Community College E-mail or Internet system. No E-mail or other electronic communications may be sent that hides the identity of the sender or represents the sender as someone else. Any messages or information sent by an employee to another individual outside the College through Email or Internet are statements that reflect on the College. While some users include personal "disclaimers" in electronic messages, there is still a connection to the College, and the statements may legally be tied to Cankdeska Cikana Community College.

Therefore, the College requires that all communications sent by Cankdeska Cikana Community College E-mail and Internet system comply with all CCCC policies and do not disclose any confidential or proprietary CCCC information.

### Software

To prevent computer viruses from being transmitted through the College's E-mail and Internet system, there will be no downloading of any software from the Internet unless it has been pre-approved by the Dean of Administration or IT staff. For purposes of this policy, software can be defined as anything widely available on the Internet, which *does not* help fulfill obligations as an employee of the College (i.e. chat programs, music download programs, games and the like).

Users should bear in mind that E-mail from outside or unfamiliar sources may also contain computer viruses. Users should use appropriate caution for screening such communications in order to avoid such viruses. Additionally, employees will from time to time be advised of the availability of updated virus signatures and will be provided with a link to the location of these signature updates. *Employees are responsible for applying these virus signature updates to their desktops. Failure to do so will result in the suspension of E-mail and Internet privileges.*

### Copyright Issues

Employees on the Cankdeska Cikana Community College's E-mail and Internet system may not transmit copyrighted materials belonging to entities other than Cankdeska Cikana Community College. Note that non-adherence to this policy puts the College in serious legal jeopardy and opens the College up to significant lawsuits and public embarrassment. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify, or forward copyrighted materials, except with permission. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination.

### Security

Cankdeska Cikana Community College reserves the right to monitor all Internet and Email transactions at any time in the future with or without notice. All messages created, sent, or retrieved over the CCCC E-mail or Internet connections are the property of Cankdeska Cikana Community College and should be considered public information. Employees should not assume electronic communications are totally private and should transmit highly confidential data in other ways. E-mail messages regarding sensitive matters should warn that such communications are not intended to be secure or confidential. This is just good business sense. Any employee who abuses the privilege of Cankdeska Cikana Community College facilitated access to E-mail or the Internet will be subject to disciplinary action up to and including termination. If necessary, Cankdeska Cikana Community College reserves the right to advise appropriate legal officials of any illegal violations. Internet and E-mail access will not be granted until the individual's manager signs the acknowledgement form. After completion, this form is filed in the individual's personnel file, or in a folder specifically dedicated to Internet access (for contract workers, etc.), and maintained by the IT department. These acknowledgement forms are subject to internal audit.

### **Storage, Retention and Deletion**

E-mail contents should be periodically deleted by users or saved by printing filing hard copies of such contents. E-mail content in those folders listed below shall be deleted as follows:

- “Inbox”: End of Semester
- “Sent Items”: End of Semester
- “Outbox”: End of Semester
- “Deleted Items”: End of Semester
- Other Folders: Annually

Notwithstanding the foregoing, users should be aware that E-mail contents which have been deleted by the user or which have not been saved by the user may remain stored on College backup media for a period of time and may be accessed by the College during such time.

User should comply with all applicable College document retention procedures by printing and saving hard copies of those E-mail contents to which the College retention policies apply.



## **611 Social Media Policy**

*CCCC Board of Regents Approved 11/09/2021*

As an educational institution, Cankdeska Cikana Community College is committed to utilizing social media to market its profile, to listen and respond to customer opinions and feedback, and to enhance the recruitment and retention of college students. Social media refers to the use of web-based and mobile applications for social interaction and the exchange of user-generated content. Social media channels can include, but are not limited to: Facebook, Twitter, Snapchat, Instagram, LinkedIn, YouTube, blogs, review sites, forums, online communities and any similar online platforms.

Employees may not disclose private or confidential information about the College, its employees, clients, suppliers or customers on social networks or any other methods, including gossiping. Any employee who believes that there may be inappropriate postings on social media shall notify their supervisor. Content deemed disrespectful, dishonest, offensive, harassing or damaging to the College's interests and reputation or to another employee, student, or clients of a college program are not permitted.

The use of social media on company time for personal purposes is not allowed. The College maintains the right to monitor company-related employee activity (in social media networks) when using CCCC equipment or systems. Violation of policy is grounds for disciplinary action, including termination.

## **612 Solicitation**

Employees may not circulate petitions, nor solicit or distribute literature or use college email, concerning outside activities or events during working time. (i.e. external fundraising and events). Failure to adhere to this policy will result in disciplinary action.

## **613 Use of Equipment and Vehicles**

*Board of Regents Approved 11/09/2021*

When using college property, employees are expected to exercise care and follow all operating instructions, safety standards, and guidelines.

Employee will notify their supervisor immediately if any equipment, machines, tools, or vehicles are damaged, defective, or in need of repairs. Failure to notify the supervisor may result in the employee being financially responsible for the damage to the property while in his/her use and may also incur disciplinary action, dependent on circumstances.

An employee using College vehicles must comply with the institution's requirements and regulations for equipment and vehicle use, in addition to all applicable state, tribal or federal laws. The employee must have a valid driver's license. A copy of the driver's license must be attached to the request/travel form.

### **Van Usage Procedures:**

- All van usage will be coordinated through the Safety/Security Coordinator.
- A valid driver's license must be presented to obtain the keys from the Safety/Security Coordinator.
- CCCC Drug Free Workplace and Safety/Driving policies prohibit employees from driving any company vehicle under the influence of drugs and alcohol, including; any employee who has obtained a Medical Marijuana prescription card or other prescription drugs that may cause driving impairment.
- The beginning and ending odometer readings will be recorded in the log received from the Safety/Security Coordinator with the keys. Any maintenance issues will also be recorded in the log. If any damage occurs, an incident report is to be filed immediately. The driver will sign and date the entries.
- No smoking is allowed in the van or other college vehicles.
- The van should be filled with gas at a local gas station before returning to the college. The gas may be charged and the receipt returned to the Safety/Security Coordinator.
- The van must be cleaned before it is returned.
- The van will be parked in the shop when returned.
- The keys must be returned to the Safety/Security Coordinator the next work day.
- Prior arrangements must be made with the Safety/Security Coordinator if the van will return after the college is closed. If an unexpected delay occurs and prior arrangements have not been made, the driver will park the van in front of the college, take the keys home, and return them to the Safety/Security Coordinator by 8:00 am the following business day.

## 614 Code of Conduct

The college expects all employees to follow rules of conduct that will protect the interests and safety of all employees and the College. It is not possible to list all the forms of behavior that are considered unacceptable in the work place, but the following are *examples* of infractions of Rules of Conduct that may result in disciplinary action, demotion, or termination of employment:

- Theft or inappropriate removal of possession of property or equipment.
- Falsification of timesheet, payroll, or payables records.
- Working under the influence of alcohol legal or illegal drugs.
- Possession, distribution, sale, transfer, or use of alcoholic or illegal drugs in the work place, while on duty, or while or operating employer-owned vehicles or equipment.
- Receiving a DUI citation while using College vehicles.
- Fighting or threatening violence in the work place.
- Boisterous or disruptive activity in the work place.
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property.
- Insubordination, i.e. disobeying a direct order for job performance or other disrespectful conduct.
- Violation of safety or health rules.
- Sexual or other unlawful harassment.
- Possession of dangerous or unauthorized materials, such as explosives or firearms in the work place.
- Excessive absenteeism.
- Unauthorized disclosure of confidential information.
- Any malicious or deliberate attempt to sabotage the computer network system (a felony punishable under federal law).
- Failure to perform or fulfill job duties/responsibilities.

It is expected that each individual conduct him/herself professionally at all times to reflect positively on duties performed and the College.

## **615 Disciplinary Action**

*Revision Date: 08/18/2022*

The following types of disciplinary action will be utilized, as necessary, in enforcing CCCC personnel policies. The action imposed is dependent on the circumstances of each case. The frequency and/or severity of misconduct will determine the level of disciplinary action, except where the severity of the offense merits immediate dismissal.

### **VERBAL WARNING**

When an employee violates the work rules and code of conduct, the supervisor will issue a verbal warning to the employee. The supervisor will document, in the employee's file, that a verbal warning was conducted with the employee.

### **WRITTEN WARNING**

The supervisor shall meet with the employee to discuss the reason for the written warning and suggest corrective action.

### **THREE DAY SUSPENSION**

The immediate supervisor may choose to suspend an employee without pay for three (3) working days. Failure to address the concern will result in termination.

### **TERMINATION**

Employees may be terminated if one of the following major infractions has occurred:

- Misuse of CCCC's E-mail or Internet. (Policy 610 Internet Usage Page 6-11 for infractions).
- Theft or willful misuse or abuse of property.
- Insubordination – i.e. disobeying a direct order for performance; failure to follow chain of command.
- Failure to meet, or fulfill the required job duties/functions.
- Disrespectful behavior.
- Verbal or physical abuse.
- Absenteeism or tardiness (Three consecutive workdays without notice).
- Misappropriation or willful falsification of records.
- Falsifying one's time record, the time record of another staff member, or soliciting such conduct.
- Intoxication, consumption of alcoholic beverages, use of drugs or narcotics while on the job.
- Concealing, removing, mutilating, obliterating, changing or destroying any records or documents.
- Harassment or intimidation.
- Threatening and/or committing physical violence against another person while on duty.
- Refusing drug test, or altering specimen. (See Policy 210 Drug and Alcohol Use)
- Use of obscene, abusive, or threatening language.
- Walking off the job without supervisor permission.
- Sleeping on the job.

- CCCC Head Start follows and adheres to the Head Start Program Performance Standards (45CFR Chapter XIII) and thus, CCCC Head Start employees are obligated to know, understand, and follow those standards...i.e. leaving a child unattended will result in immediate termination.
- Abuse of an employee's authority to represent the College.

All disciplinary actions will be documented with confidentially maintained in the employee personnel file. The Human Resources office will provide a copy of the Employee Disciplinary Report Form to the employee. Employees may not appeal terminations for major infractions.

## 616 Employment Termination

Revision Date: 11/20/2023

### A. TERMINATION – employment discharge initiated by the College.

1. Without cause while on probation.
2. With cause as documented in the employee personnel file.
3. Re-Hire Policy:
  - If an employee has been terminated for any reason he/she will be eligible to reapply for employment after a waiting period of three (3) months dependent upon circumstances of termination.

### B. LAYOFF – involuntary employment termination initiated by the College for non-disciplinary reasons, i.e. lack of funds.

C. RETIREMENT – voluntary retirement from active employment status initiated by the employee. Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid. (Cankdeska Cikana Community College does not award severance pay.) Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

### D. RESIGNATION – voluntary act initiated by the employee to terminate employment with Cankdeska Cikana Community College.

- Any employee wishing to leave employment with the College in good standing shall file a *two-week written notice* to the immediate supervisor stating reasons for leaving and provide a forwarding address, if relocating.
- An “Exit Checklist” will be conducted by the supervisor prior to the employee's leaving, and the final paycheck being disbursed.

Employees, who separate from College employment, shall receive payment for all earned salary and accrued annual leave subject to normal payroll deductions and deductions for any debt owed to CCCC.

## **617 Return of Property**

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. All property, including building keys, must be returned by employee on or before their last day of work in order to receive final paycheck.

Should any property be damaged upon return, the value of the property will be deducted from the final paycheck. If property value exceeds final paycheck amount, restitution will be sought through court.



## **701 Grievance Procedure**

*Revision Date: 06/05/2019*

Employees have the right to a formal appeal process when he/she feels there is an unfair working condition or action. Employees may appeal a decision to terminate or change their employment status. However, some circumstances of termination cannot be grieved. The following procedures will be utilized to address an employee grievance:

(Failure to comply with the procedures will result in a decision that the grievance will be null and void. No additional grievance will be heard in this case.)

1. The employee must state the grievance in writing to the supervisor within five business days of the incident. The supervisor will make every attempt to resolve the grievance with the employee, within five business days of the written notice.
2. If the employee is not satisfied with the results or decision that was reached with the supervisor, the employee will take the matter up with the appropriate Dean/Program Oversight, in writing within three business days. The Dean/Program Oversight will review the employee grievance and render a decision within three business days of the written notice.
3. If the employee is dissatisfied with the decision rendered by the Dean/Program Oversight, it may be appealed to the President in writing within three business days. The President will consult with the employee, the supervisor, and others concerned with the case in order to resolve the case within three business days. The President will render a decision within three business days from the date the charge is brought to the President's attention.
4. If an employee is dissatisfied with the President's decision, the employee may make a request in writing within three business days to the Chairperson of the Board of Regents and providing a copy to the President. A hearing with the Board concerning the employee grievance will be held at the next regularly scheduled meeting but in an 'executive' session. If the Board of Regents chooses to hear the employee's grievance, the Chairperson of the Board will appoint a committee of two Board members and the President to hear the case. The committee will make a recommendation to the Board of Regents. Board of Regents members will vote on the decision/action to remedy the grievance. The decision of the Board of Regents is final.

## **702 Harassment and Discrimination Policy**

*Revision Date: 08/06/2020*

Cankdeska Cikana Community College (CCCC) is committed to providing a work environment free of any form of harassment or discrimination (lawful or unlawful). CCCC does not discriminate in educational programs, activities, or employment practices, based on race, color, national origin, gender, sexual orientation, disability, age, religion, ancestry, or any other legally protected classification. Announcement of this policy is in accordance with Federal Law, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

CCCC will not tolerate verbal or physical conduct by an employee which harasses, disrupts, or interferes with another's work performance.

Prohibited harassment or discrimination includes any verbal, physical, or visual conduct based on sex, race, age, national origin, disability, or any other legal protected basis if:

- a. Explicitly or implicitly making submission to the conduct, a term or condition of an individual's employment;
- b. Using submission or rejection of such conduct as a basis for decisions concerning that individual's employment; or
- c. The conduct substantially interferes with the individual's work performance or creates an intimidating, hostile, or offensive work environment.

Prohibited harassment includes unwelcome sexual advances, sexual flirtations, request for sexual favors and lewd, degrading, vulgar or obscene remarks, offensive comments and jokes, posters or cartoons, and any unwelcome touching, pinching, or other physical contact. Other forms of unlawful harassment or discrimination may include racial epithets, slurs, and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, national origin, age, disability, marital status, or other legally protected categories.

CCCC is opposed to harassing conduct in the workplace or elsewhere, whether committed by supervisory or non-supervisory personnel or students. Personal, sexual, or intimate relationships among a staff member (including a faculty member) and a student, where the staff member or faculty member is in a position of authority over the student, such as, but not limited to the relationship among an instructor and a student, administration official and a student, or security guard and a student are strictly prohibited. This conduct is considered "fraternization" and is strictly prohibited even if consensual, unless the parties involved are married or involved in an intimate relationship prior to the staff or faculty member assuming a position of authority over the student.

See 704 for Sexual and Gender-Based Misconduct Policy and 705 for Sexual and Gender-Based Misconduct Procedures in compliance with Title IX of the Education Amendments of 1972; relevant sections of the Violence Against Women Reauthorization Act; and Title VII of the Civil Rights Act of 1964; and the regulations put forth by the Office for Civil Rights.

## 703 Harassment or Discrimination Procedure

Revision Date: 08/06/2020

The following steps are to be used in the event a student or employee wishes to file a discrimination or harassment complaint related to an individual's race, ethnicity, age, religion, or any other legally protected characteristic except sexual and gender-based misconduct. To file a complaint related to sexual and gender-based misconduct see 704 Sexual and Gender-Based Misconduct Policy and 705 Sexual and Gender-Based Procedures for the steps and practice.

Employees and students of the Cankdeska Cikana Community College are required to utilize the internal process prior to utilizing external sources for remediation. Failure to comply could result in disciplinary action.

Any employee or student who believes that the actions or words of any employee, faculty, student or fellow employee constitute unwelcome discrimination or harassment must complete the Discrimination Complaint Form and submit to the appropriate CCCC official listed immediately. The employee must first notify his/her supervisor in writing prior to submitting the form to the appropriate CCCC official. Forms are available at the Human Resource Office, Student Services, and/or the Title IX/Section 504/ADA Coordinator.

If the alleged harasser is:

Notify:

- |                                  |                         |
|----------------------------------|-------------------------|
| a) Student or student group      | Academic Dean           |
| b) Faculty member                | Academic Dean           |
| c) Dean/Program Oversight        | President               |
| d) Staff member                  | Human Resource Director |
| e) Human Resource Director       | President               |
| f) Other (e.g. vendor or guests) | Human Resource Director |
| g) President                     | Board of Regents        |

Upon receipt of an allegation of discrimination or harassment, a Compliance Committee of three members will be appointed by the President will begin a thorough investigation of the allegation within 5 working days. The investigation will include conducting of interviews and/or the obtaining of statements and supporting documents from both parties to ensure a clear understanding of the event has been achieved. The investigation must be completed within 10 business days from the date the investigation begins. Contact the HR Office for the Employee Harassment Complaint Investigation/Determination Checklist form.

The Compliance Committee will submit a written report of the findings to the College President and notify the complainant and alleged harasser within five working days after completion of the report.

**Enforcement:**

Upon completion of its investigation the Compliance Committee will submit a written report with recommendations to the College President. Any employee, who is found, after appropriate investigation, to have engaged in harassment of another employee or student, will be subject to appropriate disciplinary action and may be subject to immediate termination or expulsion.

**Grievance:**

If the employee or student disagrees or is not satisfied with the decision or results of the Compliance Committee, the employee or student must submit their grievance in writing to the Board of Regents and providing a copy to the President within five business days from the date he/she is notified of the finding(s). A copy will be made for the other parties involved. The Board of Regents will hear the grievance and obtain statements from all parties involved. The Board will vote on the decision/action to remedy the grievance within five business days of the hearing.

**What constitutes harassment?**

It should be noted that ordinary teasing, offhand comments, or isolated non-serious incidents are not prohibited under federal law. Harassing behavior must be sufficiently frequent or severe to 1) create a hostile work environment, or 2) result in hiring, firing, promotion, demotion, or an undesirable work reassignment. A decision causing a significant change in benefits or compensation also might be interpreted as harassment.

**Retaliation Prohibited**

CCCC prohibits retaliatory behavior against any complainant or any participant in the complaint process. The initiation of a complaint of harassment will not reflect negatively on the employee who initiates the complaint nor will it affect the employees job assignment, status, rights, privileges, or benefits.

Questions or inquiries can be made to:

CCCC Title IX Coordinator/Section 504/ADA Coordinator  
Phone: 701-766-1137

CCCC Human Resources, Director  
Phone: 701-766-1309

CCCC Academic Dean  
701-766-1138

A complaint or concern regarding discrimination or harassment may also be sent to the Office for Civil Rights (OCR) or the Equal Employment Opportunity Commission (EEOC).

A complaint or concern to OCR/EEOC may be sent to:

Office for Civil Rights  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Hotline: (800)-421-3481  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Equal Employment Opportunity Commission  
131 M Street, NE  
Washington, D.C. 20507  
Hotline: (800)-669-4000  
Email: [info@eeoc.gov](mailto:info@eeoc.gov)

## **704 Sexual and Gender-Based Misconduct Policy**

*Effective Date: 08/06/2020*

### **Statement:**

The Cankdeska Cikana Community College (henceforth called CCCC or the College) is committed to the safety, respectful, and non-discriminatory learning and working environment for all members of the College community. The College adopts this policy with a commitment to eliminating sexual and gender-based misconduct, preventing its recurrence and addressing its effects. This policy sets forth the College's strategy and response to incidents of sexual and gender-based misconduct in compliance with federal and state laws.

### **Purpose:**

This policy is designed to ensure a safe and non-discriminatory educational and work environment and to meet legal requirements, including: Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in the College's programs or activities; relevant sections of the Violence Against Women Reauthorization Act; and Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex in employment. It does not preclude application or enforcement of other College policies.

Offenses prohibited under this policy include, but are not limited to: sex discrimination (including sexual orientation discrimination and gender identity or gender expression discrimination), sexual harassment, sexual violence to include non-consensual sexual contact, non-consensual sexual intercourse, sexual coercion, domestic/dating violence, stalking, and sexual exploitation.

### **Scope:**

This policy applies to sexual or gender-based misconduct that is committed by students, faculty, staff, or third parties, when the discrimination and harassment occurs in the school's education program or activity, against a person in the United States. Education program or activity includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the discrimination or harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. Title IX applies to all of a school's education programs or activities, whether such programs or activities occur on-campus or off-campus, including online instruction.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business

hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Individuals are responsible for immediately reporting any knowledge or information concerning sexual harassment to the CCCC Title IX Coordinator identified in this policy which covers unwelcome conduct of a sexual or gender-based nature, whether committed on-campus, or off-campus where CCCC has control over the respondent or the context of the harassment.

**Contacts at Cankdeska Cikana Community College:**

Title IX Coordinator 701-766-1137 titleix@littlehoop.edu	Title IX Deputy Coordinator 701-766-1309	Title IX Deputy Coordinator 701-766-1342
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**Title IX Staff and Duties:**

The President of the Cankdeska Cikana Community College shall designate CCCC officials responsible for the coordination of Title IX. The designation of a CCCC official responsible for prescribed actions shall automatically include the official's designee in instances where an official is unable, unavailable or has concluded that the official may have a conflict of interest that causes the official to recuse from involvement in the matter. The official's designee shall have the same authority as the official in matters involving this policy.

- **Title IX Coordinator:** The Title IX Coordinator is charged with monitoring the College's compliance with Title IX, ensuring appropriate education and training; coordinating the College's investigation, response, and resolution of all reports under this policy; and ensuring appropriate actions to eliminate sexual and gender-based misconduct, prevent its recurrence, and remedy its effects. The Title IX Coordinator is available to meet with any student, employee, or third party to discuss this policy or the accompanying procedures.
- **Deputy Title IX Coordinators:** CCCC has also designated Deputy Title IX Coordinators who may assist the Title IX Coordinator in the discharge of these responsibilities. The Title IX Coordinator and Deputy Title IX Coordinators receive appropriate training to discharge their responsibilities.
- **Title IX Investigator:** The Title IX Investigator may include but is not limited to a CCCC security officer or staff member. The primary responsibility of the investigator is to collect statements and any evidence directly related to any allegations of a Title IX policy violation as directed by the Title IX Coordinator. The Investigator cannot be a Title IX Coordinator or Deputy Title IX Coordinator. The Investigator will receive appropriate Title IX and trauma informed training.
- **Title IX Hearing Officer:** The Title IX Hearing Officer may include a CCCC administrator or external legal counsel. The primary responsibility of the Hearing Officer will be to ensure both parties receive due process in the event allegations of a

Title IX policy violation are directed to a hearing by the Title IX Coordinator. The Hearing Officer will receive appropriate Title IX and trauma informed training.

- **Title IX Hearing Member:** The Title IX Hearing Member(s) may include CCCC faculty or staff members. The primary responsibility of the hearing member is to listen to both sides of the complaint. Each hearing member will evaluate the information being provided by both parties to make a decision whether or not a Title IX policy violation took place. Hearing members will receive appropriate Title IX training.

### **Definitions:**

CCCC defines sex discrimination and sexual harassment broadly to include any of three types of misconduct on the basis of sex (or gender), all of which jeopardize the equal access to education that Title IX is designed to protect: Any instance of quid pro quo harassment by a school's employee; any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

- **Advisor:** A person who has agreed to assist a complainant or respondent during the Title IX process. The advisor may be a person of the student's choosing, including but not limited to a CCCC faculty or staff member, a friend or an attorney.
- **Complainant:** an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- **Consent:** is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes".
  - Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
  - Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
  - Previous relationships or consent does not imply consent to future sexual acts.
  - Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity.
  - In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one should know to be, or based on the circumstances, reasonably should have known to be, mentally or physically incapacitated, is a policy violation. Incapacitation is a state where someone



cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent. Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.

- *Note:* indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of the other person.
  - *Examples:* of when a person should know the other is incapacitated include, but are not limited to:
    - The amount of alcohol, medication or drugs consumed,
    - Imbalance or stumbling,
    - Slurred speech,
    - Lack of consciousness or inability to control bodily functions or movements, or vomiting, or
    - Mental disability or incapacity.
- **Dating Violence:** is violence between individuals in the following circumstances: The party is or has been in a social relationship of a romantic or intimate nature with the victim; and
    - The existence of such a relationship shall be determined based on a consideration of the following factors:
      - Length of the relationship
      - Type of relationship
      - Frequency of interaction between the persons involved in the relationship
  - **Domestic Violence:** under CCCC policy means violence committed by a current or former spouse of the victim;
    - A person with whom the victim shares a child in common;
    - A person who is cohabitating with or has cohabitated with the victim as a spouse;
    - A person similarly situated to a spouse of the victim under Oklahoma domestic or family violence laws;
    - Any other person against an adult or youth victim who is protected from that person's acts under Oklahoma domestic or family violence laws.
  - **Formal Complaint:** a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment and stating the date, time, place, name(s) of person(s) involved (e.g. the accused, witnesses) and sufficient detail to make a determination regarding basic elements of the formal complaint process.
  - **Gender-Based Harassment:** is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the College's education or work programs or activities.

- **Hostile Environment:** can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment.
- **Non-Consensual Sexual Contact:** is any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, buttock or breast) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator or any contact in a sexual manner even if not involving contact of or by breasts, buttocks, groin, genitals, mouth or other orifice. This definition includes sexual battery and sexual misconduct.
- **Non-Consensual Sexual Intercourse:** is defined as any sexual intercourse or penetration of the anal, oral, vaginal, genital opening of the victim, including sexual intercourse or penetration by any part of a person's body or by the use of an object, however slight, by one person to another without consent or against the victim's will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.
- **Quid Pro Quo Sexual Harassment:** exists when individuals in positions of authority over the complainant:
  - Make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
  - Indicate, explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or institutional activity or benefit is conditioned upon the complainant's submission to such activity.
    - *Examples:* of Quid Pro Quo Sexual Harassment include, but are not limited to:
      - An instructor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student agrees to the request.
      - The instructor probes for explicit details, and demands that students respond to him or her, though they are clearly uncomfortable and hesitant.
- **Rape:** is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
- **Respondent:** an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment.

- **Sex Discrimination:** includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education, or institutional benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.
- **Sexual Coercion:** is the act of using pressure (including physical pressure, verbal pressure or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone's will or with someone who has already refused. This includes rape, sexual assault, sexual exploitation and sexual misconduct.
- **Sexual Harassment:** is unwelcome and discriminatory speech or conduct undertaken because of an individual's gender or is sexual in nature and is so severe, pervasive, or persistent, objectively and subjectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or employment access, benefits, activities, or opportunities. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to:
  - The frequency of the conduct;
  - The nature and severity of the conduct;
  - Whether the conduct was physically threatening;
  - Whether the conduct was deliberate, repeated humiliation based upon sex;
  - The effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
  - Whether the conduct was directed at more than one person;
  - Whether the conduct arose in the context of other discriminatory conduct;
  - Continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and
  - Whether the speech or conduct deserves constitutional protections.
    - *Examples:* of Sexual Harassment include, but are not limited to:
      - A student repeatedly sends sexually oriented jokes around in an email list he or she created, even when asked to stop, causing one recipient to avoid the sender on campus.
      - An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to his clear discomfort.
- **Sexual Violence:** refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (*e.g.*, due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties.

- **Supportive Measures:** are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

**Resources, Assistance, and Supportive Measures:**

CCCC is committed to ensuring complainants and respondents receive assistance. For direct services provided by the College, please contact the Director of Student Services.

Below is a non-exhaustive list of contacts that may be available to support or assist.

Local

Spirit Lake Victim Assistance Program: 1-701-766-1816

On Call Crisis Numbers:

701-381-2930

701-351-2724

701-381-2856

701-381-2488

Spirit Lake Recovery and Wellness: 1-701-766-4285

Spirit Lake Youth Healing and Wellness: 1-701-766-4236

Spirit Lake Mental Health: 1-701-766-1613

Lake Region 24-hour CRISIS Line: 701-662-5050

Lake Region Human Service Center: 701-665-2200

Alcoholics Anonymous: 701-665-1041

State

North Dakota Crisis Help Line: 1-800-472-2911

The Village Family Service Center: 1-866-838-6776

Altru Hospital: 1-701-780-5000

National

Native Youth Crisis Hotline: 1-877-209-1266

National Domestic Violence Hotline - 1-800-799-7233 (SAFE)

Rape, Abuse & Incest National Network Hotline - 1-800-656-4673 (HOPE)

Communication Services for the Deaf (TTY) - 1-800-252-1017 (TTY)

Communication Services for the Deaf (Voice) - 1-866-845-7445 (Voice)

National Suicide Prevention Lifeline: 1-800-273-8255 (TALK)

Center for Psychiatric Care: 1-877-731-2511

Local law enforcement that covers the CCCC campus is the Bureau of Indian Affairs:

Bureau of Indian Affairs

816 3rd Ave., North

Fort Totten, North Dakota 58335

Phone: (701)-766-4545

## **705 Sexual and Gender-Based Misconduct Procedure**

*Effective Date: 08/06/2020*

### **Statement:**

The Cankdeska Cikana Community College (henceforth called CCCC or the College) is committed to the safety, respectful, and non-discriminatory learning and working environment for all members of the College community. The College adopts these procedures with a commitment to eliminating sexual and gender-based misconduct, preventing its recurrence and addressing its effects. These procedures are the College's practices and responses to incidents of sexual and gender-based misconduct in compliance with federal and state laws.

### **Reporting Options:**

#### **1. Mandatory Reporting**

All CCCC employees are responsible for taking all appropriate action to prevent sex discrimination or sexual harassment, to correct it when it occurs, and must promptly report it to the Title IX Coordinator. Failure to do so may result in disciplinary action up to and including termination. All CCCC employees are considered responsible employees with a duty to report any incident to the Title IX Coordinator.

#### **2. Confidential Reporting**

Any person who wishes to report an incident and remain anonymous can do so by phone, mail, or email to the Title IX Coordinator. All forms of sexual harassment should be reported, no matter the severity. In addition, CCCC should be made aware of possible threats to the campus community in order to issue timely warnings.

#### **3. Reporting to the Police**

CCCC strongly encourages anyone to report sexual violence and any other criminal offenses to the police. This does not commit a person to prosecution, but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, College disciplinary actions and/or civil actions against the respondent.

- If the incident happened on campus, it can be reported to the CCCC Security. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred. Know that the information you report can be helpful in supporting other reports and/or preventing further incidents. Fort Totten Bureau of Indian Affairs Department: 701.766.4545 (for non-emergencies)
- Reporting for Faculty and Staff (Non-Student) Instances: Faculty and staff shall report any instances of sexual harassment by another faculty or staff member to the Title IX Coordinator. As stated above, CCCC also strongly encourages reporting any instances to the police.

- **Employee Obligation to Report (Student Instances):** In compliance with Title IX, employees who become aware of a student instance of sexual harassment shall immediately report such instance to the Title IX Coordinator, including the name of the persons involved.

#### 4. Reporting of Student Instances

Students shall report any instances of sex discrimination or sexual harassment to any CCCC employee and/or the Title IX Coordinator. A complaint should be filed as soon as possible. If either the complainant or the respondent is a student, the incident will be addressed through the Title IX process. The report can be made in person, by phone, mail, or email using the contact information listed for the Title IX Coordinator or by any other means that results in the Coordinator receiving the report. The report can be made any time, even during non-business hours.

After receiving a report or notice of an incident, the Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. A complainant's wishes with respect to whether the CCCC investigates should be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed.

CCCC will promptly take necessary steps to protect the complainant and ensure safety as necessary, including taking interim steps before the final outcome of any investigation once a report or knowledge of sex discrimination or sexual harassment has occurred. Periodic updates on the status of the investigation will be provided to the complainant. If the school determines that the sexual violence occurred, CCCC will continue to take these steps to protect the complainant and ensure his or her safety, as necessary. CCCC will provide the complainant with any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, legal assistance, and assistance in reporting a crime to local law enforcement.

#### **Written Notice of Complaint:**

Upon receipt of a formal complaint, CCCC will provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice includes:

1. Notice of the grievance process, including any informal resolution process;
2. Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the conduct, if known) to allow the respondent to prepare a response;

3. A statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
4. Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
5. Notice that knowingly making false statements or providing false information in the grievance process is a violation of the code of conduct and subject to disciplinary action.

CCCC may consolidate formal complaints where the allegations arise out of the same facts.

### **Investigating and Resolving Complaints:**

During the complaint process and when investigating, CCCC must:

1. Ensure that the burden of proof and of gathering evidence rests on CCCC rather than on the parties.
2. Provide equal opportunity for the parties to present witnesses and evidence.
3. Not restrict either party's ability to discuss the allegations or gather and present evidence.
4. Provide the parties with the same opportunities to have others present during interviews or related proceedings, including an advisor.
5. Provide, to a party who is invited or expected to attend, written notice of the date, time, participants, purpose, and location of any investigative interview, hearing or other meeting with enough time to allow the party to prepare and participate.
6. Provide both parties and their advisors an equal opportunity to review all evidence directly related to the allegations in the formal complaint (both exculpatory and inculpatory) at least 10 days prior to the completion of the final investigation.
7. Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to both parties and their advisors for review and written response at least 10 days before a hearing or determination of responsibility.

### **Investigations:**

The Title IX Coordinator will make a determination to begin a formal investigation of sex discrimination or a sexual harassment incident which will lead to an institutional action. The coordinator will be available to explain to both parties the process and to notify in writing of the receipt of a complaint and the actions CCCC will take. The burden of gathering evidence and burden of proof must remain on CCCC, not on the parties.

An investigation will be conducted by the CCCC Title IX Investigator. This investigation will include:

- Meeting personally with the complainant, (unless extraordinary circumstances prevent a personal meeting),

- Meeting personally with the respondent, (unless extraordinary circumstances prevent a personal meeting),
- Presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made,
- Collecting any physical evidence,
- Meeting personally with any witnesses, (unless extraordinary circumstances prevent a personal meeting with one or more witnesses), and
- Reviewing any documentary evidence.

The investigation of complaints will be adequate, reliable and impartial. The investigation process can take up to 60 days. CCCC will determine if a Title IX hearing is necessary.

If it is determined that CCCC will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing date.

CCCC cannot access or use a party's medical, psychological, and similar treatment records unless CCCC obtains the party's voluntary, written consent to do so.

#### **Mandatory or Discretionary Dismissal:**

- **Mandatory Dismissal:** must occur when determined in the course of the investigation that allegation in a formal complaint: (1) did not occur in CCCC's program or activity; (2) did not constitute sexual harassment as defined; or (3) did not occur against a person within the United States. Both parties must receive written notice of a mandatory dismissal and reasons.
- **Discretionary Dismissal:** may occur at any time during the investigation or hearing when: (1) a complainant notifies the Title IX Coordinator in writing that they would like to withdraw; or (2) the respondent is no longer enrolled or employed by CCCC; or (3) specific circumstances prevent CCCC from gathering evidence sufficient to reach a determination. Both parties must receive written notice of a discretionary dismissal and reasons.

#### **Institutional Action**

##### 1. Informal Resolution

Mediation is a method of informal resolution. Informal resolutions are prohibited unless a formal complaint of sexual harassment is filed. Mediation may include conflict resolution or a restorative agreement between the parties with a trained Title IX Hearing Officer presiding over the mediation. Participation in mediation is not mandatory, but will only take place with the consent of both parties involved. Mediation may only be used:

- A. Prior to a notice of hearing being issued;
- B. When a trained Title IX Hearing Officer determines this is a suitable option for resolving the concern, and both the Complainant and Respondent agree to use the process;



- C. When the complaint does not involve sexual violence as defined in the Title IX Policy.
- D. When both parties acknowledge receipt of written notice of their rights under this policy and both parties provide written, voluntary consent.
- E. Mediation is not available when the complaint alleges a CCCC employee harassed a student.

Because the outcomes of voluntary resolution conversations are mutually developed and agreed upon by parties involved, an appeal of the process and its result is not permitted. However, either the Complainant or the Respondent may terminate mediation at any time prior to the entry of a voluntary resolution and proceed with the Title IX hearing. If the parties are unable to agree on a voluntary resolution, the matter will be referred by the Title IX Coordinator to a Title IX Hearing. No offers to resolve the conflict that were made or discussed during the informal voluntary resolution process may be introduced during the Title IX Hearing.

## 2. Title IX Hearing

The Title IX Coordinator will determine if a hearing is necessary; mediation is never appropriate in sexual violence cases. If it is determined that CCCC will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing date, the alleged policy violation and issued a notice to appear at the hearing. The written notice will be hand delivered directly to the student(s) or mailed to the local address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address in the Registrar's Office.

The hearing members shall include at least one trauma trained individual in sex discrimination or sexual harassment adjudication to include a trained Title IX Officer as the hearing officer and three members of faculty and staff as hearing members. The selection of the hearing members will be made by the Title IX Coordinator. Criteria for the hearing committee will include: 1) have received all appropriate training, 2) not a current instructor of either party involved, 3) have no previous substantive or direct knowledge of the incident, and 4) have no other perceived conflict of interest as determined by interview process with the Title IX Coordinator.

Description of the duties of the Title IX Hearing Members will include but not limited to the following:

- Read and understand the Title IX Policy and Procedures, which include the hearing process.
- Read and understand all of the information of the Title IX case provided by the Coordinator prior to the hearing as part of a hearing packet.
- Read and understand the procedures of the Title IX hearing provided by the Coordinator prior to the hearing as part of a hearing packet.
- Have a clear understanding of the incident in question before going into deliberations for a decision.
- Decide the outcome (majority vote) and sanctions if needed based on the information presented, hearing notes, and the CCCC Title IX Policy.

- Provide copies of notes, if made, to the hearing officer. The hearing officer will inform the parties of the decision at the hearing and send a letter as described in this policy.

#### Complainant's Rights:

- Be given a written explanation of the allegations and the hearing process;
- Have access to evidentiary material in advance of the hearing;
- Be present during the entire hearing;
- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students must provide CCCC with the name and contact information for the student's advisor as soon as practical but at least three (3) days prior to the hearing;
- Be given a timely hearing;
- Exclude evidence of the victim's past sexual history from discussion during the hearing. The past sexual history of the victim with persons other than the respondent shall be presumed irrelevant;
- Clarifying that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual harassment;
- Written notification of the outcome of the hearing including any sanctions; remedies/accommodations for the complainant; additional remedies for the school community;
- Written notification of any external counseling services that may be available;
- Written notification of options for changing academic, living, transportation, and work site situations if reasonable;
- Written notification of an avenue for appeal.

#### Respondent's Rights:

- Be given written notice of the allegations and the hearing process;
- Have access to evidentiary material in advance of the hearing;
- Be present during the entire hearing;
- Have no violation presumed until found responsible;
- Be given a timely hearing;
- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students must provide CCCC with the name and contact information for the student's advisor as soon as practical but at least three (3) days prior to the hearing;
- Written notification of the outcome of the hearing including any sanctions; remedies/accommodations for the complainant; additional remedies for the school community;
- Written notification of any external counseling services that may be available;
- Written notification of options for changing academic, living, transportation, and work site situations, if reasonable;

- Written notification of an avenue for appeal.

The hearing will include opening statements, each party's evidence and witnesses, and closing statements. Students are permitted to be present during the disciplinary hearing (except during deliberations of the panel). Students are permitted to make statements, present witnesses and present evidence during the hearing which has been previously collected and approved during the investigation process. Witnesses and evidence need to be directly related to the incident. The standard of proof used in CCCC Title IX Hearings is the preponderance of the evidence, which means the determination to be made, is whether it is more likely than not a violation occurred. This is significantly different than proof beyond a reasonable doubt, which is required for a criminal prosecution.

In-person hearings are preferred, but videoconference hearings may be conducted if the hearing officer determines that the health, safety and welfare of all participants is better served by the alternate hearing mode.

#### **Standard of Evidence:**

CCCC utilizes the preponderance of the evidence standard when deciding sexual and gender-based misconduct complaints.

#### **Outcomes:**

If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is not responsible for a Sex Discrimination or Sexual Harassment policy violation the complaint will be dismissed.

If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is responsible for a Sexual Harassment policy violation the following sanctions will be considered. The listing of sanctions below is not intended to be exclusive; in addition, sanctions may be imposed singularly or in combination when a violation of this policy is found.

Sexual Discrimination (includes gender discrimination) may include the following sanctions of the student(s) found responsible.

- Restriction – A limitation on a student's privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent CCCC, or denial of participation in extracurricular activities.
- Service Project – Community service or an education class or project beneficial to the individual and campus or community.
- Probation Level I – A specified period of time during which the student is placed on formal notice that he/she is not in good social standing with CCCC and that further violations of regulations will subject him/her to suspension or expulsion from the CCCC.

- Suspension – If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed three years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from CCCC are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the Dean of Student Affairs. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to CCCC's normal withdrawal policy.
- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to CCCC's normal withdrawal policy. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Sexual Harassment may include the following sanctions on the student(s) found responsible.

- Restriction – A limitation on a student’s privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent CCCC.
- Service Project – Community service or an education class or project beneficial to the individual and campus or community.
- Behavioral Change Requirement – Required activities including but not limited to, seeking academic counseling, substance abuse assessment, decision making class, writing a reflection paper, etc.
- Probation Level II – Adds to Level I the stipulation that students are prohibited from participating in any extracurricular activities not directly associated with academics (e.g., intramural sports, attending athletic events, student organizations/clubs/associations, leadership positions within housing or other organizations). Students must apply to get off Conduct Probation Level II by submitting documentation of their significant proactive efforts to become good citizens of the community and engage in responsible, productive behavior.
- Suspension – If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed three years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from CCCC are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the Dean of Student Affairs. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to CCCC's normal withdrawal policy.

- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to CCCC's normal withdrawal policy. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Sexual Violence may include the following sanction on the student(s) found responsible.

- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to CCCC's normal withdrawal policy. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Both parties will be notified of the outcome in writing by certified mail or other agreed upon form of notice within five business days after the hearing at the same time. Both parties have the right to appeal the decision reached through the hearing proceedings within five days after the hearing.

**Appeals:**

An appeal is not a new hearing, but is a review of the record of the original hearing. It serves as a procedural safeguard for the student. The burden of proof shifts from CCCC to the party appealing who was found responsible for the policy violation. The student must show one or more of the listed grounds for an appeal. All appeals will be decided by a board or committee of the President’s choosing and the President will provide the contact information of the appointed board/committee upon notice of an appeal.

1. Appeals must be submitted in writing to the board/committee, that the President appoints. within five (5) working/school days of receiving the decision. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.
2. The appeal must cite at least one of the following criteria as the reason for appeal and include supporting argument(s):
  - A. The original hearing was not conducted in conformity with prescribed procedures and substantial prejudice to the complainant or the respondent resulted.
  - B. The evidence presented at the previous hearing was not “sufficient” to justify a decision against the student or group.
  - C. New evidence which could have substantially affected the outcome of the hearing has been discovered since the hearing. The evidence must not have been available at the time of the original hearing. Failure to present information that was available is not grounds for an appeal.
  - D. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with CCCC

procedures or precedent. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.

3. The board/committee, appointed by the President, will review the record of the original hearing, including documentary evidence. It is the board/committee's discretion to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to the original hearing committee for review/or reconsideration. If there is new evidence (unavailable at the time of the hearing through no fault of the parties) which is believed to substantially affect the outcome, or evidence presented at the previous hearing(s) was "insufficient" to justify a decision against the student or group, or a finding that a substantial procedural error resulting in prejudice occurred, the matter may be remanded to either a rehearing of the entire matter or reconsideration of specific issues. If remanded to the original hearing committee, either or both students may appeal the committee's decision to the board/committee, appointed by the President, and the procedures set out above shall control the appeal.
4. The final decision will be communicated in writing by the board/committee, appointed by the President, to the appealing student(s). The decision will be communicated within ten (10) working/school days of receiving the written recommendation. Both parties will be notified of the final outcome of the appeal.
5. The decision of the board/committee, appointed by the President, on appeal shall be final.

**Retaliation:**

Retaliation against an individual for raising an allegation of sexual or gender-based harassment, for cooperating in an investigation of such a complaint, or for opposing discriminatory practices is prohibited. Submitting a complaint that is not in good faith or providing false or misleading information in any investigation of complaints is also prohibited.

If an individual brings concerns about possible civil rights problems to a school's attention, including publicly opposing sexual harassment or filing a sexual harassment complaint with the school or any State or Federal agency, it is unlawful for the school to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she testified, or participated in any manner, in an OCR or College's investigation or proceeding. Therefore, if a student, parent, teacher, sponsor coach, or other individual complains formally or informally about sexual harassment or participates in an OCR or College's investigation or proceedings related to sexual harassment, the school is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual's complaint or participation. Individuals who, apart from official associations with CCCC, engage in retaliatory activities will also be subject to CCCC's policies insofar as they are applicable to third party actions.

CCCC will take steps to prevent retaliation against a student who filed a complaint either on his or her own behalf or on behalf of another student, or against those who provided information as witnesses. Complaints of retaliation will follow the same process of investigation, hearing, and appeal. If it is determined under the preponderance of evidentiary standard that a student is responsible for retaliation the following sanction will be imposed: suspension.

**Recordkeeping:**

CCCC will document all reports and complaints of sex discrimination and provide copies of those reports to the Title IX Coordinator. CCCC Title IX Coordinator will maintain a secured electronic file system of all Title IX cases, reports, and complaints by academic year. The cases will include all information related to the individual case, which includes but is not limited to the initial complaint, letters sent to all parties, response from the respondent, immediate assistance, investigation notes, mediation agreement if applicable, notice of a hearing, committee selection, hearing notes, hearing decision, written notice of the outcome, and any recordings made of the hearing or in the course of the investigation. The time period to maintain the case records will be no less than seven (7) years from the date of CCCC's final action or decision (whether through report of the investigation, mediation, or hearing). The confidential reporting of the number of incidents and types will be sent to CCCC Security for the preparation of the Annual Crimes Report.

**Training:**

All CCCC employees except student employees and temporary non-academic employees, including the CCCC Board of Regents, are required to complete annual training regarding their responsibilities under Title IX. All individuals involved in implementing the College's sexual and gender-based misconduct grievance procedures must have training or experience in handling sexual violence complaints in the operation of the College's grievance procedures. Individuals who have not completed training as required by the Title IX Coordinator shall not investigate, adjudicate, or otherwise be involved in the handling and resolution of sexual or gender-based misconduct complaints. All training materials utilized will be posted online for public viewing.

**Free Speech and Academic Freedom:**

Nothing in this policy shall be construed to abridge academic freedom and inquiry, principles of free speech, or the College's educational mission.

**Other Complaint Procedures:**

A complainant can seek criminal charges through local law enforcement. Local law enforcement that covers the CCCC campus is the Bureau of Indian Affairs:

Bureau of Indian Affairs  
816 3rd Ave., North  
Fort Totten, North Dakota 58335  
Phone: (701)-766-4545

A complaint or concern regarding discrimination or harassment may also be sent to the Office for Civil Rights (OCR) or the Equal Employment Opportunity Commission (EEOC).

A complaint or concern to OCR/EEOC may be sent to:

Office for Civil Rights  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Hotline: (800)-421-3481  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Equal Employment Opportunity Commission  
131 M Street, NE  
Washington, D.C. 20507  
Hotline: (800)-669-4000  
Email: [info@eeoc.gov](mailto:info@eeoc.gov)



## **801 Employee Benefits**

Aside from those benefits required by state and federal regulations, Cankdeska Cikana Community College also offers additional benefits for its full-time employees. From time to time, benefits may be added or deleted from the benefits package. The college reserves the right to make such changes.

This handbook does not contain the complete terms and/or conditions of any of the college's current benefit plans. It is intended only to provide general explanations. For information regarding employee benefits and services, employees should contact the Human Resources Office.

## **802 Group Health Insurance**

*Revision Date: 01/24/2017*

Cankdeska Cikana Community College offers a group health plan for eligible employees. The college's group health, dental and vision insurance plans are offered through Blue Cross Blue Shield (BCBS) of North Dakota. Full-time employees are eligible for single health, dental, and vision coverage. For more information, refer to the College's Summary Plan Description booklets for complete details and benefits.

## **803 Group Life Insurance**

CCCC offers a basic life insurance plan for eligible employees, including accidental death and dismemberment coverage and short-term disability. The college's life insurance plan is offered through Unum. For more information, regarding employee benefits and services, employees should contact the Human Resources Office.

## **804 Spirit Lake Tribe 401(k) Plan**

CCCC participates in the Spirit Lake Tribe 401(k) Plan and offers eligible employees a convenient payroll deductible method to help supplement employees' retirement benefits and provide a long term opportunity to accumulate savings. The college matches up to five (5%) percent of your contribution to your retirement plan. Employees are encouraged to contribute to their 401K Plan, but are not required. For more information regarding the Spirit Lake Tribe 401(k) Plan, please refer to the Summary Plan Description.

## **805 Employer Profit-Sharing**

CCCC offers a profit-sharing contribution for eligible full-time employees investing in a 401(k) Retirement Plan. Eligible employees will automatically receive three (3%) percent of their weekly gross wages as an Employer Profit Sharing contribution. For information regarding employee benefits and services, employees should contact the Human Resources Office.

## **806 Flexible Spending Account (FSA)**

Under Section 125 of the IRS Code, the College offers a flexible spending account through Discovery Benefits for employees who wish to take advantage of this provision. This plan allows employees to withhold a portion of their salary on a pre-tax basis to cover the cost of qualifying insurance premiums, out of pocket medical expenses and dependent child care expenses, such as day care expenses. An amount selected by the employee is deducted on a pre-tax basis to cover these expenses. Any unused amounts in the medical and dependent care account can be transferred to the next plan year.

## **807 COBRA**

Under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, if you are covered under the College's group health insurance plan(s) you are entitled to continue your coverage in the event that your employment with the college ends. Under COBRA, the college must offer each qualified beneficiary (the employee and any covered dependents) who would otherwise lose coverage under the plan as a result of a qualifying event an opportunity to continue their insurance coverage. A qualifying event is defined as termination of employment, a reduction in the number of hours of employment, death of covered employee, divorce or legal separation, a dependent child ceases to be dependent, eligibility of the covered employee for Medicare, or an employer's bankruptcy.

## **808 Workers' Compensation Insurance**

Cankdeska Cikana Community College provides a comprehensive Worker Compensation insurance program at no cost to employees. This program covers any injury sustained in the course of employment, as defined by law, that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Workers' Compensation insurance provides benefits after a short waiting period for illness or, if the employee is hospitalized, immediately.

Any employee who sustains a work-related injury, as defined by law, must inform his/her supervisor immediately, in written form. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. It is the employee's responsibility to file a Worker's Compensation claim with the Human Resources Office. Regulations are posted in the Human Resources Office.



## **809 Social Security Benefits (FICA)**

During your employment, both you and the college contribute funds to the Federal government to support the Social Security Program. This program is intended to provide you with retirement benefit payments and medical coverage once you reach retirement age.

## **810 Unemployment Insurance**

The College pays a state and federal tax to provide employees with unemployment insurance coverage in the event they become unemployed through no fault of their own or due to circumstances described by law. This insurance is administered by applicable state agencies, who determine eligibility for benefits, the amount of benefits (if any), and duration of benefits.

## **811 On Campus Educational Leave**

Full time employees who have completed 90 days of service in an eligible employment classification may request paid educational leave for a period of six hours per week to take courses offered by CCCC and/or to obtain a degree. Tuition and fees at CCCC for six credit hours will be waived only if the employee completes the course with C or better.

The employee's course of study must be for college credits and must complement the employee's work responsibilities at the College. Requests, in writing, to the employee's immediate supervisor will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

A supervisor's approval in writing is required before an employee is allowed to register for classes at the College. A copy of the approval will go in the employee's personnel file. Official transcripts must be submitted at the end of each term. Employees participating in this program will be expected to maintain satisfactory academic progress and report changes in their program to their immediate supervisor.

1. Employees will sign a payroll deduction form in the event they do not complete the course or should they receive a grade lower than a C.
2. Employees will become ineligible to participate in this program for period of one (1) semester should they receive a grade lower than a D.
3. If the employee has a work-related grievance pertaining to attending classes, the employment grievance process will be used.
4. If the employee, in his/her role as student, has a grievance concerning the academic program, student status, grades, classroom concerns, or related instructional problems, then the guidelines set forth in the Student Handbook will be followed.

Full time CCCC employees are not eligible to vote in CCCC student elections.

## **812 Off Campus Educational Leave**

*Revision Date: 04/19/2017*

Full time employees who have completed one year of service in an eligible employment classification may request paid educational leave, up to six hours per week. The study must be for college credit and complement the employee's work responsibilities at the College.

Requests, in writing, to an employee's immediate supervisor, will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the period of absence and respective program guidelines.

A supervisor's approval in writing is required before an employee is allowed to utilize the educational leave benefit. A copy of the approval will go in the employee's personnel file. Official transcripts must be submitted at the end of each term, with the understanding that the employee will maintain satisfactory progress. Any changes in their program of study must be approved by supervisor prior to implementation and for continued education leave benefit.

The College wishes to retain faculty and staff, and thus offers an educational assistance agreement for faculty/staff professional development to pursue and/or earn higher education degree(s) or certification. The employee, supervisor, and College President will sign the educational agreement. The signed agreement will be kept in the Human Resources Office and a copy will be given to the employee. Under this agreement, the "employee" and "college" agree as follows:

- Employee has been accepted and will attend a North Dakota Institution of Higher Education.
- Employee has applied for financial aid.
- The College will pay for tuition, fees, and/or books for employee, as long as funding is available.

The employee agrees to:

- Work for a period of two calendar years for each calendar year spent on educational assistance (2 for 1).
- Submit to the College, at the end of each term, an official transcript.
- Maintain satisfactory academic progress and be in good academic standing at the institution attended.
- If appropriate, accept assignment to a new or different position and location as determined.

## **901 Holidays**

*CCCC Board of Regents Approved 7/11/2022*

Official College holidays include:

- New Year's Eve - Dec 31
- New Year's Day - Jan 1
- Martin Luther King Day - third Monday in January
- Presidents' Day - third Monday in February
- Good Friday
- Easter Monday
- Memorial Day - last Monday in May
- Juneteenth (Independence Day of Freedom) - June 19
- Independence Day - July 4
- Labor Day - first Monday in September
- Tribal College Founders Day - Monday following UTTC pow wow Sept
- Veterans Day - Nov 11
- Thanksgiving Day - last Thursday in November
- Thanksgiving Friday - only if employee donates 5 items for food bank
- Christmas Eve - Dec 24
- Christmas Day - Dec 25
- Birthday [full and part-time employee may have 1 day off during birthday month as approved by supervisor]

A recognized holiday that falls on a Saturday may be observed on the preceding Friday. A recognized holiday that falls on a Sunday may be observed on the following Monday. Holiday pay will be given to full-time employees only.

## **902 Administrative Leave**

*Revision Date: 03/31/2020*

For when employees are on official College business attending meetings, conferences, training or professional development related to their work.

Requests for administrative leave are processed via the travel request form with supervisor's approval.

Administrative leave is also used when the College closes for weather, utility, facility, or technology related issues.

Only the President may grant administrative leave.

### **Administrative Leave during a declared emergency:**

In response to a tribal, state, or national declared emergency that may include a health pandemic that may require social distancing, the College President has the authority to grant emergency administrative leave that is paid, contingent on funding source authorization, to all college employees (full and part time) in an effort to protect the health, welfare, and safety of employees, students, and the public. The time period for emergency administrative leave is the minimum amount of time necessary to achieve the interests set forth in this policy and based on the facts known at the time. CCCC utilizes email and the Emergency Alert (text) system to notify employees and students of such action that is in compliance with interests set forth in this policy for the declared emergency. This policy is based on and consistent with federal regulation 2 CFR 200.431(a).

### **903 Inclement Weather**

A decision to close the College due to inclement weather shall be at the discretion of the Academic Dean who will notify employees via local radio, television stations, and the CCCC Alert System. (Generally, if the local schools close due to weather conditions, the College will close.) When the College closes due to weather, time is charged to 'administrative leave.'

Each employee is responsible for deciding whether conditions are safe for travel. Should an employee choose not to attend work due to inclement weather and the College remains open, that employee will have that time off charged to either annual leave or leave without pay.

## 904 Annual Leave

Revision Date: 09/24/2015

Full Time employees earn and accrue annual leave from the first day of employment, but are not entitled to use it until completion of a 90-day probationary period.

Employees may not receive a cash amount in lieu of annual leave, except upon termination/resignation of employment. Employees may be paid for annual leave benefits that have accrued through the last day of work.

Annual leave is accrued according to the following schedule:

<u>Years of Employment</u>	<u>Annual Leave Hours Accrued</u>	<u>Hours Available for Carryover</u>
0-1 year	1 hour per one week pay period	48
2-5 years	2 hours per one week pay period	72
6-10 years	3 hours per one week pay period	96
11-15 years	4 hours per one week pay period	120
16-and years thereafter	6 hours per one week pay period	120

The maximum accrual of annual leave time for each eligible employee earning 1-4 hours shall be 208 hours (26) days per fiscal year. The maximum accrual of annual leave time for each eligible employee earning 6 hours shall be 312 hours (39) days per fiscal year.

Accrued annual leave benefits may be carried over from one fiscal year to the next according to the following schedule. Any unused annual leave in excess of the maximum carryover will be forfeited.

Years of Employment	Maximum Carryover
0-1	48
2-5	72
6-10	96
11+	120

Annual leave may be taken all at once or in parts. In either case, approval for any annual leave must be obtained **in advance** (2-week notice preferred) from the employee's immediate supervisor. A request for annual leave of three (3) days or more must be in writing and include the dates the employee will be on annual leave. The employee's supervisor has the right to deny annual leave, if the absence of the employee or faculty member would create a hardship. It is the responsibility of the employee to use their annual leave.



Employees must utilize annual leave to participate in voluntary functions and/or events, unrelated to work such as training, external board or committee appointments, meetings, and/or travel as a board member. Employees are limited to one (1) board/committee appointment and any travel as a board member is the responsibility of the board/committee or employee.

Years of Service:

Employees retain their years of service when transferring to another division or program within the institution. Individuals who are re-hired within one (1) year of break in service will retain their years of seniority.

Transfers:

Employees who transfer to another position within the college, carries forward any leave balances.

## **905 Sick Leave Benefits**

*CCCC Board of Regents Approved 11/01/2023*

Sick leave benefits are paid to all eligible full-time employees for periods of temporary absence due to illness or injuries.

Sick leave is a privilege to be used when an employee is ill, consulting a doctor, clinic (including dental or vision appointments) or other medical practitioner, including a traditional healer.

Sick leave may be used when an immediate family member of the employee becomes ill.

Eligible employees accrue sick leave at a rate of 2 hours every week to a maximum of 104 hours per year. Employees can accrue 240 hours sick leave per year, but will not be compensated for unused sick leave at the time of termination/resignation or at the end of the fiscal year.

Unless otherwise arranged, an employee or designee must notify the immediate supervisor before 8:00 a.m. on the day for which he/she will be absent due to illness. For sick leave exceeding three (3) working days, an employee must present documentation signed by a doctor.

If an employee becomes ill while on annual leave, he/she is required to furnish a physician's statement in writing in order to have that absence charged against sick leave rather than annual leave. Employee must be full-time and have completed their 90 day probation period.

## **905-A Advanced Sick Leave Benefit**

*CCCC Board of Regents Approved 11/09/2021*

The President may grant up to 20 hours Advanced Sick Leave per week for 4 weeks (Maximum of 80 hours) for a serious health condition or injury and/or continuing treatment when all annual leave and sick leave is exhausted and excludes maternity leave. Those hours will be given as an "advance" against the employee's sick leave as it is accrued when the employee returns to full time duties. Employee must make the request in writing to their supervisor and receive approval from their supervisor and the Human Resource Office in writing. Employee must be full-time and have completed their 90 day probation period.

## **906 Leave Sharing**

*CCCC Board of Regents Approved 11/09/2021*

Purpose: It is the intent of the leave sharing program to allow employees to voluntarily provide assistance to their co-workers who find themselves without sufficient accrued leave during a serious health condition or injury and/or continuing treatment of the employee, or immediate family member of the employee, excludes maternity leave. Employees are eligible to utilize shared leave pursuant to the following:

1. The Supervisor, Human Resources, and the President have determined that the employee meets the criteria described in this policy.
2. The employee has abided by policies regarding the use of leave.
3. The employee's use of shared leave does not exceed 240 hours in any twelve month period.

### **Eligibility:**

Employees of Cankdeska Cikana Community College may donate leave to a CCCC employee who is eligible to accrue and use sick/annual leave.

An employee may receive donated leave up to the number of hours the employee is normally scheduled to work each pay period, if the employee who is to receive the donated leave:

- Has submitted prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the employee's condition, and
- Has a zero balance of sick and annual leave and is expected to have a period of unpaid leave.

Employees may donate sick/annual leave if the donating employee:

- Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned, and
- Retains a total leave balance of at least forty hours.

### **Limitations:**

- A. Employees using donated leave shall be considered in active pay status and be entitled to any benefits to which they would otherwise be entitled. However, the donated leave becomes part of the employees accrued sick/annual leave total. Leave accrual will stop after the maximum number is reached (determined by the length of employment).
- B. Employee must have completed his/her probationary period in order to receive donated shared leave.

## 907 Family Medical Leave Act (FMLA)

The college will grant an employee's request for unpaid leave of absence of up to 12 weeks available to all eligible employees:

- For pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, child, or parent, who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the employee's job.

An 'eligible employee' means an individual employed by the College for at least twelve months, and who has worked at least one thousand two hundred fifty (1,250) hours over the previous 12 months. Eligibility is determined as of the date FMLA leave commences, which is the first day of employment.

FMLA leave used for the birth, adoption, or foster care placement of a child must begin within 12 months of the event.

A physician's statement or certification is required to verify the existence of a serious health condition. A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Generally, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy or chronic condition. Other conditions may meet the definition of continuing treatment.

The maximum length of available FMLA leave for eligible employees is 12 weeks in a 12-month period that begins with the first day of leave. The maximum length of all types of FMLA leave available during a 12-month period is 26 weeks. An employee is not required to use the FMLA leave in one block or at one time. Leave can be taken intermittently or on a reduced schedule, provided that for a serious health condition of the employee or to care for someone with a serious health condition, is medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment. Reasonable and practical notice must be provided.

Employees must provide 30 days advance written notice of the need to take FMLA leave when the need is foreseeable. When the 30 days notice is not possible, the employee must provide notice

as soon as practicable and must comply with the normal call-in procedure. Employees are required to provide a certification and periodic certification supporting the need for leave.

The employee will utilize his/her accrued hours of sick and annual leave, in that order, before going on leave without pay status. A temporary employee may be hired to fill the position in an employee's absence.

## **908 Bereavement Leave**

*CCCC Board of Regents Approved 11/09/2021*

On the occasion of a death in an employee's immediate family, up to five (5) days of paid bereavement leave will be provided to eligible full-time employees at the discretion of the supervisor.

Part time and probationary employees may be granted up to three (3) days bereavement leave with pay at discretion of the supervisor.

For the purpose of this policy, a relative of an extended Dakota family system is taken into consideration and is defined as a member of the immediate family, including spouse, parents, children, brothers, sisters, brothers and sisters-in-law, fathers and mothers-in-law, stepparents, stepsiblings, stepchildren, foster-children legal guardianship, grandparents, aunts, uncles, nieces, or nephews, first cousins, and domestic partners. Proof of death and/or relationship, such as a copy of the obituary must be submitted to the immediate supervisor.

A Leave Request Form must be completed and submitted to the employee's immediate supervisor for approval. The employee may also use any available annual leave if additional leave is required and with approval of supervisor.

## **909 Jury Duty**

An employee will be allowed administrative leave when subpoenaed for jury duty. A copy of the subpoena or summons must be given to the employee's supervisor prior to the court date.

## **910 Witness Duty**

Administrative leave will be granted if an employee is called as a subpoenaed witness. The witness subpoena should be shown to the employee's supervisor immediately after it is received. An employee who voluntarily appears as a witness must charge his/her absence against earned annual leave or take leave without pay.



## **911 Military Leave**

A leave of absence without pay will be granted to an employee who enters any branch of the United States Armed Services. Benefit accrual for any employee serving on active duty longer than 30 consecutive days will be calculated in accordance with applicable federal laws.

The employee will be reinstated with full seniority to his/her former position or to a comparable position if application for re-employment is made within 90 calendar days of the date of an honorable discharge or the date of release from hospitalization following discharge.

Any employee who is a member of a reserve component of the armed forces will be placed on leave of absence with pay, to a limit of thirty days per calendar year, for his/her annual training duty. Benefit programs for the employee on leave for his/her annual training will be unaffected.

## **912 Leave Without Pay**

Full time employees may request excused unpaid leave only after having completed 90 days of service. Excused unpaid leave may be granted for a period of up to 30 calendar days. Pending the Supervisor and Dean/Program Oversight approval, and prior to College President's approval, employees must take any or all annual leave prior to the effective date of the personal leave of absence. A temporary employee may be hired to fill the position in an employee's absence.

Requests for excused unpaid leave will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

The College will continue to provide insurance benefits until the end of the first full month of leave without pay. At that time, employees must pay the full costs of their insurance benefits. The employer will resume payment of the costs of these benefits when the employee returns to active employment. Accruals for benefit calculations, such as annual leave, sick leave, or holiday benefits, will be suspended by the taking of excused unpaid leave.

Employees returning from excused unpaid leave will be returned to their former position.

Leave Without Pay is an employee benefit and should NOT be considered as a means for "keeping my job" while having excessive absences and having used up all annual/sick leave.

### **913 Maternity Leave**

*CCCC Board of Regents Approved 08/18/2022*

CCCC will grant up to six weeks Maternity Leave. Employee must have been employed full-time for six months. The employee must exhaust all their accrued Sick Leave and Annual Leave first then the college will pay Administrative leave for the remaining time needed. All leave used may not exceed six weeks. If additional leave is needed, a doctor's statement must be provided to the Human Resource office along with a request to use Advanced and Shared Leave (policy 905-A & 906). Paternity leave will follow the same policy guidelines.

## 914 Employee Acknowledgement Form

### EMPLOYEE ACKNOWLEDGEMENT FORM

I understand that the personnel policies describes important information about Cankdeska Cikana Community College and that I should consult with my supervisor or the HR Director regarding its contents and any questions I may have.

Since provisions of the policies are subject to change, I further understand that any revisions will supersede existing policies.

I acknowledge that this document is not a contract of employment. I have received, read, understood, and will comply with the policies as outlined and any subsequent revisions.

I also understand that I am required to abide by these policies while I am a Cankdeska Cikana Community College employee.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

# EMERGENCY ACTION PLAN



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CANKDESKA CIKANA  
COMMUNITY COLLEGE

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*Spirit Lake Dakota Nation*



CANKDESKA CIKANA  
COMMUNITY COLLEGE  
*Spirit Lake Dakota Nation*

## Mission Statement

Cankdeska Cikana Community College provides opportunities that lead to student independence and self-sufficiency through academic achievement and continuation of the Spirit Lake Dakota language and culture.

## Vision Statement

Cankdeska Cikana Community College builds a strong and viable Dakota community that enjoys physical, mental, emotional and spiritual health.

## Key Values

### ***Shared Responsibility***

- We are respectful of each other.
- We believe in the value of educational and vocational training.
- We believe in the potential of our students.

### ***Commitment to Quality***

- We strive to be the very best tribal community college.
- We employ qualified faculty and staff in all positions.
- We maintain accreditation.
- We structure the institution to optimize the skills and contributions of all.

## Dakota Values

- Woksape*** - Wisdom
- Wicowahba*** - Humility
- Wowaditake*** - Courage
- Wawokiya*** - Generosity
- Wowaditake*** - Fortitude
- Waohoda*** - Respect
- Ohañ Owotana*** - Honesty



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CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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***Internal document for employee use. Common sense should be used!  
Campus Facilities Management and Chief of Security are in  
charge during any emergency situation!***





CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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**TELEPHONE DIRECTORY**

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Lake Region Crisis Line ..... 701-662-5050  
24 Hour Hot Line ..... 800-472-2911

**CCCC Staff**

SECURITY DEPARTMENT .....701-766-1345  
    Cell ..... 701-230-8933  
FACILITIES DIRECTORS OFFICE ..... 701-766-2384  
    Cell ..... 701-351-5848  
DEAN, ACADEMICS..... 701-766-1309  
    Cell..... 701-650-1943  
DEAN, ADMINISTRATION ..... 701-766-1321  
    Cell ..... 701-230-9706

**Community**

ALTRU Clinic (Devils Lake) ..... 701-662-2157  
AMBULANCE ..... 701-766-4223  
Benson County Sherriff ..... 701-473-5357  
BIA ..... 701-766-4231  
Clinic (Fort Totten) ..... 701-766-1600  
Clinic (Devils Lake –Altru) ..... 701-662-2157  
FIRE ..... 911  
Fort Totten Emergency Management ..... 701-766-1214  
Fort Totten Mental Health ..... 701-766-1613  
Lake Region Human Services ..... 701-662-2200  
Mercy Hospital ..... 701-662-2131

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CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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**ACTIVE SHOOTER SITUATION**

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**Examples:** Shooter in school, hostage situation

**REQUIRED ACTION:**

***LOCKDOWN: announced by security/facilities in person or by telephone***

Immediately close & lock your door and move away from the door (door should be locked from the exterior already)

- ✚ **DO NOT** evacuate into hallways if fire alarms sounds; intruder may be present. Stay in room until escorted to safety, unless danger from smoke or fire is imminent.
- ✚ Try to get out of view of the door or window and stay put.
- ✚ If in the hallway, get to closest room or exit facility and get as far away as possible (do not attempt to re-enter the facility).
- ✚ If in the hallway when law enforcement enters stay on the ground and do not run at them as they do not know who may be involved.
- ✚ Once law enforcement passes you, they will instruct you on where to go.
- ✚ Do NOT open the door for anyone once in the room as you do not know who may be involved with the situation.
- ✚ Stay put until security or law enforcement opens the door.
- ✚ Upon end of situation, meet with your immediate supervisor to find out what further instructions to do.

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***For: Safety/Security Director & Staff***

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- Order LOCK DOWN – In person to each department or by telephone/telephone intercom
- LOCKDOWN all offices/rooms in the building.
- If possible keep location of suspect known (via security cameras, listening through door, visually seeing armed intruder).
- **Call 911** with the following information
  - Location of suspect(s)
  - Number of suspects.
  - Types of weapons.
  - Description of suspect(s).
  - Anything the suspect(s) says
  - Silence fire alarms
- Document the event.

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

**ACTIVE SHOOTER SITUATION**  
**Phase II – Incident Under control**

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**For: Deans, Academic & Administration & Director of Student Success**

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- Release Reunification Site determined by Law Enforcement depending on safest location after incident
- Work with Facility Director
- Field phone calls
- 

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**For: Security Director**

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- Assist Bureau of Indian Affairs Law Enforcement with evacuation:
  - Escorting students with teacher to evacuation point.
  - Escorting injured to triage.
  - Escorting students to interview area.

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**For: Facility Director**

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- Remain at Command Post
- Liaison to Emergency Operations Center.
- Assist evacuation and reunification site.
- Determine if transportation is needed.

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CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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***BOMB THREAT***

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**REQUIRED ACTION:**

- ✚ ***Follow evacuation instructions as directed by Security or Facilities Departments at the time of threat.***
- ✚ ***Do NOT use cell phones or radio.***

**For Persons receiving the threat or observing suspicious packages/items:**

- ✚ ***Immediately report any threat to the Security Office (#1345) (phone call, letter, email, conversation or overheard conversation of a threat).***

**Information to obtain during threat:**

- ✚ ***Check caller ID, if available***
- ✚ ***Try to keep caller on the line***
- ✚ ***Use another line to call 911***
- ✚ ***Individual's name***
- ✚ ***EXACT words said, including time and place***

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**For: Instructors & Other Staff**

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- **Inspect classroom or work area for unusual objects**
- **Evacuate the room or building if directed.**
- **Lock the classroom door.**
- **Attach paper to door notifying of suspicious object in room (if applicable)**

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***BOMB THREAT - Continued***

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***For: Security/Facilities Director***

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- **Do NOT use cell phones or radio near a suspicious object.**
- Call 911 – Report bomb threat
- Alert Support Team (Deans, Maintenance & Custodial Staff)
- Search Exits & exterior of building for suspicious people and objects **before** building is evacuated, **unless** explosion is imminent!
- Determine the extent, if any, of evacuation and carry out depending on circumstances
- If evacuation is needed, Evacuate to a Marshalling area to be determined by Security/Facilities Directors.
  - Away from bushes, cars, houses, etc.
  - Supervise evacuation if ordered.
  - Check common areas for students and staff unaccounted for.
- Notify each department in person or by telephone/telephone intercom system of marshalling area.
- **Do NOT use cell phone or radio to communicate, if near object**
- Search boiler room and all custodial areas
- Search roof of building
- Search common areas

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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***BOMB THREAT – Aftermath: (Incident Under control)***

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---

***For: Security Director***

---

- Establish contact with command post
- Establish contact with Bureau of Indian Affairs Law Enforcement (BIA)
- Announce where students can be picked up
- Release information in conjunction with BIA
- Check with Instructors to account for all students
- Relay information to command post & evacuation/reunification site of
  - ✓ Missing Students
  - ✓ Found students
  - ✓ Injured/trapped students
  - ✓ Deceased students/staff
  - ✓ Areas searched
- Supervise student release:
  - ✓ Have parents/adult sign student sign-out form
  - ✓ Retrieve student from teacher
  - ✓ Escort student to reunification area
- Assist with supervision of students

If student is missing, injured transported to hospital or morgue:

- Escort parents/adult to information area.

---

***For: Facilities Director***

---

- Stay at Command Post
- Work with Emergency Team
- Keep staff informed of incident

---

***For: Instructors***

---

- Account for all students
- Monitor students' health
- Keep track of all students until returned to class or signed out

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

---

***BUS / STUDENT VAN ACCIDENT***

---

**REQUIRED ACTION:**

**Driver:**

- Call police department to report accident
- If there are injuries, request an ambulance
- Call Facility Manager with vehicle number and location of accident
- **(701-766-2384) or (#766-1345) or (701-766-1144)**
- If after hours call Facility Manager at home (SEE PHONE PAGE FOR NUMBERS)
- Keep all students on the bus unless there is a reason to evacuate the bus.
- Provide emergency first aid treatment & **DO NOT** move the injured unless **ABSOLUTELY NECESSARY**.
- Check the student roll to make sure there is an accurate list of students involved in the accident.
- Injured students will be identified and taken to the hospital; also the driver will find out what hospital the students have been taken to.
  
- **At no time are the driver or students involved to make statements to news media**

---

***For: Facilities***

---

- Dispatch a bus to replace the one involved in the accident
- Notify the Academic Dean (701-766-1309) and Director of Student Success (701-766-1374).
- Along with Law Enforcement personnel, Facility Director will help keep the area clear of spectators and parents.

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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**FIRE**

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**REQUIRED ACTION – if alarm is heard**

- ✚ Exit facility at the nearest exit.

**REQUIRED ACTION - if a fire is seen**

- ✚ If smoke or fire is seen, activate nearest fire alarm.
- ✚ Call 911
- ✚ Report location of fire or smoke to Security/Facilities Office (#766-1345) or (#766-2384)
- ✚ Evacuate; do not exit towards smoke

---

***For: Security & Facilities Director:***

---

- **Call 911**
- Notify Academic Dean (#1309)
- Evacuate
- Document the event
- Watch for fire department and report information to them.
- Transportation needs

---

***For: Facilities Director/Maintenance/Custodian:***

---

- Check common areas for students and staff
- Evacuate



CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

---

***FIRE – Aftermath: Incident under Control***

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---

***For: Safety/Security Director:***

---

- Order return to building if directed by Fire Department
- OR
- Direct Evacuation from Marshalling area to Reunification Site
- Account for all students
- Check with instructors to account for all students
- Supervise students until release
- Prepare facts for Emergency Team
- Remain at command post to help emergency responders
- Relay Information to Command Post of:
  - Missing students
  - Found students
  - Injured students
- Supervise student release:
  - Have parents sign Student Sign Out Form & collect them
  - Retrieve student from teacher
  - Escort student to Reunification area
- If student is missing or transported to hospital:
  - Escort parents/adult to information area
- In conjunction with Fire Department
  - Issue news release
  - Announce where parents/adults should respond
  - Field phone calls from students/families

---

***For: Maintenance/Custodian:***

---

- Remain at Command Post to assist Security/Safety Officers

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY ***ACTION*** PLAN

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***HAZARDOUS MATERIALS***

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**REQUIRED ACTION:**

- ✚ ***Follow evacuation instructions at the time of threat - as directed by security or facilities in person or by telephone or telephone intercom system.***
- ✚ ***Report any and all spills of hazardous materials to the Security Office (#1345) (701-766-1302) or Maintenance (#2384, 1345, 1144)***
- ✚ ***If you smell natural gas, DO NOT use cell phone DO NOT do anything that may create a spark or static electricity***

---

***For: Instructors & Staff:***

---

- ✚ If directed to SHELTER
  - Close all windows and doors
  - Do NOT go into hallway for water.
  - If directed TO MOVE TO ANOTHER AREA Close classroom door.
  - Upon reaching Marshalling area, take roll.

---

***For: Security Officer:***

---

- ✚ ***Call 911- report hazardous material spill***
- ✚ Coordinate actions with Facilities Director & Maintenance Staff
- ✚ Through a news release:
  - Inform of sheltering in place OR
  - Inform of student pick up area
  - Arrange transportation if needed

---

***For: Maintenance/Custodian:***

---

- ✚ Shut off air handling system
- ✚ Close doors
- ✚ Respond to command post
- ✚ Assist Facility Director
- ✚

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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**HAZARDOUS MATERIALS – continued**

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**For: Facility Director:**

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- ✚ Notify Academic Dean (**#1309**) and Administrative Deans (**#1321**) See cell #'s on page 1
- ✚ Establish Command Post in safe area in building
- ✚ Establish support team staging area
- ✚ Interview individual who reported the spill
  - Location
  - Volume of spill
  - Chemical spilled (markings & Labels)
- ✚ Meet with Fire Department upon direction of incident
- ✚ If **EVACUATION** is necessary:
  - Check wind direction; evacuate perpendicular to the wind not into the chemical – avoid plumes, clouds, and obvious chemical substances.

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

---

***NEIGHBORHOOD THREAT***

---

**REQUIRED ACTION:**

- ✚ ***Follow evacuation/lockdown instructions as directed by security and facilities departments at the time of threat.***
  
- ✚ Report observations to Security Director (**#1345**) (**766-1345**)
- ✚ Follow appropriate recommendations:
  - ***LOCKDOWN: Close & Lock doors, stay away from doors & windows***
  - ***EVACUATION: As directed by security and facilities***
- ✚ Notify Academic Dean (#1309) and Administrative Dean (#1321)

---

***For: Security & Facilities Directors:***

---

- ✚ Call Academic Dean (#1309), Administrative Dean (#1321), Maintenance and Custodial Staff
- ✚ Monitor and staff ALL entrances and exits
- ✚ Relay instructions from Facility Manager to staff.
- ✚ Assist Instructors with LOCKDOWN and/or EVACUATION
- ✚ Continue communication with Facility Manager
- ✚ Establish communication with Bureau of Indian Affairs Law Enforcement
- ✚ Field phone calls
- ✚ Alert Transportation Director of Possible changes in normal operation.
- ✚ Document the event
- ✚ Determine if EVACUATION is required

---

***For: Maintenance/Custodial Staff:***

---

- ✚ Ensure generator is in operating order
- ✚ Assist with LOCKDDOWN

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

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**TORNADO**

---

**REQUIRED ACTION:**

***Designated shelter area: "OLD" STUDENT UNION BY FRONT ENTRANCE OF THE COLLEGE***

- ✚ If Directed by Security and/or Facilities, report to designated shelter.***
- ✚ Get beneath heavy furniture or line up along the wall of an interior hallway on the lowest floor available.***
- ✚ Stay away from windows/glass.***
- ✚ Kneel on the floor with elbows touching the floor and hands clasped behind the neck to protect the head***
- ✚ Avoid auditoriums, gyms, or other rooms with wide free-span roofs.***
- ✚ For other Severe Weather such as blizzards, flash flooding, winds – follow directions by Security and Facilities at the time of threat.***

---

***For: Instructors & Other staff***

---

- Take students to sheltering.
- Close classroom door.
- Take roll when sheltering area is reached.
- Tell students to duck and cover.
- Attempt to keep calm.
- Each teacher will check for student injuries
- Students will help check on other students in the class
- Each Instructor will report to the Director of Safety or Support Team member regarding the welfare of the students in the class.

---

**For: Security/Facilities Department:**

---

***Keep the school's NOAA All Hazards Weather Radio on at all times.***

- If it sounds, tune to the Emergency Alert System for information. The approximate location and direction of the tornado is usually given.
- Make announcement to students and staff to move to "old" student union at front entrance of college.
- If the building is hit, call 911
- Supervise sheltering in hallways and other designated areas.
- Check large room span areas such as gyms for students and staff.
- Communicate with office of areas checked.

---

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY ***ACTION*** PLAN

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***TORNADO/SEVERE WEATHER RESPONSE - Continued***

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***For: Facilities Director (Maintenance/Custodial staff)***

---

- Close end-of-hallway doors to prevent “tunnel effect.”
- Turn off gas in boiler room.
- If a tornado strikes, check all utilities after it hits. The tornado may have broken gas, electrical, or water lines.
- If necessary, turn off electrical current, gas, and water coming into the building.
- Check the entire building for damage before allowing students and staff back in.
- Report findings to the Director of Safety (#1345)

CANKDESKA CIKANA COMMUNITY COLLEGE  
EMERGENCY **ACTION** PLAN

---

***VIOLENCE: NO WEAPONS***

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***Examples: Student altercations, riot, gang fights, intruder, disruptive person***

**REQUIRED ACTION:**

- ✚ Call Security (**#1345**), Bureau of Indian Affairs Law Enforcement (**701-766-4231**) or **911** depending on incident.
- ✚ Security campus radios for use are located:
  - Library
  - Registrar's office / Front window
  - Gym staff offices
  - Academic Administrative Assistant – Administrative Wing
  - Daycare
  - Administrative Dean – Technology/Title III Wing

NOTE: School staff members will deal with these issues on a case-by-case basis and will call for assistance as needed.

---

**For: Security/Facilities Department:**

---

Provide information to Emergency Personnel if necessary

- Suspects
- Victims
- Witnesses
- Incident





# CANKDESKA CIKANA COMMUNITY COLLEGE PERFORMANCE APPRAISAL AND DEVELOPMENT REVIEW

Employee Name: \_\_\_\_\_ Department: \_\_\_\_\_

Program: \_\_\_\_\_ Position: \_\_\_\_\_

How Long: \_\_\_\_\_

Date this review: \_\_\_\_\_ Date last review: \_\_\_\_\_

Purpose of Evaluation: Probationary \_\_\_ Disciplinary \_\_\_ Annual \_\_\_ Other \_\_\_

**SECTION I**

1. Study each performance factor very carefully before rating the employee. Be sure to evaluate each of the factors separately. A common mistake in rating an individual is the tendency to rate them "Outstanding" on every factor, or "Unsatisfactory" based on the overall picture one has of the person being rated. This is known as the HALO EFFECT; however, everyone has strong points and weak points and these should be indicated on the rating scale.
2. It is important that you compare each employee you rate to the same standard. At no time should prejudice, partiality, or spite influence the rating. While it is true that inexperienced employees will generally score lower than those who have experience, such an approach will allow you to measure each employee's progress, or lack of progress, and discuss these items with the employee.
3. As you rate the employees, you will find that each factor has five (5) different levels of performance with each level having a "Low" to "High" range of values. You must decide which value comes closest to describing the employee and place an "X" over or on top of the value. The completed Section I should have exactly seven (7) "X" marks, one in each of the eight performance factors.
4. After evaluating the employee on these performance factors, total all of the amounts under your "X" marks in the space provided on the following page, and write your constructive comments for improvement or praise for these factors. Comments on your ratings are REQUIRED.

**1. QUANTITY OF WORK**

L	Unsatisfactory	H	L	Below Standard	H	L	Satisfactory	H	L	Above Standard	H	L	Outstanding	H
0		5	6		10	11		15	16		20	21		25

Slow Worker. Does very little work & wastes time.	Works at a slow pace. Needs encouraging.	Works at a steady pace. Meets minimum requirements.	Works fast. Often exceeds requirements.	Very fast & prompt worker. Consistently exceeds requirements.
---	--	---	---	---

**2. QUALITY OF WORK**

L	Unsatisfactory	H	L	Below Standard	H	L	Satisfactory	H	L	Above Standard	H	L	Outstanding	H
0		5	6		10	11		15	16		20	21		25

Poor quality of work. Continually makes errors. Requires excessive checking and rework.	Careless. Inclined to make mistakes. Work barely acceptable.	Meets minimum requirements of accuracy and neatness, average quality of work needs normal supervision.	Exceeds minimum requirements of accuracy & neatness w/very few errors, carries out instructions well, needs little supervision.	Consistently high degree of accuracy and neatness; work can be relied upon very little rework, seldom needs supervision.
---	--	--	---	--

**3. JOB KNOWLEDGE**

L	Unsatisfactory	H	L	Below Standard	H	L	Satisfactory	H	L	Above Standard	H	L	Outstanding	H
0		5	6		10	11		15	16		20	21		25

Definite lack of knowledge. Very little understanding of job duties. Needs considerable instructions.	Inadequate knowledge of duties. Understanding of job duties not sufficient.	Has adequate knowledge of duties. Needs a little additional instruction.	Good knowledge of duties. Well informed. Occasionally needs direction.	Excellent understanding of job assignments. Requires very little direction. Extremely capable.
---	---	--	--	--

4. ATTENDANCE

L	Unsatisfactory	H	L	Below Standard	H	L	Satisfactory	H	L	Above Standard	H	L	Outstanding	H
0		5	6		10	11		15	16		20	21		25

Often absent or tardy. Does not report absence or tardiness in advance. Very undependable.	Erratic in attendance and punctuality. Seldom reports absence or tardiness in advance. Not dependable.	Occasionally absent or tardy. Reports absence or tardiness in advance.	Seldom absent or tardy. Always reports absence or tardiness in advance. Dependable.	Excellent attendance record. Always at work and on time. Very Dependable.
--	--	--	---	---

5. ATTITUDE

L	Unsatisfactory	H	L	Below Standard	H	L	Satisfactory	H	L	Above Standard	H	L	Outstanding	H
0		4	5		8	9		12	13		16	17		20

Difficult to work with. Chip-on shoulder attitude. Uncooperative. Rude.	Occasionally unwilling to follow orders w/o argument, stubborn.	Tries to cooperate. Usually agreeable and obliging.	Cooperative most of the time. Interested in work. Quick to offer assistance.	Always cooperative. Shows a high interest in work. Goes out of way to help. Pleasant.
---	---	---	--	---

6. VERSATILITY/ABILITY TO WORK WITH OTHERS

L	Unsatisfactory	H	L	Below Standard	H	L	Satisfactory	H	L	Above Standard	H	L	Outstanding	H
0		3	4		6	7		9	10		12	13		15

Seems unable to learn new tasks; uncooperative; cannot adjust from one job to another.	Learns new tasks slowly; performance impaired when required to work with others.	Works well with others; able to perform several related tasks; handles new assignments with some difficulty.	Cooperative when working with others; learns new tasks easily; handles new assignments with minimum amount of difficulty.	Very cooperative; masters new tasks easily; handles various assignments without difficulty.
--	--	--	---	---

7. INITIATIVE

L	Unsatisfactory	H	L	Below Standard	H	L	Satisfactory	H	L	Above Standard	H	L	Outstanding	H
0		3	4		6	7		9	10		12	13		15

Never volunteers to undertake work. Requires constant prodding to do work. Has no drive or ambition.	Needs some prodding to do work. Dislikes responsibilities. Has very little drive. Believes in just getting by.	Seldom seeks new tasks. Will accept responsibilities when necessary, does not go out of way. Routine worker.	Occasionally seeks new tasks. Works well when given responsibility. Makes occasional suggestion.	Definitely a self-starter. Goes out of way to accept responsibility. Very alert and often constructive.
--	--	--	--	---

EMPLOYEE AND SUPERVISOR COMMENTS

SCORING

	Trait No.	Score
	1	
	2	
	3	
	4	
	5	
	6	
	7	
Total		

EMPLOYEE DEVELOPMENT

SECTION III

Job Related Activities

List specific activities undertaken since last review. Include education and training, such as workshops, seminars or educational course work.

--

Employee Career Development

What are the incumbent's near and long-term career objectives? Comment on or suggest action to be taken for growth in present position or upward moves within the organization.

--

Performance Development Action Plans

What specific action can the incumbent take to improve his/her performance in this position? What specific action can the supervisor take to support these efforts?

--

Employee Comments

Incumbent is encouraged to comment on the overall Performance Appraisal or specific action plans listed above.


Prepared by \_\_\_\_\_ Date \_\_\_\_\_

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_

I have read and discussed this Appraisal with my supervisor.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Weight	KEY JOB ELEMENTS	SUMMARY OF PERFORMANCE	Score
	<p>In the spaces below list the key job elements (KJE's); major responsibilities, primary duties, critical functions. Assign a relative priority to each KJE at left. These must total 100.</p>	<p>Cite accomplishments, contributions or deficiencies in performance for each key job element. Please cite those significant incidents and observations of performance which validate the performance code you assign.</p>	
100		Score Total	

## INSTRUCTIONS

In this section you are to list the Key Job Elements of the position being evaluated. Key Job Elements are the major responsibilities, primary duties or critical function, and each one should have a priority rating noted in the "Rating" column to equal 100.

The Position Description Review form which lists the Job Tasks and Standards should be utilized as a reference to evaluate the performance level of the incumbent. In the Summary of Performance, record your judgment of this employee's Job Performance for each Key Job Element, focusing upon ongoing performance, as well as achievement of specific goals.

The following performance levels and their corresponding code number will be assigned to each summary of performance and placed in the "code" column. Immediately below the code you assign please compute the weighted rating which will be totaled at the end of this section.

### 5. Outstanding Performance

Employee excels in virtually all criteria, or standards of performance, of the work, having reached the ultimate in job performance on a sustained basis. Performance is of a rare quality found only in a small percentage of people in this occupation. Decisions and recommendations are invariably sound and consistently in high risk areas in relations to job responsibilities. In terms of what is inherently possible on this job, employee regularly perceives present and future needs which are seldom perceived by others, initiates, plans for and accomplishes innovative and highly worthwhile objectives.

### 4. Excellent Performance

Performance exceeds the criteria, or standards of performance, for practically all aspects of the work. Employee performs even the difficult and complex parts of the job competently and thoroughly, including extra or unique tasks assigned. Decisions and recommendations are usually sound and often in the high risk areas of the job responsibilities. In terms of what is inherently possible on this job, employee is often innovative and initiates, plans for and accomplishes worthwhile objectives, whether self-initiated or established by others.

### 3. Good/Competent Performance

Represents fully successful performance. Performance fully meets the criteria, or standards of performance, for practically all aspects of the work. The employee's performance is steady, reliable and competent and is maintained with a minimum of supervision. Decisions and recommendations are usually sound and generally in the moderate risk or structured areas of the job. Employee is generally able to accomplish all established objectives and may contribute worthwhile objectives on own initiative.

### 2. Needs slight improvement

Performance does not meet the criteria, or standards of performance, for a minority of the aspects of the work. The employee's performance is steady and reliable although somewhat more than minimal supervision is needed to maintain job performance and to achieve fully the position objectives. Decisions and recommendations are usually sound but generally in the low risk, highly routine or structured areas of the job. While employee may occasionally originate worthwhile objectives, he/she sometimes fails to meet job objectives established by others.

### 1. Needs much improvement

Performance is below the criteria, or standards of performance, for a majority of the total job. Job objectives are frequently not met or are met with only a minimum level of acceptability. Decisions and recommendations are often not sound and usually in the low risk, highly routine or structured areas of the job. There is an urgent need to make a concentrated effort to improve the employee's performance. If performance does not improve in a maximum of *four* months the employee should be transferred to a position where there is a much better probability of success, or be terminated. A reappraisal is required within four months.

0. Too early for evaluation (less than three months). Must be evaluated after six months in position.



**CANKDESKA CIKANA  
COMMUNITY COLLEGE**  
Spirit Lake Dakota Nation

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

HIRE DATE \_\_\_\_\_

EMPLOYEE # \_\_\_\_\_

**Pay Allocation (one line for each program if split)**

**Check all that apply**

Full Time		Type in Shaded Area Only
Part Time		
Temporary		
10 Month Contract		
Fed Work Study		
Student		
90 Day Probation		
Other		

		%	Program Name	Acct #
Program				
Program				
Program				
Program				
Program				
Exempt/Salary				
Non-Exempt (salary)				
Rate of Pay (hourly)				

Title

<b>CHANGE TO:</b> _____	<b>CHANGE TO:</b> _____	<b>CHANGE TO:</b> _____
-------------------------	-------------------------	-------------------------

**Check all that apply**

Full Time		Type in Shaded Area Only
Part Time		
Temporary		
10 Month Contract		
Fed Work Study		
Student		
90 Day Probation		
Other		

**Pay Allocation**

		%	Program Name	Acct #
Program				
Program				
Program				
Program				
Program				
Exempt/Salary				
Non-Exempt				
Rate of Pay (hourly)				

**Reason for Change:**

90 Day Prob end		Resigned	
Promotion		Terminated	
Demotion		Temp Position Ended	
Transfer		Regular Position Ended	
Annual Review		Grant Ended	
Merit Increase		Deceased	
Service Increase		Layoff	
Job Re-evaluation			

**OTHER EXPLANATIONS**

Effective Date

\_\_\_\_\_  
**EMPLOYEE**

\_\_\_\_\_  
**SUPERVISOR**

\_\_\_\_\_  
**HUMAN RESOURCES**

\_\_\_\_\_  
**CHIEF FINANCIAL OFFICER**

\_\_\_\_\_  
**DEAN**

\_\_\_\_\_  
**PRESIDENT**



**CANKDESKA CIKANA COMMUNITY COLLEGE  
EMPLOYEE TIMESHEET**

revised 09/16/02

**Payroll Period: Beginning** 04/19/09 **Name:** \_\_\_\_\_  
**Ending** 04/25/09 **Employee Number:** \_\_\_\_\_

<i>Day</i>	<i>Date</i>	<i>Total Hours</i>	<i>01 Regular, Funeral, Holiday, Travel</i>	<i>31 Annual (Vacation)</i>	<i>41 Sick</i>	<i>65 Instructor's Personal Leave</i>	<i>Comments</i>
<i>Sun</i>	<u>04/19/09</u>	<u>0.00</u>		-	-	-	
<i>Mon</i>	<u>04/20/09</u>	<u>8.00</u>	8.00			-	
<i>Tue</i>	<u>04/21/09</u>	<u>8.00</u>	8.00			-	
<i>Wed</i>	<u>04/22/09</u>	<u>8.00</u>	8.00			-	
<i>Thu</i>	<u>04/23/09</u>	<u>8.00</u>	8.00			-	
<i>Fri</i>	<u>04/24/09</u>	<u>8.00</u>	8.00		-	-	
<i>Sat</i>	<u>04/25/09</u>	<u>0.00</u>	-	-	-	-	
<b>Total hours:</b>		<u><b>40.00</b></u>	<u><b>40.00</b></u>	<u><b>0.00</b></u>	<u><b>0.00</b></u>	<u><b>0.00</b></u>	

Note: Include administrative and educational leave under 01. Leave without pay may be indicated in the comment area.  
 Confirm your leave balance. Do not request more sick or vacation time than is available!

**Employee's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Supervisor:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**For Office Use Only**

<i>Date</i>	<i>Check Sequence Number</i>	<i>30 Vacation Accrued</i>	<i>40 Sick Accrued</i>	<i>Comments</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____









Name: \_\_\_\_\_

# Maintenance Work Order Form

Department: \_\_\_\_\_

Requested by: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

**Note:** Please provide a clear description of the problem & location. Thank you in advance for your cooperation.

1.

2.

3.

**FOR OFFICE USE ONLY:**

Date Service Provided: \_\_\_\_\_ Contacted: \_\_\_\_\_

Brief information on what was done by maintenance:




## Discrimination Complaint Form

Name: <i>(Last)</i>	<i>(First)</i>
Address:	E-mail address:
Phone: <i>(Home)</i>	<i>(Work)</i>

If employed by Cankdeska Cikana Community College, what department:

**Please check those that apply:**

I am a:             Student             Faculty Member     Staff Member  
                           Applicant for Employment     Other *(Explain)* \_\_\_\_\_

**Cause of Discrimination:**

Race             Color             National Origin     Religion  
 Sex/Sexual Harassment     Disability             Age  
 Other *(Explain)* \_\_\_\_\_

**Complaint Area:**

Employment                                     Instructional or Academic Program     College Service or Program

**List the individual, department or group that discriminated against you *(if more than one, list all)*:**

Name:	Address:	Phone:

Explain the basis of your complaint. Provide as much detail on the incident(s) as possible, including dates, places, persons involved or witnesses, etc. (If necessary, use back or attach additional documentation.)

Signature:	Date:
------------	-------

CANKDESKA CIKANA COMMUNITY COLLEGE  
P.O. BOX 269  
FORT TOTTEN, ND 58335  
PHONE: (701) 766-4415  
FAX: (701) 766-4077



## Employee Disciplinary Report Form

Effective Date: 2/4/2004

Revision Date:

### EMPLOYEE DISCIPLINARY REPORT

Employee's Name \_\_\_\_\_ Dept. \_\_\_\_\_

Date: \_\_\_\_\_ Status \_\_\_\_\_

Type of Violation: Attendance \_\_\_\_\_ Tardiness \_\_\_\_\_ Job Performance \_\_\_\_\_  
Other \_\_\_\_\_

Action Taken: \_\_\_\_\_ Verbal Warning \_\_\_\_\_ Written Warning  
\_\_\_\_\_ Three- day Suspension \_\_\_\_\_ Termination

Supervisor Statement:

Employee Response: (Attach additional sheets if necessary)

Previous Action(s) Taken:

Type(s) \_\_\_\_\_ Verbal Warning \_\_\_\_\_ Written Warning  
\_\_\_\_\_ Three-Day Suspension \_\_\_\_\_ Termination

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Supervisor Signature

President's signature (required only for termination of an employee)

When forwarding a copy of this report to the President, make sure all documentation supporting the recommendation for action is attached.



## Accident/Incident Report Form

Effective Date: 2/4/2004

Revision Date: 08/14/2008

Revision Date: 1/12/2011

### CANKDESKA CIKANA COMMUNITY COLLEGE ACCIDENT/INCIDENT REPORT

1. REPORTING PROGRAM: \_\_\_\_\_

2. NAME OF PERSON(S) INVOLVED: \_\_\_\_\_

\_\_\_\_\_

3. ADDRESS: \_\_\_\_\_

4. DATE AND TIME OF ACCIDENT/INCIDENT

     YR         MO         DAY         HR         MIN

\_\_\_\_\_

5. TYPE OF ACCIDENT/INCIDENT:      Injury      Motor Vehicle  
     Property Damage      Other

6. NARRATIVE OF ACCIDENT/INCIDENT (include who, what, when  
where, and how):

7. CORRECTIVE ACTION TAKEN OR PLANNED (give a brief description of  
action(s) taken or planned to prevent similar incidents in the future.  
Indicate when actions were or will be taken and by whom).

\_\_\_\_\_  
Employee Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Safety/Security Coordinator

Date: \_\_\_\_\_





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CANKDESKA CIKANA  
COMMUNITY COLLEGE

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*Spirit Lake Dakota Nation*

I \_\_\_\_\_, would like to donate \$ \_\_\_\_\_ of each  
Payroll Check to Cankdeska Cikana Community College. I understand that this money  
will be put into a fund and used for the general operations of the college or as part of the  
college endowment fund.

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Employee Signature

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Payroll Signature



CANKDESKA CIKANA  
COMMUNITY COLLEGE  
*Spirit Lake Dakota Nation*

## SICK LEAVE DONATION REQUEST

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

I hereby donate \_\_\_\_\_ to \_\_\_\_\_ while on sick leave.  
No. of hrs                      Name of Recipient

EMPLOYEE SIGNATURE: \_\_\_\_\_

SUPERVISOR SIGNATURE: \_\_\_\_\_

HUMAN RESOURCE SIGNATURE: \_\_\_\_\_

PRESIDENTS SIGNATURE: \_\_\_\_\_



CANKDESKA CIKANA  
COMMUNITY COLLEGE  
*Spirit Lake Dakota Nation*

# CANKDESKA CIKANA COMMUNITY COLLEGE

PO BOX 269  
FORT TOTTEN, ND 58335  
701-766-4415

## Payroll Deduction Form

I authorize the Cankdeska Cikana Community College Payroll Bookkeeper to make the following payroll deduction. I understand that each time a deduction is made a \$3.00 service fee will also be deducted.

Deduct: \_\_\_\_\_ Total Amount Due: \_\_\_\_\_ Deduction Code (office use) \_\_\_\_\_

Frequency: Weekly \_\_\_\_\_ Four times per month \_\_\_\_\_ Other: \_\_\_\_\_ One time deduction \_\_\_\_\_

Beginning: Pay period \_\_\_\_\_ Check Date \_\_\_\_\_

Ending: When total amount due is met \_\_\_\_\_ Indefinitely \_\_\_\_\_ Until notified \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Forward Deduction To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee # \_\_\_\_\_ Employee (Print) \_\_\_\_\_

\_\_\_\_\_  
Employee Signature Date

\_\_\_\_\_  
Cankdeska Cikana Community College Representative Date