



Policy Number and Title:	400.103 BMCC Academic Standards Policy		
Approval Authority:	President	Date Effective:	January 9, 2018
Responsible Office:	Academics	Responsible Office Contact:	Vice President for Academics

1. POLICY STATEMENT/REASON FOR POLICY

BMCC students are expected to make satisfactory progress towards their degree. When students do not make satisfactory progress toward their degree, they will be placed on academic probation.

2. ENTITIES AFFECTED BY THIS POLICY

All BMCC Students.

3. WHO SHOULD READ THIS POLICY

All BMCC students and faculty.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: January 8, 2018

-Next Review Date: January 8, 2021

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

Bay Mills Community College Academic Standards Policy

BMCC students are expected to make satisfactory progress towards their degree. When students do not make satisfactory progress toward their degree, they will be placed on academic probation. Academic probation is a strong warning to students that their scholastic performance is less than that expected by the College. BMCC students will receive a notice of academic probation through email at semester end after final grades are released. Failure to improve academically after receiving a probationary notice can result in academic probation or dismissal from the College (see policy below).

Warning

BMCC will issue a warning to a student whose grade point average for any enrollment period is less than 2.00 but their overall grade point average is 2.00 or above.

Probation

BMCC students will be placed on academic probation when their cumulative GPA falls below the required 2.00 minimum. Once placed on probation a student must receive a semester GPA of at least 2.00 the next semester. Failure to do so will result in academic dismissal and enrollment in future classes will be prohibited.

If—while on probation—a student's GPA the following semester is 2.00 or higher but the cumulative GPA is still below 2.00 the student will be placed on extended probation and given an additional opportunity to bring the GPA up to the required 2.00 minimum.

Extended probation

BMCC students will be placed on extended probation following a semester of academic probation if their cumulative GPA has not reached the required 2.00 minimum but their GPA for the semester is at least a 2.00. Once placed on extended probation a student must receive a semester GPA of at least 2.00 the next semester. Failure to do so will result in academic dismissal and enrollment in future classes will be prohibited.

If—while on extended probation—a student's GPA the following semester is 2.0 or higher but the cumulative GPA is still below 2.0 the student will be placed on final probation and given an additional opportunity to bring the cumulative GPA up to the required 2.00 minimum.

Final probation

BMCC students are placed on final probation when—following a semester of extended probation—their cumulative GPA does not reach the required 2.00 minimum but their GPA for the semester is at least a 2.00. Once placed on final probation a student must receive a cumulative GPA of at least 2.00 the next semester. Failure to do so will result in academic dismissal and enrollment in future classes will be prohibited.

Academic dismissal

Academic dismissal will occur when a student does not achieve at least a 2.00 semester grade point average while on probation or extended probation.

Students who have been dismissed are not permitted to re-enroll for at least one full fifteen-week semester. All registration for the next semester will be cancelled and any

tuition paid will be refunded. Prior to returning to college, approval must be obtained from the Dean of Student Services.



Policy Title:	Student Employment and FICA Exemption		
Approval Authority:	President	Date Effective:	January 24, 2014
Responsible Office:	Accounting/HR	Responsible Office Contact:	Vice President for Business and Finance

1. POLICY STATEMENT/REASON FOR POLICY

Bay Mills Community College offers part-time employment opportunities for students through the Federal Work Study program and other funding. Earnings are subject to federal and state income taxes. However, certain student workers will be exempt from FICA (Social Security and Medicare) taxes.

2. ENTITIES AFFECTED BY THIS POLICY

All Departments hiring students and student employees.

3. WHO SHOULD READ THIS POLICY

All Departments hiring students and student employees.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: January 24, 2014

-Next Review Date: January 24, 2017

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

Student Employment and FICA Exemption

Bay Mills Community College offers part-time employment opportunities for students through the Federal Work Study program and other funding. To qualify for Federal Work Study positions, the student must have a demonstrated financial need and be eligible for financial aid. Financial need may not be a factor for some of the other student worker positions.

Students interested in working for the College should watch for job postings on the Financial Aid Office and HR/Accounting Office bulletin boards.

Jobs are subject to availability and are not guaranteed. Students may be required to reapply each semester as actual employment is based upon the funding available.

Students must provide proper identification, verify their identities and ability to work within the United States, and complete and return the Federal W-4, State W-4, and I-9 form, **before work begins**. Earnings are subject to federal and state income taxes. However, certain student workers will be exempt from FICA (Social Security and Medicare) taxes.

Student Exception to FICA Tax

The Internal Revenue Code imposes a tax on employers and employees referred to as the Federal Insurance Contributions Act (FICA). The Code, however, contains a number of exceptions to the FICA tax, one of which exempts services performed for a college or university by a “student who is enrolled and regularly attending classes” at the institution. Students are not automatically exempt from FICA taxes. Certain guidelines must be met to qualify for the FICA tax exemption.

Guidelines

A student employee will generally qualify for the FICA exemption if the following conditions are met:

- Must be enrolled and regularly attending classes on at least a half-time basis (6 credits hours or more per semester) at Bay Mills Community College (BMCC). This determination will be made at the end of the add/drop period each semester.
- Must have the status of a student. The services that the student employee performs for the College must be incidental to and for the purpose of pursuing a course of study at BMCC. The educational aspect of the relationship, as compared to the service aspect, must be predominant.
- Students may work no more than 20 hours per week in order to maintain their eligibility for the student FICA exemption.
- The student employee must not be eligible to receive benefits at BMCC that are offered to non-student positions. These benefits include, but are not limited to the 403(b) retirement plan, state unemployment benefits, and vacation, short term leave, or paid holiday benefits.

BAY MILLS COMMUNITY COLLEGE COMPLAINT RESOLUTION

Bay Mills Community College (“BMCC”) is committed to resolving all forms of complaints within its organizational reporting structure by using the BMCC Dispute Resolution Procedures detailed in the BMCC student handbook.

Student complaints concerning academic grades, courses, programs, and teaching faculty should be submitted to the Vice President for Academics:

Samantha Jackson Cameron, Vice President for Academics
Mikanuk Hall, 12214 W Lakeshore Drive, Brimley, MI 49715
Email: scameron@bmcc.edu
Phone: (906) 248-3354

All other complaints (concerning disciplinary action, student conduct, financial aid or other BMCC policies) should be submitted to the Dean of Student Services:

Debra J. Wilson, Dean of Student Services
Student Success Center, 12214 W Lakeshore Drive, Brimley, MI 49715
Email: dwilson@bmcc.edu
Phone: (906) 248-3354 Ext. 8442

Bay Mills Community College makes every effort to resolve student complaints internally, using policies and procedures outlined in the current College Catalog or Student Handbook. It is expected that students will fully utilize any and all of such administrative procedures to address concerns and/or complaints in as timely a manner as possible.

In unusual and very unique circumstances whereby complaints are not resolved at this level, or whereby the complainant remains dissatisfied with the procedures and outcomes, or the complaint involves discrimination or other federal law complaints, the complainant may consider the procedures outlined below for a resolution.

Discrimination Complaints and Title IX Sexual Harassment Complaints

Bay Mills Community College (BMCC) and its Board of Regents is committed to providing a non-discriminatory and harassment-free educational and working environment for all members of the Bay Mills Community College, including students, faculty, administrators, staff, and visitors. It is the policy of Bay Mills Community College that no person shall be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, including harassment, in employment and admissions, in education, or in any program or activity for which the College is responsible, on the basis of race, color, national origin, ancestry, sex, gender, gender identification, sexual orientation, disability, age, religion, medical condition, veteran status, marital status or any other characteristic protected by institutional policy or tribal or federal law. The BMCC Sexual Misconduct policy can be downloaded by [clicking here](#).

The following person has been designated to handle complaints regarding sex discrimination and all other matters of discrimination: Holly Powless, Title IX Coordinator, 12140 W. Lakeshore Drive, Brimley, MI 49715, (906) 248-8123, hpowless@bmcc.edu.

Bay Mills Indian Community BMCC Student Complaint Ordinance

In addition, Bay Mills Community College participates in Federal student aid programs that are authorized under Title IV of the Higher Education Act of 1965. Participating institutions must be legally authorized to operate within the jurisdiction in which it is located. Title 34 CFR §600.9 requires states [and Tribes] to have a "process to review and appropriately act on complaints concerning the institution including enforcing applicable State laws."

Title 34 CFR §668.43(b) requires that institutions:

"make available for review to any enrolled or prospective student upon request, a copy of the documents describing the institution's accreditation and its State, Federal, or tribal approval or licensing. The institution must also provide its students or prospective students with contact information for filing complaints with its accreditor and with its State approval or licensing entity and any other relevant State official or agency that would appropriately handle a student's complaint."

To comply with this regulation, Bay Mills Community College provides the following information to our prospective and current students.

The Bay Mills Community College was legally established and chartered by the Bay Mills Indian Community. To obtain a copy of the BMCC charter, please contact the BMCC President's office at 12214 W Lakeshore Drive, Brimley, MI 49715 (906) 248-8437.

To file an unresolved written complaint, please contact the Bay Mills Indian Community Executive Council's Recording Secretary at 12140 W. Lakeshore Drive, Brimley, MI 49715 (906) 248-3241. The Bay Mills Indian Community Complaint Ordinance can be viewed here: <http://www.baymills.org/tribal-laws-and-court.php>

Bay Mills Community College Sexual Misconduct Policy

2015

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I. Introduction: Notice of Non-Discrimination and Institutional Values

- A. **NOTICE OF NON-DISCRIMINATION:** The Bay Mills Community College (BMCC) and its Board of Regents is committed to providing a non-discriminatory and harassment-free educational and working environment for all members of the Bay Mills Community College, including students, faculty, administrators, staff, and visitors. It is the policy of Bay Mills Community College that no person shall be discriminated against, excluded from participation in, denied the benefits of or otherwise be subjected to discrimination, including harassment, in employment, in admissions, in education, or in any program or activity for which the College is responsible, on the basis of race, color, national origin, ancestry, gender, gender identification, sexual orientation, disability, age, religion, disability, medical condition, veteran status, marital status or any other characteristic protected by institutional policy or tribal or federal law.
- B. Bay Mills Community College, as a recipient of federal funds, is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. §1681 et seq. ("Title IX"), which prohibits discrimination on the basis of gender in educational programs or activities. Bay Mills Community College does not discriminate on the basis of gender in its educational programs or activities, including in the context of admissions and employment. This policy prohibits all forms of sexual or gender-based discrimination, harassment, or misconduct, including sexual violence, sexual assault, stalking, and intimate partner violence. Misconduct of this nature is contrary to Bay Mills Community College's institutional values and prohibited by state, tribal and federal law. All Bay Mills Community College staff, students, visitors and third parties are expected to conduct themselves in a manner that does not infringe upon the rights of others. Any individual who is found to have violated this policy may face disciplinary sanctions up to and including expulsion from the College or termination of employment.
- C. The Bay Mills Community College has appointed a Title IX Coordinator who will address all complaints pertaining to discrimination of any sort. All Bay Mills Community College staff and students are strongly encouraged to report information regarding any incident of sexual discrimination, sexual harassment, sexual violence, stalking or intimate partner violence directly to the Title IX Coordinator. The following person has been designated to address complaints regarding all matters of discrimination:

Holly Powless
Title IX Coordinator
12140 W. Lakeshore Drive
Brimley, MI 49715

(906) 248-8123
hpowless@bmcc.edu

- D. This policy has been developed to reaffirm Bay Mills Community College's institutional values, to define community expectations, to provide recourse for those individuals whose rights have been violated, and to provide for fair and equitable procedures for determining when this policy has been violated. The College is committed to fostering a climate free from sexual harassment, sexual violence, and intimate partner violence through clear and effective policies, a coordinated education and prevention program, and prompt and equitable procedures for resolution of complaints.

II. Scope of Policy

- A. This policy applies to all persons associated with the Bay Mills Community College community, including students, faculty, administrators, staff, volunteers, vendors, independent contractors, visitors and any individuals regularly or temporarily employed, studying, living, visiting, conducting business or having any official capacity with the College or on College property.
- B. This policy is intended to protect and guide individuals who have been affected by sexual discrimination, sexual harassment, sexual violence, stalking or intimate partner violence, whether as a Complainant, a Respondent, or a third party, and to provide fair and equitable procedures for investigation and resolution of such reports.
- C. When used in this policy, Complainant refers to the individual who identifies him/herself as being a victim or survivor of sexual discrimination, sexual harassment, sexual violence, stalking, or intimate partner violence. A Respondent refers to the individual who has been accused of prohibited conduct under this policy. A third party refers to any other participant in the process, including a witness to the incident or an individual who makes a report on behalf of someone else.
- D. This policy applies to conduct occurring on all College property or at College-sanctioned events or programs that take place off campus, including internship programs. In situations in which both the Complainant and Respondent are members of the College community, this policy will apply regardless of the location of the incident. In particular, off campus conduct that is likely to have a substantial adverse effect on, or poses a threat of danger to, any employee or student of the College community or Bay Mills Community College is covered under this policy.
- E. A Complainant is encouraged to report misconduct regardless of where the incident occurred, or who committed it. Even if the College does not have

jurisdiction over the Respondent, the College will nonetheless take prompt action to provide for the safety and well-being of the Complainant and the broader campus community.

III. The Title IX Coordinator

A. The Responsibilities of the Title IX Coordinator are:

- (1) To oversee of the investigation and resolution of all reports of sexual harassment, sexual violence and intimate partner violence involving students, staff, administrators, faculty, vendors, and visitors;
- (2) To be assisted by designated Deputy Title IX Coordinator(s) in student affairs, human resources, and the faculty as detailed in this policy. These Deputy Title IX Coordinator(s) have a shared responsibility for supporting the Title IX Coordinator and are accessible to any member of the community for consultation and guidance;
- (3) To be knowledgeable and trained in College policies and procedures and relevant state, tribal, and federal laws;
- (4) To be available to advise any individual, including a Complainant, a Respondent or a third party, about the courses of action available at the College, both informally and formally, and in the Bay Mills Community College community;
- (5) To be available to provide assistance to any College employee regarding how to respond appropriately to a report of sexual harassment, sexual violence, stalking or intimate partner violence;
 - i. To monitor for full compliance with all procedural requirements and time frames outlined in this policy; and
 - ii. To train and inform College community members in prevention and education efforts and periodic reviews of climate and culture of the College.

B. The Title IX Coordinator is supported by the Title IX team. Members of this interdepartmental team include the Title IX Coordinator, Title IX Deputy Coordinator(s), and the College General Counsel. In addition, based on the role of the Complainant and the Respondent, the members of the team could include the President of the College and a representative from the Office of Human Resources. Composition of the team will be limited to a small circle of individuals who “need to know” in order to implement procedures under this policy.

IV. Privacy vs. Confidentiality

- A. The College is committed to protecting the privacy of all individuals involved in a report of sexual harassment, sexual violence, stalking, or intimate partner violence. All College employees who are involved in the College's Title IX response, including the Title IX Coordinator, investigators, and hearing panel members, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the report.
- B. Privacy and confidentiality have distinct meanings under this policy.
- (1) **Privacy:** Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those College employees who "need to know" in order to assist in the active review, investigation or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.
 - (2) **Confidentiality:** Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual. These campus and community professionals include mental health providers, ordained clergy, rape crisis counselors and attorneys, all of whom have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.
 - (3) An individual who seeks completely confidential assistance may do so by speaking with professionals who have a legally protected confidentiality. Information shared with these resources will remain confidential and will not be shared with the College or anyone else without express permission of the individual seeking services. When a report involves suspected abuse of a minor under the age of 18, these confidential resources are required by state law to notify child protective services and/or local law enforcement.
 - (4) An individual may also seek assistance from a medical provider. In general, the disclosure of private information contained in medical records is protected by the Health Insurance Portability and Accountability Act (HIPAA).
 - (5) **Responsible Employees:** In general, most College employees do not have legally protected confidentiality. Under Title IX, a College is required to take immediate and corrective action if a "responsible employee" knew or, in the exercise of reasonable care, should have known about sexual or gender-

based harassment that creates a hostile environment. A “responsible employee” includes any employee who:

- (1) Has the authority to take action to redress the harassment;
- (2) Has the duty to report to appropriate school officials’ sexual harassment or any other misconduct by students or employees; or
- (3) A student could reasonably believe has the authority or responsibility to take action.
- (4) Using this definition, employees with supervisory and leadership responsibilities on campus are considered “responsible employees.” This includes, for example, all faculty, staff, and administrators.
- (5) The College requires that all “responsible employees” share a report of misconduct with the Title IX Coordinator or a member of the Title IX team.
- (6) The Title IX team, under the guidance of the Title IX Coordinator, will immediately conduct an initial assessment of the conduct, the Complainant’s expressed preferences, if any, as to course of action, and the necessity for any interim remedies or accommodations to protect the safety of the Complainant or the community.

C. Request for Confidentiality: Where a Complainant requests that his/her name or other identifiable information not be shared with the Respondent or that no formal action be taken, the College will balance this request with its dual obligation to provide a safe and non-discriminatory environment for all College community members and to remain true to principles of fundamental fairness that require notice and an opportunity to respond before action is taken against a Respondent. In making this determination, the College may consider the seriousness of the conduct, the respective ages and roles of the Complainant and Respondent, whether there have been other complaints or reports of harassment or misconduct against the Respondent, and the rights of the Respondent to receive notice and relevant information before disciplinary action is sought.

D. The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request by the Complainant. Where the College is unable to take action consistent with the request of the Complainant, the Title IX Coordinator or a member of the Title IX team will inform the Complainant about the chosen course of action, which may include the College seeking disciplinary action against a

Respondent. Alternatively, the course of action may also include steps to limit the effects of the alleged harassment and prevent its recurrence that do not involve formal disciplinary action against a Respondent or revealing the identity of the Complainant.

- E. **Timely Warning:** If a report of misconduct discloses a serious or continuing threat to the Bay Mills Community College, the College may issue a campus wide timely warning via email to protect the health or safety of the community. The timely warning will not include any identifying information about the Complainant. Even where there is no imminent threat, the College may send campus-wide e-mail notifications on all reported sexual misconduct.
- F. At no time will the College release the name of the Complainant to the general public without the express consent of the Complainant. The release of the Respondent's name to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the Clery Act.
- G. All College proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, and state, tribal and federal law. No information shall be released from such proceedings except as required or permitted by law and College policy.

V. Prohibited Conduct and Definitions

- A. The College prohibits all forms of sexual and gender-based harassment, including sexual violence and intimate partner violence. Each of these terms encompasses a broad range of behavior. The College will treat attempts to commit any prohibited conduct as if those attempts had been completed. The following forms of conduct fall under the broad definition of sexual harassment, and are specifically prohibited under this policy.
- B. **Sexual Harassment-** Any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when:
 - (1) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a College program or activity; or,
 - (2) Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or

- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e. it is sufficiently serious, pervasive or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both a subjective and objective standard.
- (4) **Single Incident:** A single isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.
- (5) **Gender Bases Harassment:** Sexual harassment also includes gender-based harassment, which 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.
- (6) **Blatant or Indirect:** Sexual Harassment may be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated. For example, sexual harassment:
 - i. Does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.
 - ii. May be committed by anyone, regardless of gender, age, position or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context.
 - iii. May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship.
 - iv. May be committed by or against an individual or may be a result of the actions of an organization or group.
 - v. May occur by or against an individual of any sex, gender identity, gender expression or sexual orientation.
 - vi. May occur in the classroom, in the workplace, in residential settings, or in any other setting.
 - vii. May be a one-time event or can be part of a pattern of behavior.
 - viii. May be committed in the presence of others or when the parties are alone.

- ix. May affect the Complainant and/or third parties who witness or observe harassment and are affected by it.
- (7) Pattern of behavior: Examples of conduct that may constitute sexual harassment, as defined above, may include a severe, persistent or pervasive pattern of unwelcome conduct that includes one or more of the following:
- i. Physical conduct:
 - a. Unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements.
 - b. Unwanted sexual advances within the employment context.
 - c. Verbal conduct.
 - d. Making or using derogatory comments, epithets, slurs or humor.
 - e. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations.
 - f. Objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes.
 - g. Cyberbullying and Online Conduct: Online and/or social media conduct may also violate this policy if the conduct meets the definition of any form of the above prohibited conduct. Blogs, web page entries on sites such as Instagram, Facebook, and Twitter and other similar online postings are in the public sphere and are not private. Therefore, these postings can be subject to allegations of conduct violations. The College does not regularly search for information but may take action if and when such information is brought to the attention of College officials.
 - ii. Visual conduct:
 - a. Leering, making sexual gestures, displaying of suggestive objects or pictures, cartoon or posters in a public space or forum.

- b. Severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate.
 - c. Written conduct: letters, notes or electronic communications containing comments, words, or images described above.
 - iii. Quid pro quo conduct:
 - a. Direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists
 - b. Offering employment benefits in exchange for sexual favors
 - c. Making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose
 - d. Making or threatening reprisals after a negative response to sexual advances
- (8) Sexual Assault: Having or attempting to have sexual intercourse with another individual:
 - i. By force or threat of force;
 - ii. Without effective consent; or
 - iii. Where that individual is incapacitated.
 - iv. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand) or object, or oral penetration involving mouth to genital contact.
 - v. This definition tracks the FBI's Uniform Crime Report definition of rape: "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, without the consent of the victim." Under many state laws, including California, however, rape definitions differ in that they require proof of an element of force or threat of force. Our definition incorporates both.

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- (9) Non-Consensual Sexual Contact: Having sexual contact with another individual:
- i. By force or threat of force;
 - ii. Without effective consent; or
 - iii. Where that individual is incapacitated.
 - iv. Sexual contact includes intentional contact with the intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth or any other part of the body that is touched in a sexual manner.
- (10) Sexual Exploitation: Occurs when an individual takes non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.

Examples of sexual exploitation include, but are not limited to:

- i. surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
 - ii. non-consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
 - iii. exposing one's genitals or inducing another to expose their own genitals in non-consensual circumstances;
 - iv. knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge;
 - v. sexually-based stalking and/or bullying; and
 - vi. inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.
- (11) Harm to Others: Words or types of conduct that threaten or endanger the health or safety of any person including physical abuse, verbal abuse, threats, intimidation and/or harassment. This behavior is typically treated as a violation of Bay Mills Community College's Code of Student Conduct.

Acts which constitute harm to others that are a form of intimate partner violence, or are based on sex or gender, will be resolved under this Sexual Harassment and Assault Policy.

- (12) Stalking: A course of physical or verbal conduct directed at another individual that could be reasonably regarded as likely to alarm, harass, or cause fear of harm or injury to that person or to a third party. A course of conduct consists of at least two acts. The feared harm or injury may be physical, emotional, or psychological, or related to the personal safety, property, education, or employment of that individual. Stalking includes cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.
- (13) Intimate Partner Violence: Intimate partner violence is often referred to as dating violence, domestic violence or relationship violence. Intimate partner violence includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic or other intimate relationship with the Respondent. Intimate partner violence can encompass a broad range of behavior including, but not limited to, physical violence, sexual violence, emotional violence, and economic abuse. It may involve one act or an ongoing pattern of behavior. Intimate partner violence may take the form of threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation and does not discriminate by racial, social, or economic background.

The College will not tolerate intimate partner violence of any form. For the purposes of this policy, the College does not define intimate partner violence as a distinct form of misconduct. Rather, the College recognizes that sexual harassment, sexual assault, sexual exploitation, harm to others, stalking, and retaliation all may be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating or other social relationship of a romantic or intimate nature with the Complainant.

Under the Clery and the Campus SaVE Act, the College will record and report all relevant incidents of intimate partner violence.

- (14) Retaliation: Acts or attempts to retaliate or seek retribution against the Complainant, Respondent, or any individual or group of individuals involved in the complaint, investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a Respondent or Complainant. Retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence or other forms of harm to others.

VI. Reporting

- A. The College encourages all individuals to make a report regarding sexual harassment and/or assault to the College and to local law enforcement. Reporting options are not mutually exclusive. Both internal and criminal reports may be pursued simultaneously. Sexual harassment and assault are prohibited by Title IX and applicable criminal laws. By reporting to the College, the College can take steps to protect the Complainant and address the situation.
- B. The College has a strong interest in supporting victims and survivors of sexual harassment, sexual violence, stalking, and intimate partner violence and encourages all individuals or third party witnesses to report any incident to the College.
- C. Making a report means telling someone in authority what happened -- in person, by telephone, in writing or by email. At the time a report is made, a Complainant does not have to decide whether or not to request any particular course of action, nor does a Complainant need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The College provides support that can assist each individual in making these important decisions, and to the extent legally possible will respect an individual's autonomy in deciding how to proceed. In this process, the College will balance the individual's interest with its obligation to provide a safe and non-discriminatory environment for all members of the College community.
- D. Any individual who reports sexual harassment, sexual violence, stalking or intimate partner violence can be assured that all reports will be investigated and resolved in a fair and impartial manner. A Complainant, a Respondent and all individuals involved can expect to be treated with dignity and respect. In every report under this policy, the College will make an immediate assessment of any risk of harm to the Complainant or to the broader campus community and will

take steps necessary to address those risks. These steps will include interim measures to provide for the safety of the individual and the campus community.

E. Emergency and External Reporting Options

- (1) The College encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual assault or violence. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. The College will help any member of the Bay Mills Community College community to get to a safe place and will provide transportation to the hospital, coordination with law enforcement, and information about on- and off-campus resources and options for resolution.

F. Campus Reporting Options

- (1) The College encourages all individuals to report misconduct to any College employee the Complainant trusts and feels comfortable with.
- (2) All Bay Mills Community College staff and students, even those who are not obligated to do so by this policy, shall report information regarding any incident of sexual harassment, sexual violence, stalking or intimate partner violence directly to the Title IX Coordinator or a member of the Title IX team. The College cannot take appropriate action unless an incident is reported to the College.
- (3) Campus Reporting Options include:
 - i. For emergencies dial 9-1-1 or call the Bay Mills Police Department (BMPD) at 248-3244. Any student, administrator, faculty member or other employee of BMCC who witnesses or is a victim of any sex related offense, including any such offense involving a child, is requested to immediately report such incident to BMPD, or dial 9-1-1 and request assistance.
 - ii. The Title IX Coordinator Holly Powless is available on weekdays, during regular office hours, to coordinate a fair and equitable response to reports of sexual misconduct and is located at the BMIC Tribal Office Building at 12140 W. Lakeshore Drive, Brimley, MI 49715, Hpowless@bmcc.edu, (906) 248-8123.

- iii. Wade Teeple, Off Campus and Non-Credit Program Coordinator/Cashier, is located in the Administration Building, near the Financial Aid Office – 248-8421.
- G. A victim of sexual assault is also encouraged to use the services of the Bay Mills Journey to Healing Program, whose telephone number is 248-8312.
- H. A secondary method of reporting sexual harassment incidents or crimes is to contact college administration, which include, but are not limited to:
- i. Mickey Parish, President (906-248-8400)
 - ii. Samantha Cameron, Vice President for Academic Affairs (906-248-8429)
 - iii. Kathy Adair, Director of Development (906-248-8404)
 - iv. Debra Wilson, Dean of Student Services (906-248-8442)
 - v. Kelly Bedell, Student Support Services Specialist (906-248-8432)
 - vi. Diane Sliger, TRiO-SSS Director (906-248-8476)
- I. Anonymous Reporting
- (1) Any individual may make an anonymous report concerning an act of sexual harassment, sexual violence, stalking, or intimate partner violence. An individual may report the incident without disclosing his/her name, identifying the Respondent or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited.
 - (2) The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate, and in consultation with the Director of Campus Safety, and in compliance with all Clery Act obligations.
- J. Reporting Considerations: Timeliness and Location of Incident
- (1) Complainants and third-party witnesses are encouraged to report sexual harassment, sexual violence and intimate partner violence as soon as possible in order to maximize the College's ability to respond promptly and effectively. The College does not, however, limit the time frame for reporting. If the Respondent is not a member of the Bay Mills Community College community, the College will still seek to meet its Title IX obligation by taking steps to end the harassment, prevent its recurrence, and address its effects, but its ability to take disciplinary action against the Respondent may be limited.

- (2) An incident does not have to occur on campus to be reported to the College. Off-campus conduct that is likely to have a substantial effect on the Complainant's on-campus life and activities or poses a threat or danger to members of the Bay Mills Community College community may also be addressed under this policy.

B. Amnesty for Alcohol or Other Drug Use

- (1) The college community encourages the reporting of prohibited conduct under this policy. It is in the best interest of this community that as many Complainants as possible choose to report to college officials, and that witnesses come forward to share what they know. To encourage reporting, an individual who reports sexual harassment or misconduct, either as a Complainant or a third-party witness, will not be subject to disciplinary action by the College for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

C. Coordination with Law Enforcement

- (1) The College encourages Complainants to pursue criminal action for incidents of sexual harassment, sexual violence and intimate partner violence that may also be crimes under federal or tribal law. The College will assist a Complainant in making a criminal report and cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process to the extent permitted by law.
- (2) The College's policy, definitions and burden of proof may differ from Federal or Tribal criminal law. A Complainant may both seek recourse under this policy and/or pursue criminal action. Neither law enforcement's determination whether or not to prosecute a Respondent, nor the outcome of any criminal prosecution, are determinative of whether a violation of this policy has occurred. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
- (3) At the request of law enforcement, the College may agree to defer its Title IX fact gathering until after the initial stages of a criminal investigation. The College will nevertheless communicate with the Complainant regarding Title IX rights, procedural options and the

implementation of interim measures to assure safety and well-being. The College will promptly resume its Title IX fact gathering as soon as it is informed that law enforcement has completed its initial investigation.

D. Statement against Retaliation

- (1) It is a violation of College policy to retaliate in any way against an individual because s/he raised allegations of sexual harassment, sexual violence, stalking, or intimate partner violence. The College recognizes that retaliation can take many forms, may be committed by or against an individual or a group, and that a Complainant, Respondent or third party may commit or be the subject of retaliation.
- (2) The College will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate. An individual reporting sexual harassment or misconduct is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is later not proven.

E. False Reports

- (1) The College will not tolerate intentional false reporting of incidents. The College takes the accuracy of information very seriously as a charge of sexual harassment, sexual violence, stalking or intimate partner violence may have severe consequences. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated accusation of sexual misconduct. However, when a Complainant or third party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, the Complainant may be subject to disciplinary action. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation, and it may also violate tribal, federal, or state criminal statutes and civil defamation laws.

VII. Interim Measures, Remedies and Accommodations

A. Overview

- (1) Upon receipt of a report, the College will impose reasonable and appropriate interim measures designed to eliminate the hostile environment and protect the parties involved. The College will make reasonable efforts to communicate with the parties to ensure that all

safety, emotional and physical well-being concerns are being addressed. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the Complainant or the College.

- (2) A Complainant or Respondent may request a No-Contact Letter or other protection, or the College may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader College community and/or the integrity of the process. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented measure.

B. Range of Measures

Interim measures will be implemented at the discretion of the College. Potential remedies, which may be applied to the Complainant and/or the Respondent, include:

- (1) Access to counseling services and assistance in setting up initial appointment, both on and off campus
- (2) Imposition of campus "Stay-Away Letter"
- (3) Rescheduling of exams and assignments (in conjunction with appropriate faculty)
- (4) Providing alternative course completion options (with the agreement of the appropriate faculty)
- (5) Change in class schedule, including the ability to take an "incomplete," drop a course without penalty or transfer sections (with the agreement of the appropriate faculty)
- (6) Change in work schedule or job assignment
- (7) Limit an individual or organization's access to certain College facilities or activities pending resolution of the matter
- (8) Voluntary leave of absence
- (9) Providing an escort to ensure safe movement between classes and activities
- (10) Providing referrals to medical services
- (11) Providing academic support services, such as tutoring
- (12) Interim suspension or College-imposed leave
- (13) Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

C. Interim Suspension or Separation

- (1) Where the report of sexual harassment, sexual violence, stalking or intimate partner violence poses a substantial and immediate threat of harm to the

safety or well-being of an individual, members of the campus community, or the performance of normal College functions, the College may place a student or student organization on interim suspension or impose leave for an employee. Pending resolution of the report, the individual or organization may be denied access to campus, campus facilities and/or all other College activities or privileges for which the student might otherwise be eligible, as the College determines appropriate. When interim suspension or leave is imposed, the College will make reasonable efforts to complete the investigation and resolution within an expedited time frame.

- (2) The full provisions for Interim Suspension for students are contained in the Code of Student Conduct. Provisions for suspension of faculty members are contained in the Faculty Handbook. Staff may be placed on leave at the discretion of the College.

VIII. Options for Resolution

A. Overview

- (1) Upon receipt of a report, the College's Title IX team will conduct an Initial Title IX Assessment. The goal of this assessment is to provide an integrated and coordinated response to reports of sexual harassment or misconduct. The assessment will consider the nature of the report, the safety of the individual and of the campus community, and the Complainant's expressed preference for resolution.
- (2) At the conclusion of the assessment, the College may choose to pursue Informal Resolution, a remedies-based approach that does not involve disciplinary action against a Respondent, or refer the matter for Investigation. The goal of the Investigation is to gather all relevant facts and determine if there is sufficient information to refer the report to a hearing panel for disciplinary action using the College's Formal Resolution procedures as set forth in this Policy.
- (3) The initial steps for resolution of a complaint against a student, an employee or a faculty member will involve the same stages: an initial assessment, investigation, and either informal or formal resolution. There are specific procedures for resolving complaints against a student, faculty or staff respondent.

B. The Role of the Title IX Team

- (1) The Title IX team, led by the Title IX Coordinator, assists in the review, investigation and resolution of reports. Members of this interdepartmental team include the Title IX Coordinator, Title IX Deputy Coordinator(s), and

the Campus Safety Representative. In addition, based on the role of the Complainant and the Respondent, the members of the team could include any member of the College's Administration. Composition of the team will be limited to a small circle of individuals who "need to know" in order to implement procedures under this policy.

- (2) If there is a conflict of interest between any team member and any Complainant and/or Respondent, the College reserves the right to appoint an alternate person to serve in their capacity. It is the responsibility of the team member to inform the College of such conflict in writing, if such a conflict exists. If there is a doubt as to a potential conflict, the team member is encouraged to submit the potential conflict in writing and let the College administration determine if a conflict does exist.
- (3) Although a report may be made to any College employee, the College seeks to ensure that all reports are referred to the Title IX team to ensure consistent application of the policy to all individuals and allow the College to respond promptly and equitably to eliminate the harassment, prevent its recurrence and address its effects.
- (4) The members of this team oversee the resolution of a report under this policy. Resources are available for both students and employees, whether as Complainants or Respondents, to provide guidance throughout the investigation and resolution of the complaint. Interim Remedies are also available to provide protection and security.

C. Initial Title IX Assessment

- (1) In every report of sexual harassment or misconduct, the College will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps may include interim protective measures to provide for the safety of the individual and the campus community.
- (2) The initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, the investigation may be initiated depending on a variety of factors, such as the Complainant's wish to pursue disciplinary action, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

D. Investigation

- (1) Where the Title IX assessment concludes that disciplinary action may be appropriate, the College will initiate an investigation. The College will designate an investigator who has specific training and experience investigating allegations of sexual harassment and sexual misconduct. The investigator may be an employee of the College or an external investigator engaged to assist the College in its fact gathering. Any investigator chosen to conduct the investigation must be impartial and free of any conflict of interest.
- (2) The investigator will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent and any witnesses. The interviews will be supplemented by the gathering of any physical, documentary or other evidence. As part of the investigation, the College will provide an opportunity for the parties to present witnesses and other evidence.
- (3) The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough, impartial and fair, and all individuals will be treated with appropriate sensitivity and respect. As described in the Privacy and Confidentiality section, the investigation will be conducted in a manner that is respectful of individual privacy concerns.
- (4) The College will seek to complete the investigation within 20 (twenty) business days of receiving the complaint, but this time frame may be extended depending on the complexity of the circumstances of each case. At the conclusion of the investigation, the report will be forwarded to the Title IX Coordinator and the Hearing Coordinator responsible for initiating Formal Resolution proceedings.
- (5) Information gathered during the review or investigation will be used to evaluate the responsibility of the Respondent, provide for the safety of the Complainant and the College campus community, and impose remedies as necessary to address the effects of the conduct cited in the report. Where there is sufficient information set forth that, if proven, would constitute a violation of policy, the College will have the discretion to institute Formal Resolution proceedings against the Respondent. At the conclusion of the investigation, the College will notify all parties that the investigation is complete and provide information about next steps in the process.

- (6) Based on the information gathered in the initial Title IX assessment and/or full investigation, the College will take appropriate measures designed to end the misconduct, prevent its recurrence and address its effects.
- (7) The Title IX Coordinator will document each report or request for assistance in resolving a case involving charges of sexual misconduct, whether formal or informal, and will review and retain copies of all reports generated as a result of investigations. These records will be kept confidential to the extent permitted by law.

E. Informal Resolution

- (1) Informal resolution is a remedies-based, non-judicial approach designed to eliminate a hostile environment without taking disciplinary action against a Respondent. Where the Title IX assessment concludes that informal resolution may be appropriate, the College will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Complainant's access to the educational and extracurricular activities at the College and to eliminate a hostile environment. Examples of protective remedies are provided in Section IX: Interim Remedies. Other potential remedies include targeted or broad-based educational programming or training, direct confrontation of the Respondent and/or indirect action by the Title IX Coordinator or the College. Depending on the form of informal resolution used, it may be possible to maintain anonymity.
- (2) The College will not compel a Complainant to engage in mediation, to directly confront the Respondent, or to participate in any particular form of informal resolution. Mediation, even if voluntary, shall not be used in cases involving sexual violence or assault. The decision to pursue informal resolution will be made when the College has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in informal resolution is voluntary, and a Complainant can request to end informal resolution at any time.
- (3) The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution. Informal resolution will typically be completed within thirty (30) business days of the initial report.

F. Formal Resolution

- (1) Disciplinary action against a Respondent may only be taken through Formal Resolution procedures. Because the relationship of students, staff, and faculty to the College differ in nature, the procedures that apply

when seeking disciplinary action necessarily differ as well. Each of the procedures, however, is guided by the same principles of fundamental fairness, due process, and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this policy.

- (2) The specific procedures for Formal Resolution will vary based upon the role of the Respondent:
 - i. For a complaint against a student, disciplinary action may be taken by the College President or his/her designee following a finding of responsibility by an Administrator or a Hearing Panel.
 - ii. For a complaint against a staff member or employee, disciplinary action may be taken at the conclusion of the investigation by the Director of Human Resources or the College President or his/her designee.
 - iii. For a complaint against a faculty or administrator, disciplinary action may be taken at the conclusion of the investigation by the College President or his/her designee pursuant to the procedures in the Faculty Handbook.

G. Time Frame for Resolution

- (1) The College seeks to resolve all reports within 60 days of the initial report. All time frames expressed in this policy are meant to be guidelines rather than rigid requirements. Extenuating circumstances may arise that require the extension of time frames, including extension beyond 60 days. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances.
- (2) In general, a Complainant and Respondent can expect that the process will proceed according to the time frames provided in this policy. In the event that the investigation and resolution exceed this time frame, the College will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Appendix A: Resolving Complaints Against a Student

I. Overview

- A. As outlined in the Reporting section of this policy, an individual who wishes to make a report of sexual harassment, sexual violence, stalking, or intimate partner violence is encouraged to make a report directly to the Title IX Coordinator, the Administration and/or staff, Campus Safety or Human Resources. In every instance under this policy, the College, through the coordinated efforts of the Title IX team, will conduct an initial Title IX Assessment.
- B. At the conclusion of the Title IX Assessment, the report will be referred for Informal Resolution or Investigation to determine if there is sufficient information to proceed with Formal Resolution. Informal Resolution is a non-judicial, remedies-based approach that does not involve disciplinary action against a Respondent. Formal Resolution is a judicial, sanctions-based approach that may involve discipline up to and including expulsion.

II. Initial Title IX Assessment

- A. Upon receipt of a report, the College, through the coordinated efforts of the Title IX team, will conduct an initial Title IX assessment. The first step of the assessment will usually be a preliminary meeting with the Complainant with the Title IX Coordinator or a member of the Title IX team. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full forensic interview. At this meeting, the Complainant will be provided with information about resources, procedural options and interim remedies.
- B. As part of the initial assessment of the report, the Title IX team will:
 - (1) Assess the nature and circumstances of the allegation
 - (2) Address immediate physical safety and emotional well-being needs
 - (3) Notify the Complainant of his/her right to contact law enforcement and seek medical treatment, including the importance of preservation of evidence
 - (4) Enter the report into the College's daily crime log
 - (5) Assess the reported conduct for the need for a timely warning under the Clery Act
 - (6) Provide the Complainant with information about:
 - i. On and off campus resources
 - ii. The range of interim accommodations and remedies
 - iii. An explanation of the procedural options, including Informal Resolution and Formal Resolution

- iv. Make available an advisor, advocate, or support person
 - v. Assess for pattern evidence or other similar conduct by Respondent
 - vi. Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding
 - vii. Explain the College's policy prohibiting retaliation
- C. This initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may continue depending on a variety of factors, such as the Complainant's wish to pursue disciplinary action, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.
- D. At the conclusion of the Title IX assessment, the Title IX team will determine the appropriate manner of resolution and, if appropriate, refer the report for further Investigation, Informal Resolution or Formal Resolution.
- E. The determination as to how to proceed will be communicated to the Complainant in writing. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the report or resolution. A Respondent will be notified when the College seeks action that would impact a Respondent, such as protective measures that restrict his/her movement on campus, the initiation of an investigation or the decision to involve the Respondent in Informal Resolution.

III. Informal Resolution

- A. Informal resolution is a remedies-based, non-judicial approach designed to eliminate a hostile environment without taking disciplinary action against a Respondent.
- B. Where the Title IX assessment concludes that informal resolution may be appropriate, the College will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Complainant's access to the educational and extracurricular activities at the College and to eliminate a hostile environment. Examples of protective remedies are provided in Section IX: Interim Remedies. Other potential remedies include targeted or broad-based educational programming or training, direct confrontation of the Respondent and/or indirect action by the Title IX Coordinator or the College. Depending on the form of informal resolution used, it may be possible to maintain anonymity.

- C. The College will not compel a Complainant to engage in mediation, to directly confront the Respondent, or to participate in any particular form of informal resolution. Mediation, even if voluntary, may not be used in cases involving sexual violence or assault. The decision to pursue informal resolution will be made when the College has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in informal resolution is voluntary, and a Complainant can request to end informal resolution at any time.
- D. The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution. Informal resolution will typically be completed within thirty (30) business days of the initial report.

IV. Investigation

- A. Following the initial Title IX assessment, the College may initiate a prompt, thorough and impartial investigation. The Title IX Coordinator, in consultation with the Title IX team, will oversee the investigation. At the conclusion of the investigation, if warranted, a Hearing Coordinator will be assigned to facilitate the adjudication through a conduct conference or specially trained conduct hearing panel.
- B. The investigation is designed to provide a fair and reliable gathering of the facts. All individuals in the investigation, including the Complainant, the Respondent and any third-party witnesses, will be treated with appropriate sensitivity and respect. Consistent with the need for a full assessment of the facts, the investigation will safeguard the privacy of the individuals involved.
- C. The College will designate an investigator who has specific training and experience investigating allegations of sexual harassment and sexual misconduct. The investigator may be an employee of the College or an external investigator engaged to assist the College in its fact gathering. Any investigator chosen to conduct the investigation must be impartial and free of any conflict of interest.
- D. The investigator(s) will coordinate the gathering of information from the Complainant, the Respondent, and any other individuals who may have information relevant to the determination. The investigator(s) will also gather any available physical or medical evidence, including documents, communications between the parties, and other electronic records as appropriate. The investigator(s) may consider prior allegations of, or findings of responsibility for, similar conduct by the Respondent. The Complainant and Respondent will have an equal opportunity to be heard, to submit evidence, and to identify witnesses who may have relevant information.

- E. The investigation will usually be completed within twenty (20) business days. Given the availability of witnesses or complexity of the circumstances, this time frame may be extended as necessary to ensure the integrity and completeness of the investigation.
- F. At the request of law enforcement, the College may agree to defer its Title IX fact gathering until after the initial stages of a criminal investigation. The College will nevertheless communicate with the Complainant regarding Title IX rights, procedural options and the implementation of interim measures to assure safety and well-being. The College will promptly resume its Title IX fact gathering as soon as law enforcement has completed its initial investigation.
- G. Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individual and the campus community, and impose remedies as necessary to address the effects of the conduct cited in the report.

V. Threshold Determination and Appeal from Insufficient Threshold

- A. At the conclusion of the investigation, the investigator(s) will prepare a written report synthesizing the facts for review by the Title IX Coordinator and a Hearing Coordinator. The investigator(s) are not charged with reaching a determination as to responsibility, which is a function reserved for the Conduct Conference or Hearing Panel.
- B. Upon receipt of the investigative report, the Hearing Coordinator, in consultation with the Title IX team, will review the report and make a threshold determination as to whether there is sufficient information upon which an adjudicator could find a violation of this policy. This threshold determination does not involve making a determination of responsibility, nor does it involve a credibility assessment. If the threshold has been established, the Hearing Coordinator will issue a Notification Letter to the Respondent and the Complainant and refer the report for Pre-Hearing Procedures.
- C. If the Title IX Coordinator, in consultation with the Title IX team, determines that this threshold has not been reached, the Complainant and Respondent will be notified in writing. The Complainant will have the opportunity to seek review by the Title IX Team (or designee) by submitting a written request for review within five (5) business days of receipt of the notification. If an appeal is filed, the Respondent will be notified and have the opportunity to respond. The Title IX Team (or designee) may affirm the threshold finding, reverse the finding or remand the matter for additional investigation as warranted. The Title IX Team (or designee) will render a decision in writing, to both parties, within ten (10) business days of receipt of the request for review. The decision of the Title IX Team (or designee) is final. Where a designee is chosen, the identity of this individual will be shared with both parties.

VI. Formal Resolution

A. Formal resolution of a complaint under the Sexual Harassment and Assault Policy will occur through the use of a Conduct Conference or a Hearing Panel.

B. Conduct Conference

- (1) A Complainant or Respondent may request resolution through an administrative conduct conference, in which the Hearing Coordinator will meet with the Complainant and Respondent to determine responsibility and render a decision as to what sanctions, if applicable, should be implemented. Both parties and the Hearing Coordinator must agree that the matter is appropriate for resolution by a conduct conference. Depending upon the nature and severity of the allegations, the Hearing Coordinator may decline to handle the matter administratively and refer the case to a Hearing Panel.
- (2) A conduct conference is particularly appropriate when the Respondent has admitted to the harassment or misconduct and there is no discernible dispute in the relevant facts of the investigation report; however, at the discretion of the Hearing Coordinator, it may also be used when the facts are in dispute. The investigative report will serve as the primary evidence in making a determination of responsibility.
- (3) Both parties must have notice, the opportunity to review the investigative report in advance, and the opportunity to present any additional relevant information to the Hearing Coordinator. In reaching a determination as to whether this policy has been violated, the Hearing Coordinator will reach a determination by a preponderance of the evidence, that is, whether the conduct was more likely than not to have occurred as alleged. Based on the outcome of the conduct conference, the Hearing Coordinator will issue an appropriate sanction.
- (4) Both a Complainant and Respondent may appeal the determination of the Hearing Coordinator as provided in the Appeal section below.

C. **Hearing Panel**-The hearing panel shall consist of at least 3 of the following members:

- (1) Hearing Chairperson- The Dean of Student Services.
- (2) One full-time faculty member
- (3) One Student Council officer
- (4) Another administrator not chairing the committee.

D. The Hearing Chairperson will select two committee members, establish a hearing date, notify the student of the hearing date, and conduct the hearing.

- (1) It is the responsibility of the Hearing Chairperson to select and notify the members of the committee and to inform the involved student of the date and time of the hearing.
- (2) If the Hearing Chairperson is unable to preside over a hearing, the BMCC President shall appoint an alternate Hearing Chairperson.
 - i. All hearing panelists must participate in annual training on non-discrimination; the dynamics of sexual harassment, sexual violence and intimate partner violence; the factors relevant to a determination of credibility; the appropriate manner in which to receive and evaluate sensitive information; the manner of deliberation; evaluation of consent and incapacitation; the application of the preponderance of the evidence standard; sanctioning and the College's policies and procedures. The training will be coordinated by the Title IX Coordinator in conjunction with campus and external partners.
 - ii. The Hearing Panel is supported by the Hearing Coordinator, who is present at hearing panel meetings, but is not be a voting member of the panel. He or she will meet with all involved parties prior to the hearing, be present during the hearing to serve as a resource for the hearing panel on issues of policy and procedure, and to ensure that policy and procedure are appropriately followed throughout the hearing. The Title IX Coordinator may serve as the Hearing Coordinator.
 - iii. In most cases, it should be possible to convene a hearing panel; however, if the hearing must be heard at or after the end of the semester or academic year and/or a full hearing panel cannot reasonably be convened, those cases may be heard by the College President (or designee) or the College may substitute an alternate method of adjudication at its discretion.

E. Advisors, Support Persons, and Attorneys

- (1) Advisor: In any hearing, the Complainant and Respondent may choose to be assisted by an advisor of their choice including a member of the Bay Mills Community College community, a family member, or an attorney.

The Dean of Students Office maintains a list of campus community members who have undergone Title IX training who can guide a student through the pre-hearing and hearing process. The advisor may accompany the student to any College investigative, administrative or adjudicative meeting, including the panel hearing. The advisor may not speak to the panel during the hearing or disrupt any interview or meeting.

- (2) Support Person: A Complainant and Respondent may also choose to be assisted by an emotional support person of their choice. To serve as a support person, the individual will be required to meet with a Hearing Coordinator in advance of any participation in the proceedings. The Survivor Advocate may serve as a support person for a Complainant.

F. The support person cannot be a witness in the proceedings. The support person is a silent and non-participating presence who is there solely to observe and provide moral support during the hearing itself. This person is not to address the hearing panel, except to ask for a short recess if one of the parties requires some time to compose him or herself or collect his or her thoughts. The Hearing Coordinator has the right at all times to determine what constitutes appropriate behavior on the part of a support person and whether the person may remain at the proceedings. While the support person may be present to hear testimony, no written materials are to be shared with support people.

G. Absent extenuating circumstances, witnesses and others involved in an investigation or hearing are not entitled to have a support person present.

- (1) Role of the Attorney/Outside Agreements: The College will not recognize or enforce agreements between the parties outside of these procedures.

H. Pre-Hearing Procedures

- (1) Notice of Charges-Following the threshold determination that there is sufficient information to move forward with a hearing, the Hearing Coordinator will send written Notification Letter to both the Complainant and the Respondent. The Notification Letter provides each party with a brief summary of the conduct at issue and the specific provision of the policy violation(s) that are alleged to have taken place.

- (2) Pre-Hearing Meeting with Complainant and Respondent-Following the Notification Letter, the Hearing Coordinator will contact the Complainant and Respondent to schedule separate meetings with each party. At this

pre-hearing meeting, each party will receive an explanation of the hearing process and have the opportunity to ask any questions. If the Complainant and/or Respondent have elected to have advisors throughout the hearing process, the advisor is encouraged to accompany the Complainant or Respondent to this initial meeting.

- (3) Notice of Hearing-Once each party has met with the Hearing Coordinator, a Notice of Hearing is sent to the Complainant and the Respondent. In addition, the Notice provides the parties with the date, time, and place of the hearing, as well as the name(s) of the person(s) hearing the case.
 - (4) In general, the hearing will be scheduled within ten (10) business days of the date of the Notice of Hearing. Under extenuating circumstances, this time frame may be extended.
 - (5) Composition of the Hearing Panel-The Complainant and the Respondent may submit a written request to the Hearing Coordinator that a member of the hearing panel be removed. The request must clearly state the grounds to support a claim of bias, conflict of interest or an inability to be fair and impartial. This challenge must be raised within two (2) business days of receipt of the Notice of Hearing. All objections must be raised prior to the commencement of the hearing. Failure to object prior to the hearing will forfeit one's ability to appeal the outcome based on perceived or actual bias.
 - (6) Pre-Hearing Review of Documents-The Complainant and the Respondent will each have the opportunity to review all investigative documents, subject to the privacy limitations imposed by tribal, state and federal law, at least five (5) business days prior to the hearing. The investigative documents will include the investigation report, any witness statements or interviews, statements or interviews by both parties, and any other documentary information that will be presented to the hearing panel.
 - (7) Witnesses-The Complainant, Respondent, and the hearing panel all have the right to call witnesses. Witnesses must have observed the conduct in question or have information relevant to the incident and cannot be called solely to speak about an individual's character.
- I. In general, neither party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the College's investigation. If either party wishes to call witnesses, whether or not they were previously interviewed

as part of the College's investigation, the following must be submitted no later than five (5) business days before the hearing to the Hearing Coordinator via e-mail or in hardcopy format:

- (1) The names of any witnesses that either party intends to call;
 - (2) A written statement and/or description of what each witness observed, if not already provided during investigation;
 - (3) A summary of why the witness' presence is relevant to making a decision about responsibility at the hearing; and,
 - (4) The reason why the witness was not interviewed by the investigator, if applicable.
- J. The Hearing Coordinator will determine if the proffered witness(es) has relevant information and if there is sufficient justification for permitting a witness who was not interviewed by the investigator. The Hearing Coordinator may also require the investigator to interview the newly proffered witness.
- K. If witnesses are approved to be present, the Respondent and Complainant are provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than five (5) business days before the hearing. All parties have the opportunity to ask questions of witnesses (through the panel), regardless of who called them to the hearing.
- (1) **Relevance-** The Hearing Coordinator will review the investigative report, any witness statements and any other documentary evidence to determine whether the proffered information contained therein is relevant and material to the determination of responsibility given the nature of the allegation. In general, the Hearing Coordinator may redact information that is irrelevant, more prejudicial than probative, or immaterial. The Hearing Coordinator may also redact statements of personal opinion, rather than direct observations or reasonable inferences from the facts, and statements as to general reputation for any character trait, including honesty.
 - (2) **Prior Sexual History and/or Pattern Evidence.**

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- L. **Prior Sexual History of a Complainant:** In general, a Complainant's prior sexual history is not relevant and will not be admitted as evidence at a hearing. Where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of this policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Complainant with other individuals is typically not relevant and will not be permitted.
- M. **Pattern Evidence by a Respondent:** Where there is evidence of pattern of conduct similar in nature by the Respondent, either prior to or subsequent to the conduct in question, regardless of whether there has been a finding of responsibility, this information may be deemed relevant and probative to the panel's determination of responsibility and/or assigning of a sanction. The determination of relevance will be based on an assessment of whether the previous incident was substantially similar to the conduct cited in the report and indicates a pattern of behavior and substantial conformity with that pattern by the Respondent. Where there is a prior finding of responsibility for a similar act of sexual misconduct, there is a presumption of relevance and the finding may be considered in making a determination as to responsibility and/or assigning of a sanction.
- N. The College, through the Hearing Coordinator, may choose to introduce this information, with appropriate notice to the parties. Alternatively, a party may request in writing that information under this section be admitted. A request to admit such information must be submitted to the Hearing Coordinator. The Hearing Coordinator, will assess the relevance of this information and determine if it is appropriate for inclusion at the hearing.
- O. To aid in an advance determination of relevance, the following must be submitted no later five (5) business days before the hearing to the Hearing Coordinator via e-mail or in hardcopy format:
- (1) A written statement and/or description of the proposed information, if not already provided during investigation; and
 - (2) A summary of why this information is relevant to making a decision of responsibility at the hearing.

P. If this information is approved as appropriate for presentation at the hearing, the Respondent and Complainant will be provided with a brief description of the approved information no later than five (5) business days before the hearing.

- (1) Request to Reschedule Hearing-Either party can request to have a hearing rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the Hearing Coordinator with an explanation for his or her request at least three (3) business days prior to the hearing.
- (2) Consolidation of Hearings-At the discretion of the Hearing Coordinator multiple reports may be consolidated against a Respondent in one hearing, if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident. Matters may be consolidated where they involve multiple Complainants, multiple Respondents, or related conduct that would regularly have been heard under the Code of Student Conduct.

Q. Hearing Panel Procedures

- (1) Attendance at Hearing

R. If a party does not attend a hearing for any non-emergency or compelling reason, the hearing may be held in his/her absence at the discretion of the Dean of Student Services.

S. A Respondent will not be permitted to withdraw from the College prior to the conclusion of an investigation or formal resolution under this policy. If a Respondent chooses not to participate, the College will move forward with the hearing and imposition of sanction, if any, in absentia. The Respondent's academic transcript will be marked Withdrawal Pending Disciplinary Action, or, if finally resolved in absentia, with the final outcome in accordance with regular practice under this policy.

T. A Complainant or Respondent may also request alternative testimony options that would not require physical proximity to the other party. Options include placing a privacy screen in the hearing room, allowing the Complainant or Respondent to speak outside the physical presence of the other by using relevant technology to facilitate participation. Any proposed alternative must be reviewed in advance of the hearing to ensure that it is consistent with the goals of a fair and equitable process. While these options are intended to help make the alleged Complainant or Respondent more comfortable, they are not intended to work to the disadvantage of the other party.

- (1) Participants in Hearing Procedures-The hearing panel is a closed hearing; it is not open to the public. The individuals who may appear before the hearing panel are: the Complainant; the Respondent; any individual serving as an approved advisor or support person; and any individuals appearing as witnesses.
- (2) Safeguarding of Privacy-All parties involved in a hearing are required to keep the information learned in preparation for the hearing and at the hearing private. No copies of documents provided are to be made or shared with any third parties. All copies provided must be returned to the College at the conclusion of the hearing and any appeals. Any breach of this duty is subject to further disciplinary action by the College.

(3) Hearing Panel Procedures

- U. A hearing is not intended to be adversarial; rather, it is intended to be educational and developmental. The hearing is intended to provide a fair and ample opportunity for each side to present his/her account of the incident and for the hearing panel to determine the facts of the case, make a determination as to whether College policy was violated, and to recommend appropriate sanctions, if necessary. The hearing is an informal proceeding not comparable to a criminal trial; it is the mechanism by which the College assesses, and as appropriate, takes formal disciplinary action regarding a violation of College policy.
- V. The hearing panel must review all pertinent information regarding the incident in question prior to the date of the hearing panel. Relevant information supporting the violation(s) alleged may be offered in the form of written statements, documents, items, or oral information from the Complainant, the Respondent, and witnesses.
- W. A member of the panel will be designated as the panel chair. A hearing will be called to order by the panel chair. The Hearing Coordinator serves as a (non-voting) advisor to the hearing panel. The chair will explain the hearing process and will provide an opportunity to all parties to ask procedural questions prior to initial statements and the presentation of information.
- X. The investigator will provide a brief opening statement summarizing the investigation. The opening statement should focus on the areas of agreement and disagreement in order to assist the hearing panel in prioritizing areas of inquiry. The hearing panel, Complainant, or Respondent may make brief inquiries of the investigator at this juncture, as there will be additional opportunity to ask questions of the investigator after the hearing panel has heard from the Complainant, the Respondent, and any witnesses.

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- Y. The Complainant may supplement the information provided to the panel with a brief statement. This is not intended to be a retelling of the event. The hearing panel may pose questions to the Complainant, including questions suggested by the Respondent.
 - Z. After the Complainant is finished, the Respondent will be given an opportunity, and is encouraged, to make a brief statement. The hearing panel may pose questions to the Respondent, including questions suggested by the Complainant.
 - AA. The panel may hear from witnesses on behalf of the Complainant and the Respondent. Each witness will be questioned by the hearing panel, and, as appropriate, the Complainant and the Respondent. Under some circumstances, the Complainant or Respondent may be asked to present a list of written questions to the panel, who will determine the relevance of the questions and pose any questions deemed relevant.
 - BB. The hearing panel, Complainant, and Respondent may then question the Investigator. The investigator is not permitted to offer an opinion on the credibility of any individual or as to the ultimate issue.
 - CC. At the conclusion of the presentation of all witnesses, the Complainant and Respondent will each be given a brief final opportunity to address any outstanding issues of fact.

(1) Questioning of Witnesses

- DD. It is the responsibility of the hearing panel to assure that the information necessary to make an informed decision is presented. The panel members may play an active role in questioning both parties and witnesses involved in the case. At times, the panel members may need to ask difficult or sensitive questions in order to understand areas of factual dispute or gain a full understanding of the context.
- EE. At no time will the complainant or the respondent be permitted to directly question one another. As outlined above, the parties may submit questions to the hearing panel in writing, which may be posed at the discretion of the hearing panel. Similarly, the panel members are under no obligation to allow either party to directly question witnesses, and the panel may require that questions to witnesses be submitted in writing.
- FF. Both parties are encouraged to prepare a written list of questions in advance. The parties may also submit questions in writing to the chair

throughout the course of the hearing. The chair, in consultation with the panel, will determine the appropriateness and relevance of the questions.

GG. Parties and other individuals who offer information at a hearing are expected to respond honestly, and to the best of their knowledge. The hearing panel reserves the right to recall any party or witness for further questions and to seek additional information necessary to make a decision.

(1) Deliberation

HH. After all of the information has been presented, all parties will be dismissed and the hearing will be formally concluded.

II. The panel members will conduct their deliberations in private. The panel must complete their deliberations within two (2) business days, but every attempt will be made to complete the deliberations promptly. The Hearing Coordinator may remain for deliberations, but may not participate in the deliberations and may not vote.

JJ. The hearing panel will determine a Respondent's responsibility by a preponderance of the evidence. This means that the hearing panel will decide whether it is "more likely than not," based upon all of the relevant information, that the Respondent is responsible for the alleged violation(s). The hearing panel must reach a decision on responsibility by majority vote. Only the decision on responsibility will be shared with the Complainant and the Respondent.

KK. If the panel finds the Respondent responsible, the panel will then recommend appropriate sanctions to the Hearing Coordinator. The Hearing Coordinator, in consultation with the Title IX Coordinator, will review the recommendations and impose an appropriate sanction.

LL. The findings of the hearing panel will be reduced to writing. The findings will detail the findings of fact and the basis/rationale for the decision of the hearing panel, making reference to the evidence that led to the finding.

MM. Sanctions

(1) A hearing panel that finds a Respondent responsible for a violation of this policy may recommend appropriate sanctions that may include, but are not limited to, those set forth below. Sanctions may be issued individually, or a combination of sanctions may be imposed. The Complainant and Respondent will each have the opportunity to present a written statement about impact and/or requested sanctions. The hearing panel will review these statements only if the Respondent has been found responsible for one or more violation.

- NN. Any student who is determined to have committed sexual assault may receive a sanction ranging from suspension to expulsion.
- OO. Any student who is determined to have committed non-consensual sexual contact or any other prohibited form of conduct may receive a sanction ranging from conduct warning to expulsion.
- PP. The hearing panel may deviate from the range of recommended sanctions, based upon a full consideration of the following factors: (1) the Respondent's prior discipline history; (2) how the College has sanctioned similar incidents in the past; (3) the nature and violence of the conduct at issue; (4) the impact of the conduct on the Complainant; (5) the impact of the conduct on the community, its members, or its property; (6) whether the Respondent has accepted responsibility for his actions; (7) whether the Respondent is reasonably likely to engage in the conduct in the future; (8) the need to deter similar conduct by others; and (9) any other mitigating or aggravating circumstances, including the College's values.
- QQ. The hearing panel or Hearing Coordinator may also consider restorative justice outcomes that, taking into account the safety of the community as a whole, allows a Respondent to learn about the origins of his/her behavior, his/her responsibility for this behavior, and how s/he can change this behavior.
- RR. In appropriate cases, a panel may determine that the conduct was motivated by bias, insofar as a Complainant was selected on the basis of his or her race, color, ethnicity, national origin, religion, age, disability or other protected class. Where the panel determines that student misconduct was motivated by bias, the panel may elect to increase the sanction imposed as a result of this motivation.
- SS. The hearing panel will make a recommendation about the appropriate sanction. The Hearing Coordinator, in consultation with the Title IX Coordinator, may affirm or modify the recommended sanction(s). The Hearing Coordinator and Title IX Coordinator will review the panel's recommendations and take reasonable steps to foster consistency for similar violations and circumstances.
- TT. Sanctions that may be imposed under this policy include:
- UU. Warning: Notice, in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- VV. Censure: A written reprimand for violating the College policy. This conduct status specifies a period of time during which the student's or organization's good standing with the College may be in jeopardy. The student is officially warned that continuation or repetition of prohibited conduct may be

cause for additional conduct action including probation, suspension, or expulsion from the College.

- WW. Disciplinary Probation: Exclusion from participation in privileged activities for a specified period of time (privileged activities may include, but are not limited to, elected or appointed offices, student research, athletics, some student employment, and study abroad). Additional restrictions or conditions may also be imposed. Violations of the terms of disciplinary probation or any other College policy violations may result in further disciplinary action.
- XX. Restitution: Repayment to the College or to an affected party for damages resulting from a violation of this Code. To enforce this sanction, the College reserves the right to withhold its transcripts and degrees or to deny a student participation in graduation ceremonies and privileged events.
- YY. Suspension: Exclusion from College premises, attending classes, and other privileges or activities for a specified period of time, as set forth in the suspension notice. Notice of this action will remain in the student's conduct file. Conditions for readmission may be specified in the suspension notice.
- ZZ. Expulsion: Permanent termination of student status and exclusion from College premises, privileges, and activities. This action will be permanently recorded on the student's academic transcript.
- AAA. Revocation of Admission and/or Degree: Admission to, or a degree awarded by, the College may be revoked for fraud, misrepresentation in obtaining the degree or violation of College policies, the Student Code of Conduct or for other serious violations committed by a student prior to enrollment or graduation.
- BBB. Withholding Degree: The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Code, including the completion of all sanctions imposed, if any.
- CCC. Other sanctions may be imposed instead of, or in addition to, those specified here. Service, education or research projects may also be assigned. More than one of the sanctions listed above may be imposed for any single violation.
- DDD. Outcome Letter
- (1) The outcome of the hearing panel will be final and communicated to the Complainant and Respondent in writing, usually within four (4) business days from the date the hearing is concluded. The notification of each party should occur at or near the same time.

- (2) Both parties have the right to be informed of the outcome. In addition, the Respondent will be fully informed of any sanctions. For reports involving sexual violence, the Complainant will be fully informed of any sanctions. For all other reports under this policy, the Complainant will be informed of only those sanctions that directly relate to the Complainant, consistent with FERPA and other applicable law.
- (3) The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of the appeal.
- (4) The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is not dependent, the College will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The College also reserves the right to designate which College officials have a need to know about individual conduct complaints pursuant to FERPA requirements.

I. Appeals

- A. Either party may appeal the final outcome in writing to the Dean of Student Services or designee (the "Appeals Officer"). The appeal will be conducted in an impartial manner by an impartial decision-maker. The appeal must be filed in writing within five (5) business days of receiving the written outcome. The appeal shall consist of a plain, concise and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal.
- B. The Complainant and/or Respondent may appeal only the parts of final outcome directly relating to him/her. Dissatisfaction with the outcome of the hearing is not grounds for appeal. The only grounds for appeal are:
 - (1) A procedural or substantive error occurred that significantly affected the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
 - (2) New evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction (a summary of this new evidence and its potential impact must be included).

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- C. The receipt of the appeal will be acknowledged in writing (which can include email). Each party will be given the opportunity to respond in writing to the other party's appeal. Any response by the opposing party must be submitted to the Appeals Officer within three (3) business days from receipt of the appeal. The appeals documents from each party will be considered together in one appeal review process.
 - D. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The Appeals Officer shall first consider whether the appeal is timely filed and if so, whether the appeal is properly framed based on the two grounds. If the Appeals Officer determines that the appeal is not properly framed, the appeal will be denied.
 - E. If the appeal is based on procedural or substantive error, the Appeals Officer may return the complaint to the original hearing panel with instructions to reconvene to cure the error, or in rare cases where the error cannot be cured, the Appeals Officer can ask that a new hearing occur before a newly constituted hearing panel. In the case of new and relevant information, the Appeals Officer can recommend that the case be returned to the original hearing panel to assess the weight and effect of the new information and render a determination after considering the new facts. The reconsideration of the hearing panel is final.
 - F. Appeals are not intended to be full rehearing of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. This is not an opportunity for the Appeals Officer to substitute his/her judgment for that of the original hearing body merely because s/he disagree with its finding and/or sanctions. Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error. The Appeals Officer can affirm or alter the original findings, depending on the basis of the requested appeal.
 - H. Sanctions imposed are implemented immediately unless the Dean of Student Services stays implementation in extraordinary circumstances, pending the outcome of the appeal. Pending graduation, study abroad, internships/externships, or other events do not typically constitute extraordinary circumstances. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irretrievable in the short term.

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- I. The Appeals Officer will render a written decision on the appeal to the Complainant and Respondent within fifteen (15) business days from the date of the submission of all appeal documents by both parties. Appeal decisions are final.

 - J. Integrity of Proceedings
 - (1) These procedures are entirely administrative in nature and are not considered legal proceedings. No party may audio or video record the proceedings, nor is formal legal representation allowed.

 - (2) At the Hearing Coordinator's discretion, anyone disrupting the hearing may be removed.

 - K. Records
 - (1) The Title IX Coordinator will retain records of all reports and complaints, regardless of whether the matter is resolved by means of Title IX assessment, informal resolution or formal resolution. Complaints resolved by means of Title IX assessment or informal resolution are not part of a student's conduct file or academic record or of an employee's personnel record.

 - (2) Affirmative findings of responsibility in matters resolved through formal resolution are part of a student's conduct record and an employee's personnel record. Such records shall be used in reviewing any further conduct, or developing sanctions, and shall remain a part of a student's conduct record or an employee's personnel record.

 - (3) Generally, suspension, expulsion, and withdrawal pending disciplinary action are permanently noted on a student's transcript. The conduct files of students who have been suspended or expelled from the College are maintained in the Dean of Students Office indefinitely. Conduct files of students who have not been suspended or expelled are maintained in the Dean of Students Office for no fewer than seven years from the date of the incident. Further questions about record retention should be directed to the Dean of Students Office.



Policy Title:	Classroom Disruption		
Approval Authority:	President	Date Effective:	December 5, 2011
Responsible Office:	Accounting/HR	Responsible Office Contact:	Vice President for Business and Finance

1. POLICY STATEMENT/REASON FOR POLICY

This policy addresses the issue of Classroom Disruption.

2. ENTITIES AFFECTED BY THIS POLICY

All Departments with direct student contact.

3. WHO SHOULD READ THIS POLICY

All Faculty, Instructors and Adjunct Instructors.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: December 5, 2011

-Next Review Date: December 5, 2017

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

ADDRESSING CLASSROOM DISRUPTION

The classroom is a special environment in which students and faculty come together to promote learning and growth. It is essential to this learning environment that respect for the rights of others seeking to learn, respect for the professionalism of the instructor, and the general goals of academic freedom are maintained. Occasionally, faculty members find that they cannot provide effective classroom instruction because of disruptions. Examples of disruptive behaviors include: loud or prolonged side conversations; exaggerated movement of papers, books, or other materials; use of disruptive mechanical devices (e.g., pagers, cell phones); repeatedly leaving class early or coming to class late; and unnecessary or repetitive questions or comments which seek to delay the normal instructional process. Classroom behavior, such as this, that seriously interferes with the instructor's ability to conduct the class or the ability of other students to benefit from the instruction need not be tolerated. A student engaging in such behavior may be subject to disciplinary action. BMCC considers discipline an educational tool used to educate students to the acceptable standard of behavior for the community.

The following guidelines are intended to suggest alternative methods of addressing student misconduct in a classroom setting. Because College instruction and human behavior vary greatly, these guidelines are not intended to be exclusive. Accordingly, faculty members should exercise their best judgment in setting standards of conduct for their classes and taking a reasonable approach in responding to disruption in their classroom. The V.P. of Academics and/or Department Chairperson may have specific recommendations or processes for reporting and responding to disruptive behavior.

Guidelines

1. Faculty members are responsible for management of the classroom environment. Teachers in some respects can be compared to judges: both focus on relevant issues, set reasonable time limits, assess the quality of ideas and expression, and make sure participants are heard in an orderly manner. While their ultimate goals and formalities may be different, both judges and teachers need to exercise authority with a sense of fairness, and with appreciation for the reality of human fallibility.
2. Classroom disruption may constitute a disciplinary offense, as defined by BMCC's Student Code of Conduct (Student Handbook). The term "classroom disruption" means behavior a reasonable person would view as substantially or repeatedly interfering with the conduct of a class. Examples include repeatedly leaving and entering the classroom without authorization, making loud or distracting noises, persisting in speaking without being recognized, or resorting to physical threats or personal insults. Faculty members are strongly advised to keep records of dates, times, names of those present, and objective details of disruptive incidents.

This documentation is an integral and indispensable part of the disciplinary process. It usually constitutes the primary source of evidence for disciplinary action. Also, when documentation is received from various sources, the Academic Affairs office is able to determine if the student is engaging in an ongoing pattern of disruptive behavior, act on the multiple violations and impose a more serious sanction. Any questions regarding the College's disciplinary intervention should be discussed with the Academic Affairs Office as early as possible.

3. Both students and faculty members have some measure of academic freedom. College's policies on classroom disruption cannot be used to punish lawful classroom dissent. The lawful expression of a disagreement with the teacher or other students is not in itself "disruptive" behavior.
4. Rudeness, incivility, and disruption are often distinguishable, even though they may intersect. In most instances, it is better to respond to rudeness by example and suasion (e.g. advising a

student in private that he or she appears to have a habit of interrupting others). Rudeness can become a disruption when it is repetitive, especially after a warning has been given.

5. Strategies to prevent and respond to disruptive behavior include the following:
 - a) Clarify standards for the conduct of your class. For example, if you want students to raise their hands for permission to speak, say so, using reminders as needed. Generally, faculty members encounter fewer problems when they clearly state their expectations of respect in the classroom at the beginning of the semester. Some instructors have found including behavioral expectations in their course syllabus helps reduce disruptive behavior.
 - b) Serve as a role model for the conduct you expect from your students.
 - c) If you believe inappropriate behavior is occurring, consider a general word of caution, rather than warning a particular student (e.g. "We have too many simultaneous conversations at the moment; let's all focus on the same topic").
 - d) If the behavior is irritating, but not disruptive, try speaking with the student after class. Most students are unaware of distracting habits or mannerisms, and have no intent to be offensive or disruptive. If the discussion with the student raises concern of substance abuse, a disability, or psychological disturbance the faculty member is encouraged to consult with the Student Services Specialist.
 - e) There may be rare circumstances when it is necessary to speak to a student during class about his or her behavior. Try to do so in a firm and friendly manner, indicating that further discussion can occur after class. Public arguments and harsh language must be avoided.
 - f) A student who persists in disrupting a class may be directed to leave the classroom for the remainder of the class period. This is a serious step and not to be taken lightly. Whenever possible, prior consultation should be undertaken with the Department Chair, V.P. of Academics, and the Dean of Student Services.
 - g) If a disruption is serious, and other reasonable measures have failed, the class may be adjourned and Academic Affairs or the Tribal police contacted. Teachers must not use force or threats of force, except in immediate self-defense. Prepare a written account of the incident. Identify witnesses for the Tribal Police, as needed.
6. The Dean of Student Services and/or Student Services Specialist can help by reviewing the College's Student Code of Conduct with you, and meeting with accused students formally or informally. It is better to report disruptive incidents promptly, even if they seem minor. A preferred strategy is to develop a behavioral contract with the student, so they have clear guidelines about what behavior is expected of them. In the most serious cases, we can suspend students immediately, pending disciplinary proceedings, or medical evaluation.

Special Situations

Students with Disabilities

Some disruptive students may have emotional or mental disorders. Although such students may be considered disabled and are protected under the Rehabilitation Act of 1973, they are expected to meet the same standards of conduct as other students. This is true even if the disruption is directly related to his or her physical or mental disability. It is important that an instructor establish the standards for his or her classroom and enforce them for all students, in conformance with the principles of academic freedom.

Referral to Counseling

Counseling can be a helpful experience; however, it is not a substitute for student conduct action. The goal of the conduct program is to effectively and quickly correct student misconduct and to educate the student as to appropriate conduct in the college community. Counseling is an ongoing process and, generally, not designed to bring about prompt behavior change. In fact, the student's behavior may not change or, in fact, deteriorate. Lastly, psychotherapy is predominantly elective.

Consultation

Some students' behavior may seem to be bizarre, but not threatening. The instructor may want to discuss the student's behavior with professionals, such as a member of the Bay Mills Indian Community counseling staff. Please contact Student Services Specialist if you would like to consult with a counseling professional.

If you have questions regarding appropriate responses in these or other situations, please contact the V.P. of Academic Affairs or the Dean of Student Services.



Policy Title:	Computer and Electronic Information Access Policy		
Approval Authority:	President	Date Effective:	February 22, 2012
Responsible Office:	Library	Responsible Office Contact:	Library

1. POLICY STATEMENT/REASON FOR POLICY

This policy establishes rules governing the use of computer and electronic information available at Bay Mills Community College Library.

2. ENTITIES AFFECTED BY THIS POLICY

All users of the BMCC library.

3. WHO SHOULD READ THIS POLICY

All users of the BMCC library.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: February 22, 2012

-Next Review Date: February 22, 2017

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

COMPUTER AND ELECTRONIC INFORMATION ACCESS POLICY

Access to computer and electronic information is available at Bay Mills Community College Library. This provides the general public with educational and information resources in digital format, library owned software, and promotes computer literacy.

Computer users must have a valid library card when they sign up to use the computers. Individuals with \$5.00 or more in fines or with overdue materials will be denied access until their obligations have been met.

Patrons are expected to use computer resources in a responsible, ethical, and lawful manner. They should keep in mind that they are working in a public environment and should have no expectation of privacy.

The following uses of Bay Mills Community College Library's computers are forbidden:

- **chat rooms;**
- **games;**
- **any form of instant messaging for library patrons under the age of 18;**
- **altering software or operating system configurations;**
- **installing or running personal software on library machines;**
- **establishing or uploading files to personal home pages;**
- **commercial activity.**

All computers and their software remain the property of Bay Mills Community College.

Due to the nature of electronic networks, Bay Mills Community College Library cannot guarantee the security or confidentiality of any information users may transmit across the internet or enter into library computers. Bay Mills Community College Library is not liable for any direct, indirect, or consequential damages which may arise through the use of library machines.

General Rules

Use of the computers is provided on a first come-first serve basis. If all the library computers are busy, the user may use the reservation system. Users must be physically present in the library when their reserved computer is ready. If the user cannot be found, the reservation will be cancelled.

Users are responsible for knowing how to use the computer. Library staff may provide limited assistance as time permits. However, library staff are not computer experts and may not be able to assist in every situation. Any problems with the computers should be reported to a staff member. Under no circumstance should users attempt to fix problems.

Courteous behavior is expected from all computer users. If others are waiting, computers should be used for work only and not for entertainment.

Users should save their work to disk or jump drives. Bay Mills Community College Library is not responsible for any lost work or work not saved to a disk or jump drive.

Internet

The internet is a world-wide collection of computer networks which facilitates access to a wide range of information resources. The internet is not regulated by any controlling entity. Bay Mills

Community College Library cannot guarantee and is not responsible for the accuracy, truthfulness, or content of any web site accessed using library machines.

Internet access at Bay Mills Community College Library is provided as a supplement to the physical collection owned by the library. The following uses are forbidden: accessing obscene or pornographic web sites; displaying information or images harmful to minors; accessing web sites promoting illegal activities; viewing, distributing, transmitting, or promoting hate-related speech, crimes or subversive activities. Evidence of such activities will be reported to the appropriate authorities. Library staff will decide whether a site or document is inappropriate. Users are responsible for the sites they reach during their use of the library's internet connection.

Children 10 years old and under must have a parent or guardian with them at all times while they are on the internet. Parents/guardians are responsible for any misbehavior of the children. The library is not responsible for any materials the child gains access to while using the internet.

Due to the risk of computer viruses, users are not allowed to download programs from the internet, even if they will be saved to disk. Text and images may be downloaded freely as long as such use does not violate copyright laws. Users must save files to a personal storage device. The library is not responsible for any lost files.

Printing/Faxing/Copying

Black and white printing and copies are available for a fee. No color printing is available. Faxing is available for minimal charge. Please inquire at the checkout desk for cost per page.

Copyright

Bay Mills Community College Library provides access to a number of software packages, including word processing, photo programs, and other legal, business, and educational resources. A scanner is also available for use by the general public. In using these products, the user agrees to abide by federal and state copyright laws.

Wireless Access

The Bay Mills Community College Library provides a free wireless internet access point or "hot spot" for users with portable computers or devices capable of receiving wireless signals, during normal library business hours. This access point allows users to access the internet from their laptop computer or other wireless device when they are within its range.

As with most public wireless "hot spots," the library's wireless connection is not secure. There can be non-trustworthy third parties between the user and anybody with whom the user communicates. Any information being sent or received could potentially be intercepted by another wireless user. Cautious and informed wireless users should not transmit their credit card information, passwords or any other sensitive personal information while using any wireless "hot spots."

The library provides access only to Web-based email or through a user's personal provider. Printers are not available via the wireless connection.

All users, wireless or wired, shall not violate federal, state or local laws, including the transmission or receiving of child pornography, display of material harmful to minors, fraud, or downloading of copyrighted material.

Any restriction or monitoring of a minor's access to the college and library wireless network is the sole responsibility of the parent or guardian.

Bay Mills Community College Library is not responsible for any direct, indirect, or consequential damages which may arise through the use of library computer service, wired or wireless. The Computer and Electronic Information Access Policy, in its entirety, applies to wireless users. Computer use privileges will be withdrawn if a user habitually violates the policy.

Making or attempting to make unauthorized changes to library computer or the network will result in loss of computer privileges. Copying programs is illegal under current copyright law. Violators will be reported to the appropriate authorities.

All users are expected to abide by applicable laws and the policies of the library as stated above.

Megan Parish, Library Director 2/13/2012

Approved by Mickey Parish, BMCC President, 2/22/2012



Policy Title:	Peer Tutoring		
Approval Authority:	President	Date Effective:	June 2012
Responsible Office:	Student Success Center	Responsible Office Contact:	Dean of Student Services

1. POLICY STATEMENT/REASON FOR POLICY

This policy manual establishes standards governing Student tutors.

2. ENTITIES AFFECTED BY THIS POLICY

All BMCC students.

3. WHO SHOULD READ THIS POLICY

All BMCC students.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: August 1, 2016

-Next Review Date: August 1, 2019

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

Welcome Letter

Dear BMCC Learning Center Tutor:

Welcome to the Bay Mills Community College Learning Center. We are excited to work with you. The Learning Center offers academic assistance through a variety of teaching and tutoring services designed to help students succeed in college. Our goal is to support and expand the students' classroom experiences.

Tutoring services are provided through peer and professional tutors that take place in the Learning Center. Students are encouraged to use the BMCC Learning Center, in addition to the academic enrichment courses, to develop their skills in areas such as reading, writing, and basic math. As a tutor, you will provide your expertise, experience, and encouragement to the students. Your main goal is to assist students, individually or in small groups, to help build student's self-confidence and prepare students for independent academic success.

The Learning Center is open to all BMCC students. The center is a quiet place for all students to be tutored, study, do homework, take tests, utilize the computers, and relax.

Thank you for joining the Learning Center team. Together we can make a difference. We welcome any suggestions and encourage your comments. We look forward to working with you.

Sincerely,

Debra J. Wilson

Debra J. Wilson
Dean of Student Services

Contact Information

BMCC Learning Center Business Hours

Monday – Thursday
8:00 a.m. – 4:30 p.m.

Mailing Address

12214 W. Lakeshore Drive
Brimley, MI 49715

Phone Number

Debra Wilson, Dean of Student Services – 248-8442
Office: Learning Center
Email: dwilson@bmcc.edu

Kelly Bedell, Student Services Specialist – 248-8432
Office: Administration Building Room 124
Email: kbedell@bmcc.edu

Learning Center Receptionist Desk – 248-8456

Learning Center Website

http://www.bmcc.edu/student_services/learning-center.html

Peer Tutoring Requirements

Student tutors are current full-time or part-time BMCC students who have an A or high B average in the subject in which they tutor, recommendation from one instructor, and an overall GPA of 3.0 or higher.

Peer Tutor must:

- I. Have received an A or B in the course or courses they are willing to tutor.
- II. Be approved by the faculty member and the Dean of Student Services for that course.
- III. Be a "student in good standing" with BMCC. Good standing includes satisfactory academic progress (cumulative GPA of 3.0 or higher), acceptable attendance in all classes in which the student is enrolled based on BMCC Student Handbook, 70% attendance, no outstanding debts with BMCC, and conduct which is considered acceptable according to the BMCC Student Handbook.
- IV. Have good communication skills and be willing to work with small groups.
- V. Have a high level of patience and a sincere desire to help others.

Peer Tutoring Responsibilities

Peer Tutor will:

- I. Contact the Dean of Student Services by telephone or email if you are running late or absent for a scheduled session.
- II. Be prepared, punctual, and willing to work.
- III. Be courteous and professional.
- IV. Assist students, individually or in small groups
- V. Facilitate learning as a guide and coach to assist the student to become a successful independent learner.
- VI. Desire to work with culturally and racially diverse population.
- VII. Integrate effective study and learning strategies to maximize the student's potential for academic progress.
- VIII. Support faculty as the primary source of course information (be professional but do not take the place of the instructor). With the permission of the tutee, consult the faculty, when necessary.
- IX. Be knowledgeable of other academic resources available on campus.
- X. A list of students tutored and the amount of time they were tutored as well as a bi-weekly time sheet must be submitted to the Dean of Student Services for approval. Tutor will be paid at an hourly rate of \$XX.00 per hour.
- XI. Follow procedures presented in tutor manual.
- XII. Ability to work effectively as team member of Bay Mills Community College.
- XIII. Tutor will maintain confidentiality on any information pertaining to students and private data used in the Learning Center while working as a tutor and after leaving employment as a tutor.

Professional Tutoring Requirements

Professional tutors are full-time or adjunct BMCC instructors or community residents who hold a Bachelor's degree in one of the tutoring areas provided and who possess knowledge of diagnostic/prescriptive learning.

Professional Tutor must:

- I. Have good communication skills and be willing to work with small groups.
- II. Have a high level of patience and a sincere desire to help others.
- III. Content knowledge

Professional Tutoring Responsibilities

Professional Tutor will:

- I. Contact the Dean of Student Services by telephone or email if you are running late or absent for a scheduled session.
- II. Be prepared, punctual, and willing to work.
- III. Be courteous and professional.
- IV. Assist students, individually or in small groups
- V. Facilitate learning as a guide and coach to assist the student to become a successful independent learner.
- VI. Desire to work with culturally and racially diverse population.
- VII. Integrate effective study and learning strategies to maximize the student's potential for academic progress.
- VIII. Support faculty as the primary source of course information (be professional but do not take the place of the instructor). With the permission of the tutee, consult the faculty, when necessary.
- IX. Be knowledgeable of other academic resources available on campus.
- X. A list of students tutored and the amount of time they were tutored as well as a bi-weekly time sheet must be submitted to the Dean of Student Services for approval. Tutor will be paid at an hourly rate of \$XX.00 per hour.
- XI. Follow procedures presented in tutor manual.
- XII. Ability to work effectively as team member of Bay Mills Community College.
- XIII. Tutor will maintain confidentiality on any information pertaining to students and private data used in the Learning Center while working as a tutor and after leaving employment as a tutor.

Information for Students Utilizing Tutoring Services

This information is given to students when they utilize any tutor. However, it may also be useful to you in your sessions and understanding your expectations.

What should a tutee bring to a tutoring session?

- I. The textbook from that class
- II. Syllabus, if applicable
- III. Notes, past tests or quizzes, assignment, etc.
- IV. The work completed on the assignment so far
- V. Calculator or other supplies needed for the session
- VI. Come prepared with a list of questions

What should the tutee expect from a tutoring session?

- I. It is very important for you to have an idea of what you want to work on. The session depends on what your needs are, so be sure to talk to the tutor before you begin.
- II. Tutoring sessions do not replace class instruction, reading the test, or independent work, but do offer reinforcement, practice, clarification, and suggestions for improvement.
- III. Related resources.

What a tutee should NOT expect from a tutoring session.

- I. The tutor will NOT do the work for you. Tutors will complement your work, reinforce your learning, provide you hints and suggestions for learning the material, and review with you but they will not replace good, honest, hard work.
- II. The tutor will NOT “cram” with you. Do not expect to have a 5 hour session the day before the test.
- III. Students will NOT “drop off” homework or assignments for a tutor to review, unless tutor allows it. You should sit with the tutor and discuss the work and your questions together.
- IV. Tutors will NOT write a student’s essay. The tutor’s job is to answer questions and make suggestions, but the words and ideas should be the student’s.
- V. Tutors will NOT edit/proofread an entire essay. Instead, they will answer specific questions.
- VI. Tutoring will NOT necessarily result in a perfect, error-free paper and does not guarantee high grades on your writing. Our opinions are just that – opinions; you are free to take or leave these opinions at your own discretion.

Tutor Code of Ethics

- I. My major motivation is building the student’s self-confidence.
- II. I must be able to admit my own weaknesses and will seek assistance whenever I need it.
- III. Respect for student’s personal dignity means I must accept that individual without judgment.
- IV. Students will constantly be encouraged but never insulted by false hope.
- V. Student will understand that my role is never to do the student’s work.
- VI. I will do my best to be punctual, not only out of courtesy but as an example for the students.
- VII. Good tutoring enables students to transfer learning from one situation to another.
- VIII. My ultimate tutoring goal is student’s independence.
- IX. I will respect cultural, individual, and role differences, including those based on age, sex, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language and socioeconomic status.
- X. I will respect the dignity and worth of all people, and the rights of individuals to privacy, confidentiality and self-determination.

Tutor and Tutee Relationship

- I. At the beginning of your first session, introduce yourself and offer some information about yourself – your major, your hometown, your hobbies, etc.
- II. During the first session, find out what kind of help they think they need. What do they hope to get out of a tutor? What are their goals and what do they want to improve upon? What problems are they having in the course, what questions do they have about the material, why do they think they are not getting good test / paper grades? Together, try to determine the most important and necessary objectives. REMEMBER TO LISTEN ACTIVELY AND CAREFULLY.
- III. Remember that your tutee may be intimidated or lack confidence during your session. Do all you can to reassure your tutees and show them that you are not there to judge; you are there to help them become independent learners.
- IV. It is important to make tutees feel comfortable with you and with the idea of asking for help. Be encouraging, positive, and enthusiastic.
- V. Keep information revealed during tutoring session confidential. Feel free to discuss any areas of success or concern with the Dean of Student Services, but refrain from discussing this information elsewhere.

Tutoring Methods

Active Listening

Listening is an acquired skill. In normal conversation, we don’t really listen to others. We hear what they say but don’t listen carefully enough to “read between the lines”. In order to be an effective tutor, you have to slow down and concentrate on what your tutee is saying. Is he/she grasping the concept? Can

he/she explain it easily or does it take some effort? Is his/her body language saying anything? In order to get the answers to these and other questions, you must listen carefully and observe purposefully.

Drawings and Diagrams

For a visual learner, tactile learners, or for certain types of content fields like science, you may find that a drawing or diagram is the best way to convey information. It is much easier to understand a drawing of carbon dioxide than an explanation of carbon dioxide. Visual learners will need to see, usually on paper, what you are describing. For tactile learners, (those who learn by doing), have the tutee build the model or diagram himself/herself. The act of building the model will reinforce learning.

Use Reinforcement

Your tutees will need you to notice their successes as well as their mistakes. That's where reinforcements come in. When using reinforcement's, make sure to reinforce improvement without over-exaggerating the student's gain. The more specific you are about the gain, the better. Following are some examples of reinforcement:

Verbal

"Good job on _____!"

"You are really doing much better with _____!"

"I like the way you did _____!"

"This looks better than the last time."

"You have really been working hard at this. I am proud of your effort."

Nonverbal

Use facial expressions, smile, and look surprised.

Nod your head.

High five or give the thumbs up sign.

Reinforcements help the tutee have a sense of accomplishment, provide a reward, and give tutees an incentive to do more. After all, you noticed!

Tips for Writing Tutors

Writing tutors have the opportunity to assist with individual and small group needs. In either situation, writing tutors do not simply edit or "correct" papers. Instead, they enter into a dialogue with students about their writing in an effort to make students aware of their strengths and weaknesses in content, clarity, and grammar. It is not only important for writing tutors to be aware of the rules of language and writing—effective writing tutors inspire confidence and appreciation of language in student writing. This can be difficult since most students find writing intimidating, mysterious, and difficult. But with one-on-one help, many students discover their talents and eliminate their mistakes.

Some things for writing tutors to remember:

- ✓ At the beginning of the session, ask the student what they want to focus on. If they have problems being specific, ask them what the most difficult part was to write or what they don't like about their paper.
- ✓ When a student questions their thesis statement's effectiveness, or you determine that it is not effective, ask the student to tell you what their main purpose is in writing this paper; what do they want to tell their audience?
- ✓ One of the main goals of a writing tutor should be to encourage the student to make time and effort for prewriting. Therefore, it is essential to practice, demonstrate, and discuss the types of and benefits of prewriting.
- ✓ Some students might not have started writing their paper yet, but want you to help them come up with a topic, thesis, or outline. In this instance, it is important not to give too much help, but to ask questions in order to make the student think critically and come to their own conclusions. Mapping or free-writing could be particularly useful in this case.

- ✓ Sometimes reading a paper aloud can help the student to recognize grammar and proofreading errors. Reading aloud also appeals to auditory learners.
- ✓ Looking at a paper with several grammar mistakes might be overwhelming and you might want to “fix” the errors. However, the point of tutoring is to help students become more independent learners. Therefore, you can help them recognize their patterns of error and provide them with review and resources so that they can start editing for those mistakes.
- ✓ You and the student will have to decide whether you want to focus on content, revision, or editing. If you try to do all three, you will not have a very productive session. You will usually leave the writer with more questions.

Tutoring Scenarios and Potential Problems

Regardless of preparation, there may still be occasional problems. Below are some common problems and suggestions for handling them.

Tutee Comment: "My assignment is due tomorrow. Will you help me?"

Tutor Response: "Let's take a look at the type of problem you have. We'll work on something similar, so that you'll be able to do the assignment." Remember: It is not your job to do students' homework assignments. If you do, the students will not learn how to do the work on their own. Waiting until the last minute to do assignments may also be a sign of poor time management skills. Model time management behavior in your sessions.

Tutee Comment: "I've already done my homework. I just need you to check it for me."

Tutor Response: "Well, you know, we don't proofread assignments. But, I'll tell you what I can do. If you'll show me the areas you're worried about, we'll discuss those problems in general and take a look at your book. Then, you can check your homework." Remember: It is not your job to make sure that everything a tutee turns in is perfect. Helping students with specific homework problems is not what you were hired to do. Review similar homework problems and help the student develop the critical thinking skills necessary to do his/her homework assignment independently. Tutees must learn how to check their own work and how to have confidence in the answers they give. If they can do this, they will:

- ✓ Be able to defend their answers.
- ✓ Understand more completely.
- ✓ Develop better self-esteem.
- ✓ Become more independent.

Tutee Comment: "Come on. I'm your friend. Help me out here. I need you. I can't come during your scheduled times. Can't you make an exception for me?"

Tutor Response(s): "I know how tough it is." "Have you considered forming a study group with others in your class?" "Have you checked to see what your instructor's office hours are?" "We also have other tutors available. Have you checked to see if any of their hours coincide with your free time?" Remember: It's really hard to say no - especially to someone who considers you a friend. Although it is difficult, saying no will help the tutee take responsibility for his/her own learning. You should not be the sole resource for your tutee.

Tutee Comment: "This instructor is really crazy. I think she's out to get me."

Tutor Response: "Sounds like you're having a bad time. I'm sorry you're finding it difficult to succeed in this class. Perhaps you could show me some of the problems you are having difficulty understanding. I may be able to help clarify them for you. We may also need to review how you are studying for this class. You may have to invest more study time so that lectures are more meaningful and less stressful."

Remember: Regardless of how an instructor is performing, it will not help the student by complaining with them. The student will still have to find a way to understand the material and pass the course. **Avoid talking about instructors.** Students sometimes use this as an excuse for doing poorly. The more you help them find ways to learn effectively, the less dependent they will be on learning ALL the material through lectures and class time. **(Also, remember that anything you say about the instructor will get back to that instructor, which will reflect negatively on tutoring services.)**

Tutee Comment: "I can't take it anymore. I'm dropping out."

Tutor Response: "I'm sorry to hear that. Before you make any decisions, why don't you talk to the Dean of Student Services? She may be able to help you find another alternative." Remember, the student may be having family problems, emotional problems, or something other than academic problems that are contributing to his/her feelings of hopelessness. If so, this situation is beyond your job scope. Please make a referral to someone with more training.

Referral Skills

Tutoring sessions can often bring with them a wide variety of issues. Tutees are often comfortable enough with the tutoring relationship to ask the tutor for advice about any number of things. Thus, a tutor must be knowledgeable about the types and locations of campus services available to students and how to access those services.

Recognizing When to Refer Tutees to Services

- If a tutee is using tutoring time inappropriately (i.e. using tutoring time to socialize or to discuss personal issues, repeatedly coming to tutoring unprepared)
- If the tutee is very tense, shy, non-verbal, and uncommunicative
- If the tutee's behavior changes dramatically from earlier tutoring sessions
- If the tutee exhibits any of the following behaviors:
 - Depression: general sadness, slow moving, weepy, hopeless or very agitated, nervous, worried, unable to focus on academics
 - Anxiety: agitated, unable to focus, hyper, consistently fearful, acting startled
 - Signs of substance abuse: failing to meet obligations, erratic behavior, inability to function effectively

Knowing How and Where to Refer Tutees to Services

- Tutors should discuss a problem situation with the Dean of Student Services. Tutors need to understand that the tutee's problems are not the sole responsibility of the tutor. The Dean of Student Services might need to intervene to insure that the right services are initiated for the tutee.
- Offer information to the tutee about available support services. Ask the Dean of Student Services for a list of Student Support Services if needed.
- Suggest a particular service to the tutee as appropriate, explaining its location, services, hours, etc. The tutor could accompany the tutee if the tutee desires. However, the tutee is the one who should make the initial phone call or contact.

Important Reminders

- Tutors ARE NOT trained psychologists, psychiatrists, social workers, health care personnel, or counselors. Tutors should not exceed the role as a tutor. Tutors should always go to the Dean of Student Services if there is an issue that needs attention.
- Tutors ARE NOT expected to solve all problems for their tutees. The primary focus as a tutor should be on course work, not on a tutee's personal problems.
- Tutors MAY NOT be successful with every assigned student. Tutors should recognize and acknowledge that no amount of tutoring will be enough for some students who bring their personal issues into the sessions.

General Procedures

- I. Tutoring requires commitment. Please do not begin unless you are willing and able to continue.
- II. All tutoring will be done on campus in the Learning Center during school hours.
- III. Please report any problems to the Dean of Student Services as soon as possible.
- IV. Please respect the confidentiality of the tutoring relationship.

- V. BMCC expects each member to act so as to ensure the right, welfare, and security of all members.

Tutoring Do's and Don'ts

Do's

- Do be supportive, encouraging and provide positive reinforcement.
- Do offer suggestions.
- Do listen.
- Do let your tutee set the pace.
- Do adjust for student needs.
- Do ask questions.
- Do empathize.
- Do set limits.
- Do show up on time.
- Do use wait time to allow student to answer questions.
- Do observe boundaries.

Don'ts

- Do not do the work for your tutee.
- Do not be negative about faculty.
- Do not overwhelm student.
- Do not try to replace the teacher.
- Do not take things personally.
- Do not cross personal boundaries.
- Do not dress provocatively.
- Do not be unprofessional.
- Do not talk too much.
- Do not be overpowering.
- Do not make it your mission to save them all.



**Bay Mills Community College
Student Employee/Student Volunteer/Student Intern
Confidentiality Agreement**

As a student employee, student volunteer or student intern of any office, department or program of the Bay Mills Community College, I may have access to sensitive or confidential information from public and/or private sources. This confidentiality agreement serves to verify that I have been made aware of the strict prohibition against inappropriate use of sensitive or confidential information.

I, _____ (Print Name), understand that Bay Mills Community

College expects me to hold in confidence any information I may become privy to in the course of my work. I also understand that each office, department, or program in which I may work or volunteer has an obligation to protect any highly sensitive or confidential information it is given. Because this information is solely available to me as a result of my employment, I will not discuss, use, forward, print, copy, photograph, record or otherwise disseminate any confidential or sensitive information that is given, shown, or available to me, or otherwise comes to my attention, for purposes outside the legitimate scope of my work.

Examples of confidential information that I may become aware of during the course of my student employment, internship or volunteer work at Bay Mills Community College include, but are not limited to:

- Information regarding the financial circumstances, giving and payment records, or financial aid status of students, prospective students, employees, associates, donors, guests, and the family members of the aforementioned, as well as those of corporations and other organizations which have an established or potential financial relationship with Bay Mills Community College.
- Information regarding the academic status or records of students, prospective students, alumni, employees, donors, associates, and guests of the College.
- Information regarding the physical or mental health or personal affairs of any of the aforementioned individuals.
- Information pertaining to Bay Mills Community College's finances or budget, public relations plans or details, communications plans or details, or other internal or sensitive institutional information.
- Information regarding access to electronic files of any kind, and information pertaining to intellectual property of any kind, written or unwritten.

I acknowledge the confidentiality of all Bay Mills Community College student and employee information and records and other confidential and propriety information and records. This information will not be revealed to or distributed to or discussed with anyone other than the appropriate, designated supervisor.

I have also read and understood the Family Educational Rights and Privacy Act of 1974 (FERPA). I understand that disclosing confidential data, without proper authorization, may violate the Family Educational Rights and Privacy Act of 1974 ("FERPA") and other federal and State laws and regulations.

I further agree that during the term of my employment/association and following my separation from such employment/association, I will be bound by this agreement. I understand that failure to abide by this agreement could constitute just cause for disciplinary action, including immediate termination from employment or volunteer work and referral to Bay Mills Community College's Disciplinary Procedure for possible suspension or dismissal from the College.

Student-Employee Signature: _____ Date: _____

This agreement of confidentiality is a product of the Bay Mills Community College Student Services Office.



Policy Title:	Emergency Advance of Financial Aid Policy		
Approval Authority:	President	Date Effective:	January 24, 2014
Responsible Office:	Financial Aid	Responsible Office Contact:	Financial Aid

1. POLICY STATEMENT/REASON FOR POLICY

The purpose is to provide assistance to students with emergency expenses prior to the disbursement of financial aid each semester.

2. ENTITIES AFFECTED BY THIS POLICY

All BMCC students and staff who receive financial aid.

3. WHO SHOULD READ THIS POLICY

All BMCC students and staff who receive financial aid.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

-Form Emergency Advance of Financial Aid can be found at the Financial Aid Office.

6. HISTORY

-Amended: January 24, 2014

-Next Review Date: January 24, 2017

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

BAY MILLS COMMUNITY COLLEGE EMERGENCY ADVANCE OF FINANCIAL AID POLICY

PURPOSE

The purpose of the Emergency Advance of Financial Aid is to provide assistance to students with emergency expenses prior to the disbursement of financial aid each semester.

EMERGENCY ADVANCE CRITERIA

1. The student must be in good standing with class attendance, which is defined as meeting the minimum 70% attendance requirement, in at least 50% of the credits enrolled for the semester.
2. The student must have an approved financial aid file and have sufficient financial aid to create a credit balance after tuition, fees, books, and other charges are paid.
3. Emergencies are defined as being unexpected or beyond the control of the student. Examples include, but are not limited to: transportation breakdowns, house fire, or natural disasters.
4. Emergency advances will not be authorized for normal cost-of-living expenses, such as, but not limited to: food, car payments, car insurance, gas, car license fees, rent, and utilities.
5. Emergency advances will not be authorized to purchase books or buy gas for traveling to college. However, students who have approved financial aid may charge their bookstore purchases unless the financial aid does not include books. They must contact the Financial Aid Office before classes begin to obtain a financial aid charge approval memo.

APPLICATION PROCESS

1. Students may apply for an emergency advance after the 10-day add/drop period.
2. Students must see the Student Support Services Specialist to request an emergency advance and complete the required paperwork.
3. Emergency advances in excess of \$100 require documentation, such as an estimated car repair bill.
4. The student may request an emergency advance up to two times per semester; however, the requests may not be within 2 weeks of each other. Because of the financial aid check distribution schedule, it will be rare to receive more than one emergency advance per semester.
5. The decision to approve or disapprove emergency advances is made by the Student Support Services Specialist, Financial Aid Office, and the College President or authorized check signer. The Financial Aid Office may not approve the advance unless there is an approved financial aid file and there is enough excess financial aid to cover the advance after deducting the costs of tuition, fees, books and other charges on the account.

CHECK DISTRIBUTION

1. If the student is approved for the advance, the check will be processed 24-48 hours from the date on the request.
2. The issued check will be given to the Student Support Specialist for distribution to the student.

REPAYMENT PROCESS

1. The emergency advance will be entered on the student's account.
2. When Financial Aid processes the student's financial aid refund, the amount of the advance will be deducted from the excess financial aid check.
3. If the advance cannot be deducted from the student's account, the student is responsible for paying the advance in full within 30 days. In no case shall the repayment period extend beyond the end of the semester in which the advance is made. This situation may occur when a financial aid adjustment is required on the student's account.
4. The college will not issue transcripts and reserves the right to withhold grades, diplomas, and deny subsequent registration to any student whose account has an outstanding balance.
5. Accounts that are 30 days past due will be referred to Tribal Court or an outside agency for collection. The student is responsible for paying all charges due to the college as well as all collection agency or legal fees incurred to collect the delinquent account.



Policy Title:	Federal Financial Aid Satisfactory Academic Progress Policy		
Approval Authority:	President	Date Effective:	June 30, 2011
Responsible Office:	Financial Aid	Responsible Office Contact:	Director of Financial Aid

1. POLICY STATEMENT/REASON FOR POLICY

Federal law requires all students who receive federal financial aid to make Satisfactory Academic Progress (SAP) toward their degree. The intent of this policy is to ensure that students who are receiving federal financial aid are making measurable academic progress toward completion of an eligible academic program in a reasonable period of time.

2. ENTITIES AFFECTED BY THIS POLICY

All students at BMCC who receive federal financial aid.

3. WHO SHOULD READ THIS POLICY

All students at BMCC who receive federal financial aid.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: June 30, 2011

-Next Review Date: June 30, 2017

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

FEDERAL FINANCIAL AID SATISFACTORY ACADEMIC PROGRESS POLICY

Federal law requires all students who receive federal financial aid to make Satisfactory Academic Progress (SAP) toward their degree. The intent of this policy is to ensure that students who are receiving federal financial aid are making measurable academic progress toward completion of an eligible academic program in a reasonable period of time. This will be evaluated at the end of each semester. At that time, the Financial Aid Office will review the student's transcript to determine if the student is in compliance with the following requirements:

1. Credit Hours

Students must earn at least 67 percent of the credit hours, which they attempt at BMCC on a cumulative basis. Students who fail to meet this requirement will be put on a SAP warning for their next semester of attendance. Students put on warning will be notified in writing of their status and informed of the deficiency requiring correction. Eligibility for financial aid will be suspended if the deficiency is not corrected by the end of the next semester of attendance.

2. Grade Point Average (GPA)

Students must meet the Academic Proficiency Standards as outlined in the Student Handbook. Undergraduate students with a cumulative BMCC GPA below 2.0 will be placed on academic warning. Students put on SAP warning will be notified in writing of their status and informed of the deficiency requiring correction to be removed from SAP warning. Students in good academic standing or on SAP warning are eligible for financial aid; however, failure by the student(s) on SAP warning to raise their GPA to the minimum 2.0 level after the semester of SAP warning will be placed on financial aid suspension. Students on SAP suspension are not eligible for federally sponsored financial aid programs. Transfer credits will not be considered in the cumulative BMCC GPA calculation.

Maximum Credit Hours

Post-secondary students are limited to receiving federal financial aid for up to 150 percent of the credit hours required for their program of study. For example, BMCC programs average 66 credit hours (some programs require more and some require less). If you multiply 66 x 150% it equals 99; therefore, in your effort to earn an associate degree from BMCC, you can obtain financial aid for up to 99 credit hours provided you maintain satisfactory academic progress (which is addressed in paragraphs numbered 1 & 2 above).

Students changing majors will be limited to federal financial aid for up to 150 percent of the number of credits required for their new program and all previous credit hours attempted will count against the total credit hours allowed. Certificate and diploma students may have a limited number of credit hours allowed. Please contact the Financial Aid Office for details. For further clarification of attempted credit hours, see the Attempted Hours section below. If you are transferring in eligible credits from another institution, these credits will count in the 150% of total credits eligible for federal financial aid. For example, if you transfer in 20 credits the number of credits of eligibility remaining is 79 for which financial aid can be received if you are enrolled in a 66 credit hour program. To ensure you obtain the correct amount of financial aid assistance based on your program, transfer credits, and eligibility, we recommend you discuss your financial situation with a financial aid advisor upon enrollment.

Attempted Hours

Attempted hours include credit hours successfully completed as well as credit hours for which a student receives a non-passing grade (F), credit hours that are not yet completed (I), and credit hours from which the student withdraws (W). Classes that a student passes and repeats count as earned only once, but all credit hours, including the repeated classes, are considered as attempted. Remedial classes count in both attempted and earned hour's calculation even though the credits may not apply toward the completion of the degree requirements.

SAP Warning Review

The Financial Aid Office will review student files each semester to determine students on SAP warning should be removed from SAP warning status because they are again meeting the program standards, or whether they should be suspended for continued failure to meet standards.

Right to Appeal Suspension

If a student's unsatisfactory progress was due to extenuating circumstances, they must appeal their financial aid suspension within ten (10) business days of the date on the notification letter. You must submit your appeal in writing to the Director of Financial Aid stating the reason for your unsatisfactory progress and in what way the situation has now been rectified} while attaching any appropriate documentation to your letter.

Removal from Suspension

Those students on SAP suspension will be evaluated each semester of attendance without federal financial aid to determine whether they meet the Satisfactory Academic Progress standards. When they accomplish this goal the Financial Aid Office will reinstate their funding eligibility.



Policy Title:	BMCC Placement Test (COMPASS)		
Approval Authority:	President	Date Effective:	August 5, 2015
Responsible Office:	Library	Responsible Office Contact:	Vice President for Academic Affairs

1. Policy Statement/Reason for Policy

All newly admitted students must schedule and complete the COMPASS placement test OR provide results of previous testing OR have successfully completed college courses in mathematics and English. The results of the placement test are used for advising purposes only and will not affect admission status. The test results will determine the appropriate classes to be taken by the student.

2. ENTITIES AFFECTED BY THIS POLICY

New BMCC Students, Online Students, and Returning Students.

3. WHO SHOULD READ THIS POLICY

New BMCC Students, Online Students, and Returning Students.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: August 5, 2015

-Next Review Date: August 5, 2018

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

BMCC Placement Test (COMPASS) *Policies & Procedures*

New BMCC Students

All newly admitted students must schedule and complete the COMPASS placement test OR provide results of previous testing OR have successfully completed college courses in mathematics and English. The results of the placement test are used for advising purposes only and will not affect admission status.

PANE students do not need to take the COMPASS placement test unless they take a class outside the PANE program.

The first test is offered free of charge and students will receive two copies of their score report. Fees for further testing and copies of score reports can be seen below.

Online Students

Online students will follow the same policies as either the new or returning on-campus BMCC students. Because academic enrichment courses are no longer offered online, students who test into an AE class will have the choice of either registering for an on-campus AE course or retesting to try for a higher level course. The student will receive one (1) free retest and must wait at least thirty (30) days between all retests. Any further retesting will follow the fees listed below.

Returning BMCC Students

The following policies apply to students who have not attended classes for one or more semesters and are returning to BMCC.

ENGLISH

If your English classes were taken three (3) or more years ago, you will be required to take the English COMPASS exam, consisting of both the reading and writing sections.

MATH

If your math classes were taken three (3) or more years ago, it is required you take the math COMPASS exam, consisting of the pre-algebra section.

COMPUTER

If your computer classes were taken five (5) or more years ago, and you now wish to complete a degree requiring computer science courses you will be required to take the COMPASS exam, consisting of all three sections of the exam.

COMPASS Fees

Student wishing to retake the COMPASS exam (Fee is the same amount regardless of how many sections of the test are taken)	\$5.00
Student requesting a transcript copy of COMPASS scores (If student has a HOLD-a copy will not be provided to them)	\$5.00
Student requesting a copy be sent to another institution (If student has a HOLD-a copy will not be provided to them)	\$5.00
Taking the test for admission at another institution (Student will need Student ID # from that institution)	\$10.00



Policy Title:	On Campus/On Line Book Charges		
Approval Authority:	President	Date Effective:	July 1, 2015
Responsible Office:	Financial Aid	Responsible Office Contact:	Director of Financial Aid

1. POLICY STATEMENT/REASON FOR POLICY

Enrolled students with complete admission/financial aid files may be eligible for a charge approval to purchase their books from Advanced Office Technology (AOT).

2. ENTITIES AFFECTED BY THIS POLICY

All students

3. WHO SHOULD READ THIS POLICY

All students

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:

<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

No forms required.

6. HISTORY

-Amended: July 1, 2015

-Next Review Date: July 1, 2018

-BMCC reserves the right to revise policies at any time.

7. THE POLICY

ONCAMPUS/ONLINE BOOK CHARGES

Enrolled students with complete admission/financial aid files may be eligible for a charge approval to purchase their books from Advanced Office Technology (AOT).

There are two ways to request a charge approval form.

1. Stop by the financial aid office, or
2. Send a request to www.financialaid@bmcc.edu

When a charge approval is requested the financial aid office will check for eligibility. The following steps are used in checking eligibility: **STUDENT RECORDS**

1. Click on Processing/Students/Student Maintenance
2. look up student in Empower by name or student ID number
3. Click on SR/SM
4. Click on Grad Info/Test

This area will show you whether the official high school/GED transcript is on file.

The high school/GED transcript information can also be found by typing SRGT in the box next to the Go To button and then clicking on the Go To button. You will then need to enter the student's ID number and click on Ok.

The following steps are used in checking eligibility: **FINANCIAL AID**

1. Click on Processing/Students/Student Maintenance
2. look up student in Empower by name or student ID number
3. Click on FA/ADD
4. look under documents to see if a signed award letter is on file
5. Review Estimated Family Contribution (EFC) and enrolled credits to determine PELL award

If a student has enough overage after tuition and fees, then a charge approval can be issued.

When a student stops by to get a charge approval the financial aid office will print and give the student the form to take to Advanced Office Technology (AOT).

When a student requests a charge approval via the financial aid email, an email will be sent to both the student and AOT letting them know about eligibility. If the student is not eligible for a charge approval an email will be sent to the student letting them know that they are not eligible for a charge approval.

EMAIL TO ELIGIBLE STUDENT

Your request to use financial aid to purchase your books has been approved. Please contact Advanced Office Technology (AOT) at aotbookstore@gmail.com to place your order. AOT will begin shipping books on (insert date). The last day to order using your charge approval is (insert date).

Sincerely,

Bay Mills Community College
Financial Aid Office

EMAIL TO ADVANCED OFFICE TECHNOLOGY (AOT)

(Students Name) (Student ID#) is eligible to charge their books to their financial aid.

Bay Mills Community College
Financial Aid Office

** If the student has only a \$200.00 financial aid balance after tuition and fees then the email to AOT will include a maximum to charge.

EMAIL TO NOT ELIGIBLE STUDENT

Your request to use financial aid to purchase your books has been denied. Samples of possible denials are:

1. A review of your account shows you were mailed an award letter on (insert date). At this time, we still have not received the signed award letter.
2. A review of your account shows you will not have enough aid to cover all costs.
3. A review of your file shows we have no financial aid information for you.
4. A review of your file indicated you are in default and not eligible for a federal pell grant.

Sincerely,

Bay Mills Community College
Financial Aid Office

***This email will state the appropriate denial based on the students file.