

**ILLINOIS EASTERN COMMUNITY COLLEGES**

**BOARD OF TRUSTEES**

**MONTHLY MEETING**

**January 17, 2017**



**Location:**

**Frontier Community College  
2 Frontier Drive  
Fairfield, Illinois 62837**

**Dinner – 6:00 p.m. – Bob Boyles Hall  
Meeting – 7:00 p.m. – Bob Boyles Hall**

*The mission of Illinois Eastern Community College District 529 is to deliver exceptional education and services to improve the lives of our students and to strengthen our communities.*

**Illinois Eastern Community Colleges  
Board Agenda**

**January 17, 2017**

**7:00 p.m.**

**Frontier Community College  
Bob Boyles Hall**

1. Call to Order & Roll Call ..... Chairman Fischer
2. Disposition of Minutes ..... CEO Bruce
3. Recognition of Visitors and Guests ..... Bruce
  - A. Visitors and Guests
  - B. IECEA Representative
4. “Conduct a public hearing concerning the issuance of \$6,250,000 Funding Bonds for the purpose of paying claims against the District.” ..... Bruce
5. Public Comment
6. Reports
  - A. Trustees
  - B. Presidents
  - C. Cabinet
7. Policy First Reading (and Possible Approval) ..... Bruce
  - A. Board Policy 100.17 - Sexual Harassment
  - B. Board Policy 100.31 - Preventing Sexual Violence
8. Policy Second Reading ..... Bruce
  - A. None
9. Staff Recommendations for Approval
  - A. Employee Satisfaction Survey Results ..... Cantwell
  - B. Resolution declaring the intention of the District to issue \$6,250,000 Funding Bonds for the purpose of paying claims against the District..... Bruce
  - C. Agreement with First Midstate Inc. .... Bruce
  - D. Affiliation Agreement with Larsson, Woodyard, & Henson – Office Careers ..... Bruce
10. Bid Committee Report..... Bruce
  - A. FCC Concession Stand Construction

- 11. District Finance
  - A. Financial Report .....Browning
  - B. Approval of Financial Obligations .....Browning
- 12. Chief Executive Officer’s Report..... Bruce
- 13. Executive Session..... Bruce
- 14. Approval of Executive Session Minutes
  - A. Written Executive Session Minutes..... Bruce
  - B. Audio Executive Session Minutes ..... Bruce
- 15. Approval of Personnel Report ..... Bruce
- 16. Collective Bargaining..... Bruce
- 17. Litigation ..... Bruce
- 18. Other Items
- 19. Adjournment

Minutes of a regular meeting of the Board of Trustees of Illinois Eastern Community Colleges – Frontier Community College, Lincoln Trail College, Olney Central College, Wabash Valley College – Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White, and State of Illinois, held in the Banquet Room, Olney Central College, 305 North West Street, Olney, Illinois, Tuesday, December 13, 2016.

**AGENDA #1 – “Call to Order & Roll Call”** – Chairman G. Andrew Fischer called the meeting to order at 7:00 p.m. and directed the Board Secretary, Renee Smith, to call the roll.

**Roll Call:** The Secretary called the roll of members present and the following trustees answered to their names as called and were found to be present:

John D. Brooks, Gary Carter, Michael K. Correll, Brenda K. Culver, G. Andrew Fischer, Al Henager, Jan Ridgely. Also present was Gideon Raley, student trustee. Trustees absent: None. There being a quorum present, the Chair declared the Board of Trustees to be in open, public session for the transaction of business.

(Note: In accordance with Board of Trustees Policy No. 100.4, the student trustee shall have an advisory vote, to be recorded in the Board Minutes. The advisory vote may not be counted in declaring a motion to have passed or failed.)

Also present at this meeting, in addition to trustees:

Jay Edgren, President of Frontier Community College.

Matt Fowler, President of Wabash Valley College.

Ryan Gower, President of Lincoln Trail College.

Rodney Ranes, President of Olney Central College.

Tara Buerster, Director of Human Resources.

Chris Cantwell, Dean, Academic & Student Support Services/Chief Academic Officer.

Renee Smith, Executive Assistant to CEO/Board Secretary.

Michael Thomas, Dean of Workforce Education.

Chairman Andrew Fischer asked leave of the Board for Roger Browning, Chief Finance Officer and Board Treasurer, to join the meeting by telephone conference call. With no objection, Mr. Browning was joined by telephone conference call.

**AGENDA #2 – “Disposition of Minutes”** – Open meeting minutes as prepared for the regular meeting held November 15, 2016 were presented for disposition.

**Board Action to Approve Minutes:** Trustee Brenda Culver made a motion to approve minutes of the foregoing meeting as prepared. Student Trustee Gideon Raley seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No.” The voice vote was taken and the Chair declared the “Ayes” have it and the motion carried.

**AGENDA #3 – “Recognition of Visitors & Guests”** –

**#3-A. Visitors & Guests:** Visitors & guests present were recognized.

**#3-B. IECEA Representative:** None.

**AGENDA #4 – “Public Comment”** – None.

**AGENDA #5 – “Reports”** –

**#5-A. Report from Trustees:** None.

**#5-B. Report from Presidents:** Informational reports on upcoming events were provided by the College Presidents.

**#5-C. Report from Cabinet:** None.

**AGENDA #6 – “Policy First Readings (and Possible Approval)” –**

**#6-A. Student Policy 500.18 Transfer Degree Educational Guarantee:** Revisions to the policy were outlined to update the current policy to remove the Associate in Engineering Science Degree, which is no longer offered by IECC. The revised policy was presented as follows:

STUDENT - 500

**Transfer Degree Educational Guarantee (500.18)**

Date Adopted: April 19, 1994

Revised: October 20, 2009

Revised: December 13, 2016 (pending Board approval)

Illinois Eastern Community Colleges, hereinafter referred to as "IECC," as an expression of confidence in the faculty and staff and as a commitment to its students, shall guarantee to the public the educational effectiveness of its transfer programs of instruction.

IECC shall guarantee the transferability of pre-baccalaureate/university-parallel credit courses to public senior Illinois colleges and universities for each student who completes the Associate in Arts degree, ~~Associate in Engineering Science degree~~, Associate in Science degree, or Associate of Science and Arts degree. If such Illinois Community College Board-approved courses and credits do not fully transfer for lower division level (freshmen/sophomore) credit, IECC shall refund to the degree completion student the tuition actually paid by the student for the non-transferring credits or, at the student's option, offer additional IECC coursework at no cost to the student, subject to the following criteria:

1. the application for a refund or additional coursework must be submitted within one (1) calendar year of graduation with an Associate in Arts degree, ~~Associate in Engineering Science degree~~, Associate in Science degree, or an Associate of Science and Arts degree from IECC;
2. the course must have been completed with a grade of "C" or better;
3. the tuition refund will be based upon the tuition actually paid by the student at the time of enrollment;
4. the student must have met with an authorized IECC advisor, declared a major, identified the public Illinois transfer college or university prior to taking courses, and taken only those IECC courses approved in writing by the IECC advisor. Unapproved courses and courses taken for personal interest are not guaranteed;
5. the student must have transferred to the declared college or university in the State of Illinois within one (1) year of having graduated from IECC with an Associate in Arts,

~~an Associate in Engineering Science~~, an Associate in Science, or an Associate of Science and Arts degree; and,

6. the student must submit a claim within sixty (60) days of being notified by the transfer institution that a course had been refused for credit stating **reasons** for the refusal offered by the institution, and include the **name, position, address, and telephone** number of the person notifying the student of the refusal, and include copies of all correspondence or documentation provided by the transfer institution.

The college will first attempt to resolve the issue with the transfer institution. If favorable resolution is not achieved within ninety (90) days, the reimbursement of tuition or additional IECC coursework will be authorized. Furthermore, the sole recourse available to participants enrolled pursuant to this guarantee shall be limited to an amount equal to the course tuition at the time of enrollment or enrollment in coursework equal in credit hours to unacceptable credit hour courses, not to exceed a total of fifteen (15) credit hours, with no recourse for damages, court costs, or any associated costs of any kind or right to appeal beyond those specified by Illinois Eastern Community Colleges. This guarantee is given in lieu of any other guarantee expressed or implied.

**Recommendation:** The CEO recommended that second reading be waived and that the revised foregoing policy be approved.

**Board Action:** Trustee Brenda Culver made a motion that second reading be waived and that the revised Transfer Degree Education Guarantee 500.18 be approved as recommended. Trustee Jan Ridgely seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: John Brooks, Gary Carter, Michael Correll, Brenda Culver, Andrew Fischer, Al Henager, Jan Ridgely. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: None. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**AGENDA #7 – “Policy Second Reading” -** None.

**AGENDA #8 – “Staff Recommendation for Approval”** – The following staff recommendations were presented for approval.

**#8-A. Acceptance of No Petition Certificate:** Following the adoption of a “Resolution of Intent to issue Alternate Revenue Bonds” at the October 18, 2016, Board meeting, a “notice of Intent to issue Alternate Revenue Bonds” was published on October 21, 2016, which began a petition period of 30 days following the publication of the notice. The petition period for a request for a referendum on the District’s intent to issue Alternate Revenue Bonds expired on November 20, 2016, and the Board Secretary Renee Smith filed with the Board a **No Petition Certificate** stating that no petition was filed requesting that the proposition be submitted to voters of this District. The CEO recommended approval of a certification that no petitions were filed requesting that the proposition be submitted to voters of the District.

#### **NO PETITION CERTIFICATE**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees (the “*Board*”) of Illinois Eastern Community College District No. 529, counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence,

Wabash, Wayne and White and State of Illinois (the “*District*”), and as such official I do further certify that pursuant to a resolution entitled:

RESOLUTION authorizing the issuance of Taxable General Obligation Bonds (Alternate Revenue Source) of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, in an aggregate principal amount not to exceed \$6,000,000 for community college purposes, pursuant to the Local Government Debt Reform Act of the State of Illinois, as amended.

(the “*Resolution*”) duly adopted by the Board on the 18<sup>th</sup> day of October, 2016, notice of intention of the District to issue Alternate Revenue Bonds (the “*Notice*”) was published on the 21<sup>st</sup> day of October, 2016, in the *Mt. Carmel Republican Register*, the same being a newspaper of general circulation in the District, and was not posted electronically on the District’s World Wide Web pages.

I do further certify that no petition has ever been filed in my office as Secretary of the Board, or has ever been presented to me as such official, requesting that the proposition to issue Alternate Revenue Bonds be submitted to the voters of the District, but that I provided a petition form regarding the same to every individual requesting one.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 13<sup>th</sup> day of December, 2016.

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Secretary, Board of Trustees

**Board Action:** Trustee Brenda Culver made a motion to accept the foregoing No Petition Resolution as recommended. Trustee Al Henager seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: John Brooks, Gary Carter, Michael Correll, Brenda Culver, Andrew Fischer, Al Henager, Jan Ridgely. Student Advisory Vote: Yea. Trustees voting nay: None. Trustees absent: None. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**#8B. Consideration and action on a Resolution providing for the issue of \$6,000,000 Taxable General Obligation Community College Bonds (Alternate Revenue source), Series 2016, of the District, for community college purposes, the levy of a tax to pay principal and interest on such bonds, and of the bonds to the purchaser thereof.”** : The CEO recommended approval of a Bond Resolution providing for the issuance of \$6 million in Taxable General Obligation Community College Bonds (Alternate Revenue Bonds), Series 2016, of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, for the purpose of defraying the ordinary and necessary costs of operating the District, the pledge of certain revenues to the payment of principal and interest on the bonds and the levy of a direct annual tax sufficient to pay such principal and interest if the pledged revenues are insufficient to make such payment, and authorizing the sale of the bonds to the purchaser thereof. The District pledged tuition and fee revenues to repay the bonds on December 1 of each year commencing on December 1, 2017 and ending on December 1, 2021.

**Board Action:** Trustee Gary Carter made a motion to approve Consideration and action on a “Resolution providing for the issue of \$6,000,000 Taxable General Obligation Community College Bonds

(Alternate Revenue source), Series 2016, of the District, for community college purposes, the levy of a tax to pay principal and interest on such bonds, and of the bonds to the purchaser thereof.” as recommended. Trustee Brenda Culver seconded the motion and on a recorded roll call vote ordered by the Chair, the following trustees voted yea: John Brooks, Gary Carter, Michael Correll, Brenda Culver, Andrew Fischer, Al Henager, Jan Ridgely. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: None. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**#8-C. Approval of Publication for BINA Hearing:** The Board must conduct a public hearing on the intent to issue Funding Bonds for the purpose of paying claims against the District. This notice must be published prior to the hearing. The notice will be published no more than 30, and no less than 7 days prior to the hearing. The CEO recommended approval of Publication of Notice of a Bond Issue Notification Act Hearing (BINA)

**Board Action:** Trustee John Brooks made a motion to approve publication of a notice on a public BINA hearing on the intent to issue Funding Bonds for the purpose of paying claims against the District as recommended. Trustee Brenda Culver seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: John Brooks, Gary Carter, Michael Correll, Brenda Culver, Andrew Fischer, Al Henager, Jan Ridgely. Student advisory vote: Yea. Trustees voting nay: None. Trustees Absent: none. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**#8-D. Motorcycle Safety Training Agreements:** The CEO recommended approval of a motorcycle safety training agreement with Southern Illinois University at Carbondale for each of the four IECC colleges for 2017.

**Board Action:** Trustee Gary Carter made a motion to approve the Motorcycle Safety Training Agreements between Southern Illinois University at Carbondale for Frontier Community College, Lincoln Trail College, Olney Central College, and Wabash Valley College. Student Trustee Gideon Raley seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: John Brooks, Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Michael Correll, Jan Ridgely. Trustees voting nay: None. Student advisory vote: Yea. Trustees absent: None. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**#8-E. Affiliation Agreement:** The CEO recommended approval of an affiliation agreement with Financial Healthcare Resources, Inc. for OCC’s Medical Office Assistant Program.

**Board Action:** Student Trustee Gideon Raley made a motion to approve an affiliation agreement for Olney Central College with Financial Healthcare Resources, Inc., and as presented in full in the Board agenda, as recommended. Trustee Al Henager seconded the motion and on a recorded roll call vote the following trustees voted yea: John Brooks, Gary Carter, Michael Correll, Brenda Culver, Andrew Fischer, Al Henager, Jan Ridgely. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: None. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**AGENDA #9 – “Bid Committee Report”** – None.

**AGENDA #10 – “District Finance”** – The following District financial matters were presented.

**#10-A. Financial Reports:** The monthly financial reports were presented, including the treasurer’s report, showing the balance in all funds as of November 31, 2016.



**#10-B. Approval of Financial Obligations:** District financial obligations (Listing of Board Bills) for December 2016 totaling \$2,767,763.06 were presented for approval.

**Board Approval for Payment of Financial Obligations:** Trustee Jan Ridgely made a motion to approve payment of district financial obligations for December, 2016, in the amounts listed. Trustee Al Henager seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: John Brooks, Gary Carter, Michael Correll, Brenda Culver, Andrew Fischer, Al Henager, Jan Ridgely. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: None. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**AGENDA #11 – “Chief Executive Officer’s Report”** – None.

**AGENDA #12 – “Executive Session”** – The Board of Trustees did not hold an executive session at this meeting.

**AGENDA #13 – “Approval of Executive Session Minutes”** –

**#13-A. Written Executive Session Minutes:** No executive session was held during the regular meeting, Tuesday, November 15, 2016.

**#13-B. Audio Recordings of Executive Sessions:** No executive session was held during the regular meeting, Tuesday, November 15, 2016.

**#13-C. Semi-Annual Review of Executive Session Minutes:** The Board of Trustees having conducted a semi-annual review of executive session minutes as mandated by Section 2.06 of the Open Meetings Act, the CEO presented the following report and recommendations:  
The following written executive session minutes were reviewed in June 2016 and the decision was made at that time to keep them closed:

1. Tuesday, June 20, 1995.
2. Tuesday, August 15, 1995.
3. Tuesday, September 19, 1995.
4. Friday, August 2, 1996.
5. Tuesday, January 20, 1998.
6. Tuesday, June 15, 1999.
7. Tuesday, July 20, 1999.
8. Tuesday, February 20, 2001.
9. Tuesday, March 20, 2001.
10. Tuesday, June 19, 2001.
11. Tuesday, July 17, 2001.
12. Tuesday, August 21, 2001.
13. Tuesday, September 18, 2001.
14. Tuesday, June 18, 2002.
15. Tuesday, July 16, 2002.
16. Tuesday, August 20, 2002.
17. Tuesday, September 17, 2002.
18. Tuesday, December 10, 2002.
19. Tuesday, February 18, 2003.
20. Tuesday, June 17, 2003.
21. Tuesday, August 19, 2003.
22. Tuesday, September 16, 2003.

23. Tuesday, August 17, 2004.
24. Tuesday, December 14, 2004.
25. Tuesday, June 21, 2005.
26. Tuesday, July 19, 2005.
27. Tuesday, August 16, 2005.
28. Tuesday, April 18, 2006.
29. Tuesday, November 21, 2006.
30. Tuesday, October 15, 2013.

B. The following written executive session minutes have been approved, but remain closed, and are being subjected to the semi-annual review for the first time in December 2016:

1. None.

C. The following written executive session minutes have been approved and opened to the public record:

1. May 17, 2016.

D. Audio recordings of previously approved executive sessions will remain closed to the public record and these audio executive session recordings will remain in the custody of the Board Secretary until 18 months following the executive session at which the audio recordings were made:

1. None.

E. As part of the Board of Trustees semi-annual review of executive sessions, the Board notes that the audio tape recordings of the following meetings have been held by the Secretary for more than the 18 months required, and the Secretary is directed to destroy these recordings after this meeting:

1. November 18, 2014.

F. As part of the Board of Trustees semi-annual review of executive session minutes, the Board notes that executive sessions were not held on the following dates:

1. Tuesday, June 21, 2016.
2. Tuesday, July 19, 2016.
3. Tuesday, August 16, 2016.
4. Tuesday, September 20, 2016.
5. Tuesday, October 18, 2016.
6. Tuesday, November 15, 2016.

G. It is recommended that the following previously approved closed meeting minutes be open to the public record:

1. None.

**Board Action:** Trustee Gary Carter made a motion to adopt the foregoing report and recommendations as outlined, for minutes of executive sessions held on the dates listed. Trustee Jan Ridgely seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No.” The viva voce (by the voice) vote was taken. The Chair declared the “Ayes” have it, the motion is adopted.

**AGENDA #14. Personnel Report:** Tara Buerster presented the following personnel report and the CEO recommended approval.

#### **400.1. Change in Status**

##### **A. Classified**

1. Deborah Hosselton, Records Clerk, FCC, to Office Assistant, FCC, effective December 14, 2016
2. Christina Nation, Accounts Receivable Clerk, FCC, to Office Assistant, FCC, effective December 14, 2016

**400.2. Special Assignment**

**A. Other**

1. Candice Young, Interim Financial Aid Coordinator, LTC, \$500/month, effective January 23, 2017

**400.3. Entry Level Adjustments Non-Bargaining Employees**

**400.4. Resignation Ratification**

**A. Professional Non-Faculty Non-Exempt**

1. Barbara Webster, Coordinator of Financial Aid, LTC, effective February 10, 2017

**B. Classified**

1. Stacy Hastings, Office Assistant, TRIO Student Support Services, OCC/DO, effective November 28, 2016

Trustee Gary Carter made a motion to approve the foregoing personnel report. Student Trustee Gideon Raley seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: John Brooks, Gary Carter, Michael Correll, Brenda Culver, Andrew Fischer, Al Henager, Jan Ridgely. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: None. The motion having received 7 yea votes and 0 nay votes, the Chair declared the motion carried.

**AGENDA #15 – Collective Bargaining** – None.

**AGENDA #16 – Litigation** – None.

**AGENDA #17 – Other Items** – None.

**AGENDA #18 – Adjournment** – Student Trustee Gideon Raley made a motion to adjourn. Trustee Jan Ridgely seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No”. The voice vote was taken. The Chair declared the “Ayes” have it, the motion is adopted, and the meeting was adjourned at 8:15 p.m.

**Agenda Item #1**

**Call to Order and Roll Call**

**Agenda Item #2**

**Disposition of Minutes**

**Agenda Item #3**

**Recognition of Visitors and Guests**

**A. Visitors and Guests**

**B. IECEA Representatives**

**Agenda Item #4**

**“Conduct a public hearing concerning the issuance of \$6,250,000 Funding Bonds for the purpose of paying claims against the District.”**

ORDER calling a public hearing concerning the intent of the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, to sell \$6,250,000 Funding Bonds.

\* \* \*

WHEREAS, Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, Illinois (the “*District*”), is a duly organized and existing community college district created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Public Community College Act of the State of Illinois, and all laws amendatory thereof and supplementary thereto, including the Local Government Debt Reform Act of the State of Illinois, as amended; and

WHEREAS, the Board of Trustees of the District (the “*Board*”) intends to sell bonds in the amount of \$6,250,000 for the purpose of paying claims against the District (the “*Bonds*”); and

WHEREAS, the Bond Issue Notification Act of the State of Illinois, as amended, requires the Board to hold a public hearing concerning the Board’s intent to sell the Bonds before adopting a resolution providing for the sale of the Bonds:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, as follows:

1. I hereby call a public hearing to be held at 7:00 o’clock P.M. on the 17th day of January, 2017, in Bob Boyles Hall, Frontier Community College, 2 Frontier Drive, Fairfield, Illinois, in the District, concerning the Board’s intent to sell the Bonds and to receive public comments regarding the proposal to sell the Bonds (the “*Hearing*”).

2. I hereby direct that the Secretary of the Board (the “*Secretary*”) shall (i) publish notice of the Hearing at least once in the *Mt. Carmel Daily Republican*, the same being a



newspaper of general circulation in the District, not less than 7 nor more than 30 days before the date of the Hearing and (ii) post at least 96 hours before the Hearing a copy of said notice at the principal office of the Board, which notice will be continuously available for public review during the entire 96-hour period preceding the Hearing.

3. Notice of the Hearing shall appear above the name of the Secretary and shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING CONCERNING THE INTENT OF  
THE BOARD OF TRUSTEES OF  
ILLINOIS EASTERN COMMUNITY COLLEGE DISTRICT NO. 529, COUNTIES OF RICHLAND,  
CLARK, CLAY, CRAWFORD, CUMBERLAND, EDWARDS, HAMILTON, JASPER, LAWRENCE,  
WABASH, WAYNE AND WHITE AND STATE OF ILLINOIS  
TO SELL \$6,250,000 FUNDING BONDS**

PUBLIC NOTICE IS HEREBY GIVEN that Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the "*District*"), will hold a public hearing on the 17th day of January, 2017, at 7:00 o'clock P.M. The hearing will be held in Bob Boyles Hall, Frontier Community College, 2 Frontier Drive, Fairfield, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds of the District in the amount of \$6,250,000 for the purpose of paying claims against the District.

By order of the Board of Trustees of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois.

DATED the 13th day of December, 2016.

Renee Smith  
Secretary, Board of Trustees,  
Illinois Eastern Community College District No.  
529, Counties of Richland, Clark, Clay,  
Crawford, Cumberland, Edwards, Hamilton,  
Jasper, Lawrence, Wabash, Wayne and White  
and State of Illinois

4. At the Hearing, the Board shall explain the reasons for the proposed bond issue and permit persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits. The Board shall not adopt a resolution selling the Bonds for a period of seven (7) days after the final adjournment of the Hearing.

Ordered this 13th day of December, 2016.

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Chairman, Board of Trustees

MINUTES of a regular public meeting of the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, held in Bob Boyles Hall, Frontier Community College, 2 Frontier Drive, Fairfield, Illinois, in said Community College District at 7:00 o'clock P.M., on the 17th day of January, 2017.

\* \* \*

The meeting was called to order by the Chairman, and upon the roll being called, G. Andrew Fischer, the Chairman, and the following Trustees were physically present at said location: Brenda Culver, John D. Brooks, Michael Correll, Gary Carter, Alan Henager, Jan Ridgely and Gideon Raley (non-voting student trustee).

The following Trustees were allowed by a majority of the Trustees of the Board of Trustees in accordance with and to the extent allowed by rules adopted by the Board of Trustees to attend the meeting by video or audio conference: \_\_\_\_\_

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No Trustee was not permitted to attend the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

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At \_\_\_\_ o'clock P.M., the Chairman announced that the next agenda item for the Board of Trustees was a public hearing (the "*Hearing*") to receive public comments on the proposal to sell \$6,250,000 Funding Bonds for the purpose of paying claims against the District (the "*Bonds*"), and explained that all persons desiring to be heard would have an opportunity to present written or oral testimony with respect thereto.

The Chairman opened the discussion and explained that the reasons for the proposed issuance of the Bonds were as follows: to pay claims against the District.

Whereupon the Chairman asked for additional comments from the Trustees of the Board of Trustees. Additional comments were made by the following:

(If no additional comments were made,  
please so indicate with the word “none.”)

Written testimony concerning the proposed issuance of the Bonds was read into the record by the Secretary and is attached hereto as *Exhibit I*.

(If no written testimony was received,  
please so indicate with the word “none.”)

Whereupon the Chairman asked for oral testimony or any public comments concerning the proposed issuance of the Bonds. Statements were made by the following:

(If no additional statements were made,  
please so indicate with the word “none.”)

The Chairman then announced that all persons desiring to be heard had been given an opportunity to present oral and written testimony with respect to the proposed issuance of the Bonds.

Trustee \_\_\_\_\_ moved and Trustee \_\_\_\_\_  
seconded the motion that the Hearing be finally adjourned.

After a full discussion thereof, the Chairman directed that the roll be called for a vote upon the motion.

Upon the roll being called, the following Trustees voted AYE: G. Andrew Fischer, Brenda Culver, John D. Brooks, Michael Correll, Gary Carter, Alan Henager and Jan Ridgely.

The following Trustees voted NAY: \_\_\_\_\_

Whereupon the Chairman declared the motion carried and the Hearing was finally adjourned.

Other business not pertinent to the conduct of the Hearing was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

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Secretary, Board of Trustees

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF RICHLAND        )

**CERTIFICATION OF MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the “*Board*”), and as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 17th day of January, 2017, insofar as the same relates to a public hearing concerning the intent of the Board to sell \$6,250,000 General Obligation Community College Bonds for the purpose of paying claims against the District.

I do further certify that the deliberations of the Board at said meeting were conducted openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 96 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, the Public Community College Act of the State of Illinois, as amended, and the Bond Issue Notification Act of the State of Illinois, and that the Board has complied with all of the provisions of said Acts and with all of the procedural rules of the Board in the conduct of said meeting.

I do further certify that notice of said public hearing was posted at least 96 hours before said public hearing at the principal office of the Board, that at least one copy of said notice was continuously available for public review during the entire 96-hour period preceding said public hearing and that attached hereto as *Exhibit B* is a true, correct and complete copy of said notice as so posted.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 17th day of January, 2017.

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Secretary, Board of Trustees

**Agenda Item #5**

**Public Comment**



**Agenda Item #6**

**Reports**

**A. Trustees**

**B. Presidents**

**C. Cabinet**

***Agenda Item #7***

**Policy First Reading (and Possible Approval)**

**Agenda Item #7A**

**Board Policy 100.17 – Sexual Harassment**

MEMORANDUM

TO: Board of Trustees  
FROM: Terry L. Bruce  
DATE: January 17, 2017  
RE: Policy 100.17 Sexual Harassment

The Board of Trustees has existing policies on Preventing Sexual Violence in Higher Education and on Sexual Harassment that allow the two policies to be processed under one procedure. The attached policy includes a designation of the Title IX Coordinator as the responsible overseer of the investigative process for all sexual harassment reports, prevention education, and associated training at Illinois Eastern Community Colleges.

I recommend the Board waive the second reading and approve the revised policy.

TLB/rs

Attachment

**Policy on Sexual Harassment (100.17)**

Date Adopted: November 17, 1998

Revised: March 15, 2005

Revised: February 17, 2009

Revised: October 20, 2015

Revised: October 18, 2016

Revised: January 17, 2017 (Pending Board approval)

Illinois Eastern Community Colleges (IECC) is committed to maintaining a fair and respectful environment for work and study. To that end, and in accordance with federal and state law and Board of Trustees' policy, IECC prohibits any member of the faculty, staff, administration, or student body, regardless of the sex of the other party, from sexually harassing any other member of the IECC community. Violation of this policy shall be considered grounds for disciplinary action up to and including discharge or expulsion.

**Defining Sexual Harassment**

Sexual harassment means any unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to unreasonably interfere with an employee's job performance, a student's educational performance, and/or creates an intimidating, hostile or offensive working or educational environment. Sexual harassment is defined by the Equal Employment Opportunity Commission Guidelines as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational development; (2) submission to or rejection of such conduct by an individual is used as a basis for employment or education decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Under Title VII of the Civil Rights Act of 1964, there are two types of sexual harassment: (1) quid pro quo and (2) hostile work or learning environment. Sexual harassment can be physical or psychological in nature. A combination of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

Any report of allegations of sexual assault, domestic violence, dating violence or stalking is considered to fall under "sexual violence" and will be processed under procedures set forth under Board Policy 100.31 Preventing Sexual Violence. A complaint involving harassment not involving such conduct as described above will be investigated pursuant to Board Policy and Procedure 100.17 Sexual Harassment. In no event shall a complaint proceed simultaneously through more than one internal procedure.

**Examples of Sexual Harassment**

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee or student's body or poking another employee or student's body.
- Unwelcome sexual advances, propositions or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to an employee or student for submitting to sexual conduct, including soliciting or attempting to solicit an employee or student to engage in sexual activity for compensation or reward.

- Subjecting, or threats of subjecting, an employee or student to unwelcome sexual attention or conduct or intentionally making the employee's job performance or student's educational performance more difficult because of that employee or student's sex.

Sexual harassment also includes, but is not limited to, occurrences where a student, District employee or representative, either explicitly or implicitly, treats submission to or rejection of sexual conduct as a condition for determining:

- (1) whether a student will be admitted to a college, or a person will be employed by the District;
- (2) the educational or work performance required or expected;
- (3) the attendance or assignment requirements applicable to a student or employee;
- (4) to what courses, fields of study or programs, including honors, a student will be admitted;
- (5) what placement or course proficiency requirements are applicable to a student and professional advancement opportunities are available to an employee;
- (6) the quality of instruction a student will receive;
- (7) what tuition or fee requirements are applicable to a student;
- (8) what scholarship opportunities are available to the student;
- (9) what extracurricular teams a student will be a member of or in what extracurricular competitions a student may participate;
- (10) any grade a student will receive in any examination or in any course or program of instruction in which a student is enrolled;
- (11) any performance evaluation, promotion or other employment benefit an employee may receive;
- (12) the progress of the student toward successful completion of or graduation from any course or program of instruction in which the student is enrolled; or,
- (13) what degree, if any, the student will receive.

Sexual harassment between students, neither of whom is employed by IECC, should be reported to the appropriate investigators.

The Chief Executive Officer has designated a minimum of two persons to hear and investigate cases of alleged sexual harassment (See Appendix A.). A student or staff member who believes that he/she has been the victim of sexual harassment should immediately report such conduct to one of these designated persons and complete the Sexual Harassment allegation form. An appropriate investigation of each complaint received will be conducted.

## Responsible Administrators

a. Title IX Coordinator

The Title IX Coordinator is responsible for overseeing the investigative process of all sexual harassment reports, prevention education, and associated training.

The Title IX Coordinator for Illinois Eastern Community Colleges is:

Ashlee Spannagel, Program Director of Grants, Compliance & Outreach

Address: 320 East North Avenue, Noble, IL 62868

Telephone: 618-393-3491

Email: spannagela@iecc.edu

b. Sexual Harassment Investigators

The Sexual Harassment Investigators are the individual's designated by the Chief Executive Officer to investigate reports and complaints of sexual harassment in accordance with IECC policy and procedure.

c. Presidents

The Presidents are the individuals designated to review investigative reports of sexual harassment at the colleges and to determine the appropriate action for IECC to take based on the findings. If the allegation is against the President, the report will be submitted to the Chief Executive Officer.

d. Chief Executive Officer

The Chief Executive Officer will review reports of sexual harassment at the District level. If the allegation is against the Chief Executive Officer, the report will be submitted to the Chair of the Board of Trustees.

e. Deans/Associate Deans/Directors/Supervisory Personnel

All supervisory personnel are responsible for ensuring compliance with IECC's Sexual Harassment Policy and appropriate procedures.

Investigations will be initiated within one working day of receiving the complaint. The investigator will schedule a conference within five working days from the date of receipt of the complaint. Complainants may choose to be accompanied by a co-worker, another student, or other individual or their choice when attending meetings to discuss the allegations. Every reasonable effort will be made to determine the facts pertinent to the allegations. The investigator will submit a written report to the College President, including a recommendation for appropriate disciplinary action where deemed necessary. If the allegation is against the President, the report will be submitted to the Chief Executive Officer. At the District level, the report will be submitted to the Chief Executive Officer. If the allegation is against the Chief Executive Officer, the report will be submitted to the Chair of the Board of Trustees.

If the complaint can be resolved to the satisfaction of all parties, the matter will be considered closed, subject to re-opening upon further complaint or additional information.

If the complainant is dissatisfied with the decision of the President, he/she may appeal to the Chief Executive Officer. A written response shall be provided within five working days of receipt of the appeal. Then, if dissatisfied, the complainant may appeal to the Chair of the Board of Trustees. The Chair of the Board will provide the complainant with a written response within five working days of receipt of the appeal. The Chair of the Board of Trustees shall have final appeal authority.

In cases of recurrent complaints, or in cases of flagrant unlawful behavior, immediate action may be taken by the President and/or Chief Executive Officer.

The administration will take all necessary steps to protect the rights of both complainant and alleged harasser.

Any employee found to have committed sexual harassment while participating in an Illinois Eastern sponsored program or service will be subject to disciplinary action up to and including discharge. Any student found to have committed sexual harassment while participating in an Illinois Eastern sponsored program or service will be subject to disciplinary action up to and including expulsion.

Those who feel they have been sexually harassed or discriminated against may seek assistance from the Illinois Department of Human Rights. The Department of Human Rights is a state agency which will investigate the charge without cost to the individual. If the Department of Human Rights determines that there is evidence of harassment or discrimination, it will attempt to conciliate the matter or it will file a complaint on behalf of the individual with the Illinois Human Rights Commission. The Human Rights Commission will hear the complaint pursuant to its rules and procedures. The agencies may be contacted at the following addresses:

Illinois Department of Human Rights  
James R. Thompson Center  
100 W. Randolph Street, 10<sup>th</sup> Floor  
Chicago, Illinois 60601  
Telephone (312) 814-6245  
Telephone TTY (866) 740-3953

Illinois Human Rights Commission  
James R. Thompson Center  
100 W. Randolph, Suite 5-100  
Chicago, Illinois 60601  
Telephone (312) 814-6269

Illinois Department of Human Rights  
222 South College, Room 101-A  
Springfield, Illinois 62704  
Telephone (217) 785-5100  
Telephone TTY (866) 740-3953

Illinois Department of Human Rights  
2309 West Main Street  
Marion, IL 62959  
Telephone (618) 993-7463  
Telephone TTY (866) 740-3953

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator or to the United States Department of Education's Office for Civil Rights:

Office for Civil Rights, Chicago Office U.S. Department of Education  
500 W. Madison Street, Suite 1475  
Chicago, IL 60661-4544  
Telephone: (312) 730-1560  
Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)  
Website: <http://www.ed.gov/ocr>

Persons found to have retaliated or discriminated against an employee or student for complaining about sexual harassment or for initiating or assisting with a claim of sexual harassment will be subject to appropriate disciplinary action.

The rights to confidentiality, both of the complainant and of the alleged harasser, will be respected consistent with the District's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

If an investigation results in a finding that the complainant falsely accused another of sexual harassment knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, up to and including discharge or expulsion.



## Appendix A

The following have been appointed by the Chief Executive Officer to receive and investigate allegations of sexual harassment:

**Frontier Community College**

2 Frontier Drive  
Fairfield, IL 62837  
Phone: (618) 842-3711

Megan Black  
Eric Resor

**Lincoln Trail College**

11220 State Highway 1  
Robinson, IL 62454  
Phone: (618) 544-8657

Tyler Browning  
Rena Gower

**Olney Central College**

305 North West Street  
Olney, IL 62450  
Phone: (618) 395-7777

Linda Horn  
Doug Shipman

**Wabash Valley College**

2200 College Drive  
Mt. Carmel, IL 62863  
Phone: (618) 262-8641

Tiffany Cowger  
John Day

**Workforce Education**

John A. Logan College  
Carterville, IL 62918  
Phone: (618) 985-3741

Laurel Taylor  
Kim Underwood

**District Office**

233 East Chestnut Street  
Olney, IL 62450  
Phone: (618) 393-2982

Bonnie Chaplin  
Alex Cline

The Chief Executive Officer shall update Appendix A as necessary.

**Agenda Item #7B**

**Board Policy 100.31 – Preventing Sexual Violence**

MEMORANDUM

TO: Board of Trustees  
FROM: Terry L. Bruce  
DATE: January 17, 2017  
RE: Policy 100.31 Preventing Sexual Violence in Higher Education Act

In accordance with Public Act 99-426 Preventing Sexual Violence in Higher Education, all higher education institutions shall adopt a comprehensive policy concerning sexual violence, domestic violence, dating violence and stalking consistent with governing Federal and State law. The attached policy includes revisions and clarifications to our policy that was adopted in October of this year.

I recommend the Board waive the second reading and approve the revised policy.

TLB/rs

Attachment

**Preventing Sexual Violence Policy (100.31)**

Date Adopted: July 19, 2016

Revised: October 18, 2016

Revised: January 17, 2017 (Pending Board approval)

The Board of Trustees of Illinois Eastern Community Colleges District #529 is committed to preventing and responding to incidents of sexual misconduct, sexual assault, domestic violence, dating violence, or stalking. The Board adopts the following standards of conduct for all members of the Illinois Eastern Community Colleges community, including employees, students, contractors and visitors.

The Board is committed to the principle that all interpersonal relationships and interactions – especially those of an intimate nature – be grounded in mutual respect, open communication, and clear consent. As such, sexual assault, domestic violence, dating violence and stalking, are unacceptable and are not tolerated at any Illinois Eastern Community College. The Board recognizes that victims and offenders can be any gender and expects members of the campus community to help maintain a safe environment.

The Board encourages anyone who has been subjected to sexual assault, domestic violence, dating violence and/or stalking to seek appropriate help and to report the incident promptly to the police and/or designated officials pursuant to this policy.

As a general matter, the Board, through its Chief Executive Officer, will take prompt action to investigate reports of Sexual Assault, Domestic Violence, Dating Violence and/or Stalking and, where appropriate, to impose sanctions. The applicable procedures will depend on whether the alleged offender is a student, faculty or staff member.

Students, faculty and staff who violate this Policy may face discipline up to and including expulsion or termination.

This policy applies to students, employees, contractors, or third parties whenever the misconduct occurs:

- A. On College property; or
  - B. Off College property if;
    - 1. The conduct was in connection with a College or College-recognized program or activity;
- or
- 2. Otherwise has a connection to the College.

**Definitions**

- A. Consent: Consent is knowing, voluntary and clear affirmative permission by word or action, to engage in mutually agreed upon sexual activity. Consent may not be inferred from silence, passivity, or a lack of active verbal or physical resistance. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Submission resulting from a use of force does not constitute consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as

intercourse). A person can withdraw consent at any time. A person may be incapable of giving consent due to the person's age, use of drugs or alcohol, being asleep or unconscious, or because an intellectual or other disability prevents the person from having the capacity to give consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred.

- B. Dating Violence: The term dating violence means violence committed by a person 1) who is or has been in a social relationship of a romantic or intimate nature with the victim, and 2) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- C. Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Illinois, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Illinois.
- D. Incapacitated or Incapacitation: An individual who is incapacitated is unable to give consent. States of incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact.

Alcohol or drug use is one of the prime causes of incapacitation. Where alcohol or drug use is involved, incapacitation is a state beyond intoxication, impairment in judgment, or "drunkenness." Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is incapacitated, and therefore unable to give consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of sexual contact;
- Appraising the nature of one's own conduct;
- Communicating consent to sexual contact; or
- Communicating unwillingness to engage in sexual contact.

Where an individual's level of impairment does not rise to incapacitation, it is still necessary to evaluate the impact of intoxication on consent. In evaluating whether consent was sought or given, the following factors may be relevant:

- Intoxication may impact one's ability to give consent and may lead to incapacitation (the inability to give consent).
- A person's level of intoxication is not always demonstrated by objective signs; however, some signs of intoxication may include difficulty walking, poor judgment, difficulty communicating, slurred speech, or vomiting.

- An individual's level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass, and metabolism.

No matter the level of an individual's intoxication, if that individual has not affirmatively agreed to engage in sexual contact, there is no consent.

Anyone engaging in sexual contact must be aware of both their own and the other person's level of intoxication and capacity to give consent. The use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. If there is any doubt as to the level or extent of one's own or the other individual's intoxication or incapacitation, the safest course of action is to forgo or cease any sexual contact. An individual's intoxication is never an excuse for or a defense to committing sexual assault and it does not diminish one's responsibility to obtain consent.

- E. **Retaliation:** Any form of retaliation, including intimidation, threats, harassment and other adverse action taken or threatened against any complainant or person reporting or filing a complaint alleging sexual discrimination, harassment or misconduct or any person cooperating in the investigation of such allegations (including testifying, assisting or participating in any manner in an investigation) is strictly prohibited. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by IECC's Policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the allegations of sexual discrimination, harassment or misconduct.
- F. **Sexual Assault:** Any nonconsensual sexual act proscribed by Federal or State law including when the victim lacks capacity to consent, including both sexual intercourse without consent and sexual contact without consent.

Sexual Intercourse without Consent means having or attempting to have sexual intercourse with another individual without consent as defined below. Sexual intercourse means vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.

Sexual Contact without Consent means having sexual contact with another individual without Affirmative Consent, as defined below. Sexual contact means the touching of the person's breasts, anal, groin or genital areas, or other intimate body parts for the purpose of sexual gratification.

- G. **Sexual Exploitation:** Occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos or other images of an individual's sexual activity or intimate body parts with an intent to embarrass such individual non-consensual voyeurism, knowingly transmitting HIV or a sexually transmitted disease to another, or exposing one's genitals to another in non-consensual circumstances.

- H. Sexual Misconduct: Includes sexual assault, sexual exploitation, dating violence, domestic violence, sexual violence and stalking.
- I. Sexual Violence: Physical sexual acts perpetuated against a person's will or where a person is incapable of giving consent (e.g. due to the person's age, use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion.
- J. Stalking: Engaging in a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person to: 1) fear for his or her safety or the safety of others; or 2) suffer substantial emotional distress.
- K. Threat: Any oral or written expression or gesture that could be interpreted by a reasonable person as conveying intent to cause harm to persons or property.

### **Title IX Coordinator**

1. The Title IX Coordinator for Illinois Eastern Community Colleges is:  
Ashlee Spannagel, Program Director of Grants, Compliance & Outreach  
Address: 320 East North Avenue, Noble, IL 62868  
Telephone: 618-393-3491  
Email: spannagela@iecc.edu

Responsibilities of the Title IX Coordinator include:

- Overseeing IECC's response to all Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints.
- A Title IX complaint includes complaints alleging sexual discrimination, including sexual harassment as well as sexual misconduct, sexual violence, sexual assault, domestic violence, dating violence and stalking (as those terms are defined herein) which involve employees, students, contractors, and visitors.
- Being informed of all reports and complaints raising Title IX issues, including those initially filed with another individual or office or if the investigation will be conducted by another individual or office.
- Ensuring that adequate training is provided to students, faculty and staff on Title IX issues.
- Coordinating Title IX investigations, involving employees and students, including overseeing the investigation of facts relative to a complaint and recommending appropriate sanctions against the perpetrator and remedies for the complaint.
- Ensuring appropriate interim measures for a student victim and/or complainant upon learning of a report or complaint of sexual violence or misconduct.
- Ensuring that appropriate policies and procedures are in place for working with law enforcement and coordinating services with local victim advocacy organizations and services providers, including rape crisis centers.

- Promoting an educational and employment environment which is free of sexual discrimination, harassment and gender bias.

2. The Deputy Title IX Coordinators are:

<u>Frontier Comm. College</u>	<u>Lincoln Trail College</u>	<u>Olney Central College</u>	<u>Wabash Valley College</u>
Jan Wiles Assistant Dean of Student Services 2 Frontier Drive Fairfield, IL 62837 618-847-9133 or 877-464-3687 wilesj@iecc.edu	Megan Scott Assistant Dean of Student Services 11220 State Highway 1 Robinson, IL 62454 618-546-2252 or 866-582-4322 scottm@iecc.edu	Andi Pampe Assistant Dean of Student Services 305 North West Street Olney, IL 62450 618-393-3305 or 866-622-4322 pampea@iecc.edu	Tiffany Cowger Assistant Dean of Student Services 2200 College Drive, Mt. Carmel, IL 62863 618-263-5535 or 866-982-4322 cowgert@iecc.edu

Responsibilities of the Deputy Title IX Coordinators:

- Working in conjunction with the Title IX Coordinator to ensure compliance for matters involving students, including assistance with coordination of training, education, communications, and administration of complaint procedures for complaints against students.

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator or to the United States Department of Education's Office for Civil Rights:

Office for Civil Rights, Chicago Office U.S. Department of Education  
500 W. Madison Street. Suite 1475  
Chicago. IL 60661-4544  
Telephone: (312) 730-1560  
Email [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)  
Website: <http://www.ed.gov/ocr>

With respect to complaints that involve an employee, contractor or visitor, the Director of Human Resources and the Title IX Coordinator will manage the investigation into the allegations and will recommend appropriate sanctions against the employee and interim measures, if any, for an employee.

With respect to complaints that involve a student, the Deputy Title IX Coordinators will manage the investigation and recommend appropriate sanctions against the student and interim measures, if any, for a student.

With respect to complaints that involve both a student and an employee, the Title IX Coordinator, the Director of Human Resources and the Deputy Title IX Coordinators shall jointly coordinate the investigation and interim measures.



## **Procedure – Campus Sexual Violence**

The following guidelines identify the methods for reporting, including confidential reporting, and available resources.

If a report includes allegations of sexual assault, domestic violence, dating violence or stalking, then the process and procedures set forth in this Policy will be followed in the assessment, investigation and resolution of the complaint. A complaint of harassment not involving such conduct will be investigated pursuant to the sexual harassment policy and procedure. In no event shall a complaint proceed simultaneously through more than one internal procedure.

### **Option for Assistance Following an Incident of Sexual Assault**

- A. Immediate Assistance
  - 1. Off-Campus Advisors and Advocates. The Notification of Rights and Options provides a list of off-campus advisors and advocates that can provide an immediate confidential response for employees and students in an emergency situation.
  - 2. Emergency Response. Anyone who experiences or observes an emergency situation should immediately contact local law enforcement by calling 911.
  - 3. Off-Campus Health Care Options. Victims may seek treatment for injuries, preventative treatment for sexually transmitted disease, and other health services by contacting the providers identified on the Notification of Rights and Options
- B. Ongoing On and Off Campus Counseling, Advocacy and Support for Students and Employees. This information can also be found on the Notification of Rights and Options.

### **Reporting and Confidentially Disclosing Sexual Assault**

The Board of Trustees encourages all victims of sexual assault (and bystanders) to talk to someone about what happened so that victims (and bystanders) can get the support they need and so that the Board can respond appropriately. Certain employees on campus are considered “responsible employees.” Therefore, these individuals cannot ensure confidentiality as they are required to report instances of sexual assault. A complete list of confidential advisors is available in the Notification of Rights and Options within this policy if a student wishes to report confidentially.

**Confidential Advisors.** Confidential advisors receive additional training to support survivors of sexual violence and misconduct and are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. Contact information for such confidential advisors is included in the Notification of Rights and Options.

A victim who speaks to a confidential advisor must understand that, if the student victim wants to maintain confidentiality, IECC’s ability to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator(s) may be diminished.

Even so, these advisors will still assist the victim in receiving other necessary protection and support at the request of the victim, including working with IECC officials to address issues such as student victim advocacy, academic support or accommodations, disability, health or

mental health services, and changes to living, working or course schedules. A student victim who at first requests confidentiality may later decide to file a complaint with the Illinois Eastern Community Colleges or report the incident to law enforcement, and thus will have the incident fully investigated. These advisors will provide the victim with assistance if the victim wishes to do so.

Note: While confidential advisors may maintain a victim's confidentiality from Illinois Eastern Community College, by law, any employee and/or confidential advisor who suspects or receives knowledge that a minor student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, is required to: 1) immediately report or cause a report to be made to the Illinois Department of Children and Family Services (DCFS) on its Child Abuse Hotline, and 2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Also note: If the alleged perpetrator(s) pose a serious and immediate threat to the community, IECC may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

- IECC employees are required to report all the details of an incident (including identities of the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees, called "**Responsible Employees**" generally obligates the Board to investigate the incident and take appropriate steps to address the situation.

Most employees, including but not limited to supervisors, managers, coaches and faculty are responsible employees. A list of Responsible Employees is available through the Title IX Coordinators. When a victim tells a Responsible Employee about an incident of sexual harassment including sexual assault, the victim has the right to expect immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. A Responsible Employee must report to the Title IX Coordinator and, if applicable, all relevant details about the alleged sexual violence or misconduct shared by the victim so that the appropriate Title IX Coordinator can determine what happened, including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a "Responsible Employee" will be shared only with people responsible for handling the IECC's response to the report and those with a "need to know". The following categories of employees are Responsible Employees. If title is not listed below the employee is not considered a "responsible employee".

- College and District Administrators
- Title IX Coordinator and Deputy Coordinators
- Supervisors and Managerial Staff
- Faculty
- Coaches & Athletic Directors
- Student Advisors & Student Group Advisors

## **Addressing Confidentiality**

Before a victim or bystander reveals any information to a Responsible Employee, the employee should ensure that the victim understands the employee's reporting obligations and, if the victim wants to maintain confidentiality, direct the victim to the confidential resources referenced above.

If the victim wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the victim that the employee will share that information for consideration in the investigation and resolution of the complaint, but cannot guarantee that request will be met. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Title IX Coordinator of the victim's request for confidentiality.

If a victim discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, that request must be weighed against the Board's obligation to provide a safe environment for all students and employees including the student victim.

If the request for confidentiality can be met, a victim must understand that the Board's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be diminished. Alternatively, the request for confidentiality may not be able to be honored in order to provide a safe environment for all students and employees.

The following individual(s) are responsible for evaluating requests for confidentiality:

- Title IX Coordinator
- Chief Executive Officer
- Legal Counsel

A victim will be informed at the earliest point possible of a determination that a request for confidentiality cannot be maintained. In such instances, to the extent possible, information will be shared only with people responsible for handling the response to the complaint and those with a "need to know".

Where confidentiality is maintained, responsive action will reflect the victim's request for confidentiality. As such, if a victim's request for confidentiality limits the ability to formally investigate a particular allegation, responsive steps will still be to limit the effects of the alleged sexual discrimination, misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Such action may include, but is not limited to providing increased monitoring, supervision or security at locations or activities where the alleged misconduct occurred.

## **Employee Reporting and Disclosing Sexual Misconduct of a Student**

In addition to the reporting requirements for Responsible Employees, all employees who have information regarding sexual violence or misconduct of a student or employee are encouraged to report it to the Title IX Coordinator or any Responsible Employee.

## **Other Procedures for Making a Report of Sexual Assault or Other Sexual Violence, Dating Violence, Domestic Violence or Stalking**

Although the Board of Trustees strongly encourages all individuals to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the local police.

After an incident of sexual assault, the victim should consider seeking medical attention as soon as possible at the nearest hospital or medical facility.

In Illinois, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence to prove the criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or ~~other~~ copies of other documents, if they have any, that would be useful to investigators or the police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with someone and taking steps to preserve evidence in the event that the victim changes his/her mind at a later date.

If the ~~complainant~~ victim desires full confidentiality, he/she should speak with a confidential advisor. The Title IX Coordinator does take third party reports. With ~~your~~ the victim's permission, the confidential advisor may file a report on the details of the incident without revealing the victim's ~~your~~ identity to the Title IX Coordinator. The purpose of a confidential report is to attempt to comply with ~~your~~ the victim's wish to keep the matter confidential while taking steps to ensure the safety of ~~yourself~~ the victim and others.

### **Interim Measures**

Upon receipt of a complaint, in being mindful of the victim's well-being, designated personnel will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Interim measures will also include:

- Assisting the victim in accessing other available victim advocacy, academic support, counseling disability, health or mental health services, and legal assistance both on and off campus;
- Providing other security and support, which could include ~~the~~ obtaining a no-contact order, helping to change working arrangements or course schedules (including for the alleged perpetrator(s) pending the outcome of an investigation) or adjustments for assignments or tests; and
- Informing the victim of their right to report a crime to law enforcement and provide the victim with assistance if the victim wishes ~~to do so~~.

Retaliation against the victim, whether by students or employees, will not be tolerated.

An international Student may be granted approval to reduce his/her course load while recovering from the immediate effects of a sexual violence incident.

To meet the continuing obligation to address the issue of sexual violence and misconduct campus-wide, reports of such incidents (including non-identifying reports) will also prompt consideration of broader remedial action, such as increased monitoring, supervision, or security at locations where the reported incident occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

### **Miscellaneous**

1. **Electronic and Anonymous Reporting.** Although direct verbal reporting of complaints is preferred, an online system for electronic and anonymous reporting is available for use by victims or bystanders. The system will notify the user (before s/he enters information) that entering personally identifying information may serve as notice for the purpose of triggering an investigation. Electronic reports can be filed via a form on the IECC webpage and will generally receive a response within 12 hours with a list of available resources absent an emergency.
2. **Off-Campus Counselors and Advocates,** Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information unless the victim requests the disclosure and signs consent or waiver form or unless that individual has reporting or other obligations under state law.
3. **Clery Act Reporting Obligations.** Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act," 20 U S C 1092(f)), a public crime log and Annual Security Report ("ASR") are available to all current students and employees. The ASR documents three calendar years of select campus crime statistics (including statistics regarding incidents of dating violence, domestic violence, and stalking). Security policies and procedures and information on the basic rights guaranteed to victims of sexual assault. The Clery Act also requires timely issuance of warnings to the campus community about crimes that have already occurred but may continue to pose a serious or ongoing threat to students and employees.

### **Title IX Complaint Investigation Procedures**

#### **A. Formal Investigation Process**

1. **Initiation of Investigation by Title IX Coordinator:** Upon receipt of a complaint of sexual violence or misconduct under this Policy by a student victim or complainant, the Title IX Coordinator will appoint a trained investigator who will initiate a prompt, fair and thorough investigation. The investigation will be coordinated by the Title IX Coordinator and/or one of the Deputy Coordinators (if a student), and will generally conclude within 60 calendar days or less. Where the allegations are complex or other factors delay the investigative process an extension may be granted by the Title IX Coordinator. **If an extension is necessary, the complainant and the respondent will be notified.** The complainant and the respondent will be notified in writing of the identity of the investigator prior to any contact from the investigator. **Mediation will not be used to resolve a complaint of sexual violence.**

With respect to complaints that involve an employee, vendor, contractor, or visitor, the Department of Human Resources and the Title IX Coordinator will manage the investigation into the allegations and will recommend appropriate sanctions against the employee and interim measures, if any, for an employee. With respect to complaints that involve a student, the Deputy Title IX Coordinators will manage the investigation and recommend appropriate sanctions against the student and interim measures, if any, for a student. With respect to complaints that involve both a student and employee, the Title IX Coordinator, the Director of Human Resources and the Deputy Title IX Coordinators shall jointly coordinate the investigation and interim measures.

The victim/complainant and respondent has the right to request substitution of these identified individuals with the authority to make a finding or impose a sanction in response to a complaint, if the participation of that individual poses a conflict of interest.

2. Interim Measures Provided: During the investigation, the Title IX Coordinator and/or a Deputy Coordinator (as applicable) will determine whether the victim and/or complainant receives interim measures as set forth above, and will advise the victim and/or complainant of the right to file a complaint with local law enforcement agencies.
3. Notice to Respondent Of Allegations:
  - a. Generally, within 10 business days of receipt of a complaint by the Title IX Coordinator, the respondent will be given written notice of the general allegations against him/her (unless release of the evidence would endanger the health or safety of victim(s) or witness(es)).
4. Due Process Rights of Victim and/or Complainant and Respondent:
  - a. The victim and/or complainant and respondent will each be afforded the right to present information and witnesses relevant to his or her case.
  - b. When the victim and/or complainant or respondent is requested to appear at an investigatory meeting or proceeding related to a complaint, he or she may be accompanied by an advisor. A personal advisor is defined as a family member, peer, advocate, staff/faculty member, or a union representative. It does not include legal counsel or an attorney at law.
  - c. If the respondent is an employee, any employee misconduct investigation procedures outlined in other applicable employee policies or collective bargaining agreement may be followed.
5. Evidence Considered: A trained investigator(s) will interview and receive evidence from the victim, complainant, respondent and any witnesses identified during the course of the investigation. The victim's prior sexual history with anyone other than the respondent will not be considered during the investigation or any proceeding related to a complaint. The mere fact of a current or previous consensual dating or sexual relationship between the victim and respondent does not itself imply consent.
6. Concurrent Criminal Investigation: The existence of a concurrent criminal investigation by law enforcement agencies will not necessarily delay or interrupt the investigation procedures outlined herein. However, the law enforcement agency may request that the

internal investigation be temporarily suspended. Such request will be evaluated to determine whether and for how long to suspend the internal investigation.

7. Report of Investigation: At the conclusion of the investigation, the trained investigator will prepare a thorough report outlining the complaint, investigation conducted and all relevant evidence obtained; the investigator's conclusions with an explanation of reasoning and/or support for such conclusions; and recommendations for sanctions or other remedial action as appropriate. The investigator will submit his/her report to the Title IX Coordinator and a Deputy Coordinator (if a student is involved).

#### B. Determination

1. Determination: For student cases, the Title IX Coordinator and/or Deputy Coordinator (as appropriate) shall review the investigator's report and all evidence gathered to determine whether the student engaged in sexual violence or misconduct in violation of policy. The determination of violations shall be made based on the preponderance of evidence, meaning whether it is more likely than not that this policy was violated. For employee cases, the Title IX Coordinator will determine whether the employee engaged in a policy violation involving sexual violence or misconduct.
2. Notice to Respondent: Generally, within seven (7) business days after receipt of the investigator's report (or some reasonable extension thereof), the Title IX Coordinator or the Deputy Coordinator will notify the student via certified mail, return receipt requested, of his/her determination. If the Title IX Coordinator or Deputy Coordinator determines that the respondent has violated the policy regarding sexual violence or misconduct, this notification will also advise the student respondent of
  - a. Disciplinary sanctions; and
  - b. The right to appeal the determination and sanctions in accordance with the Appeal Procedures set forth below.  
Employee respondents may follow any appeal or grievance process under any other applicable policies.
3. Notice to Victim and/or Complainant: Concurrently with the notice provided to the respondent, the Title IX Coordinator or Deputy Coordinator (for students) will notify the victim and/or complainant of his/her determination within 7 days of a decision. If the Title IX Coordinator or Deputy Coordinator determines that the respondent has violated the prohibition of sexual violence or misconduct this notification will also advise the victim and/or complainant of:
  - a. Any individual remedies offered or provided to the victim and/or complainant;
  - b. Disciplinary sanctions imposed on the respondent that directly relate to the victim and/or complainant,
  - c. The right to appeal the determination and sanctions in accordance with the Appeal Procedures below.

#### C. Sanctions, Protective Actions, and Remedies

1. Sanctions: Students who have violated the prohibition on sexual violence or misconduct are subject to any sanctions set forth in the Code of Student Conduct or other Program policies, up to and including expulsion. Furthermore, students could have their privileges to

participate in extracurricular activities temporarily suspended if involved in an ongoing investigation. To encourage reporting, a student victim's good faith report of a violation of the sexual violence or misconduct policy will be taken into consideration in determining an appropriate response to the reporting student's own misconduct (e.g., educational responses for alcohol/drug violations as opposed to disciplinary action).

Employees who have violated the prohibition on sexual violence or misconduct will be subject to disciplinary action up to and including termination.

2. Protective Actions: Protective measures may be implemented as appropriate, including no-contact orders, trespass notices, or other protective measures. IECC will enforce court ordered no-contact, restraining and/or protective orders to the fullest extent.
3. Remedies: Remedies for the victim and/or complainant depend upon the specific nature of the complaint, as do remedies for the community as a whole.

Remedies for the victim and/or complainant may include, but are not limited to:

- Assisting the victim and/or complainant to change his/her academic and/or work environment if requested and if reasonably available;
- Providing an escort to ensure that the victim and/or complainant can move safely between classes, vehicle and/or activities;
- Ensuring that the victim and/or complainant and the respondent do not attend the same classes;
- Identifying counseling and/or advocacy services;
- Identifying medical services;
- Providing academic support services, such as tutoring;
- Arranging for the victim and/or complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the victim and/or complainant's academic record; and
- Reviewing disciplinary actions taken against the victim and/or complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the victim and/or complainant being disciplined.

Remedies for the community as a whole may include, but are not limited to.

- Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students and employees affected by sexual discrimination, harassment, and/or misconduct;
- Designating individuals to be available to assist victims of sexual discrimination, harassment and/or misconduct whenever needed;
- Developing materials on sexual discrimination, harassment and misconduct for campus-wide distribution to students, employees, and/or third-parties;
- Creating a committee of students and personnel to identify strategies for preventing and addressing sexual discrimination, harassment and misconduct; and
- Conducting periodic climate surveys to identify how students and employees perceive and experience sexual discrimination harassment and misconduct at Illinois Eastern Community Colleges.



## **Title IX Appeal Procedures for Student Victims and/or Complainants and Student Respondents**

### **A. Appeal Request**

A victim and/or complainant or a student respondent who wishes to appeal the decision reached by the Title IX Coordinator or his/her designee at the conclusion of a formal investigation must submit a written request for appeal to the Appeal Board (AB). This request must be submitted to the Title IX Coordinator within 10 business days after receipt of the Title IX Coordinator/Deputy Coordinator's letter of determination. In the event a student victim and/or complainant or a student respondent does not appeal within the required 10 business day period, the decision of the Title IX Coordinator and/or Deputy Coordinator will be final.

The appeal request must be typewritten, must indicate if the requestor wishes to appear in person before the AB, and must state the grounds for appeal. Appeals must be made on the basis of one or more of the following grounds:

1. Procedural error was committed.
2. The finding of facts contained in the decision included inaccurate information.
3. Specific evidence considered during the investigation is objectionable.
4. Evidence not offered during the investigation is now available. In such cases, the new evidence must be described.
5. The sanction imposed is lenient, excessive or otherwise inappropriate.

Within 10 business days after receipt of the appeal request, the Title IX Coordinator or his/her designee will decide whether to grant the appeal based on whether the appeal meets one of the above enumerated grounds for appeal and shall inform the appellant by certified mail, return receipt request.

If the appeal is granted, the matter will be referred to the AB, and the Hearing Procedures for the AB set forth below will be followed. In the event of an appeal, the decision(s) of the AB will be final in all cases, other than for cases resulting in a recommendation for suspension or expulsion.

If the victim or respondent is an employee, then any employee misconduct appeal procedures are as outlined in other applicable policies, including grievance procedure. .

### **B. Establishment of the Standing AB**

A standing AB will hear cases and make recommendations on appropriate disciplinary cases referred to it or appealed to it by student victims, complainants and/or students who are the subject of disciplinary actions involving disciplinary suspension and expulsion. The AB will be established each fall and each member shall receive training as required by law. It will be composed of the following persons to be appointed by the CEO:

Chief Academic Officer  
Chief Financial Officer

Executive Assistant to the CEO

Alternates: President, Wabash Valley College  
President, Olney Central College

None of the above-named persons may sit in any case in which they have a direct personal interest or played a role in the underlying investigation. Decisions in this regard will be made by the AB as a whole. The CEO may appoint interim members as required.

C Hearing Procedures for the AB

1. The hearing will be closed to the public.
2. The victim and/or complainant and respondent shall each be entitled to appear in person with an advisor (as defined above) and present his/her case to the AB, and call witnesses in his/her behalf.  
When requested by the victim, the AB shall make arrangements so that the victim and respondent do not have to be in the same room at the same time (such as by arranging for participation via videophone, closed circuit television, video conferencing, or other means).
3. The hearing will begin with a presentation by the Title IX Coordinator/Deputy Coordinator of his/her determination, followed by a presentation by the appellant. The appellee may present his/her case as well.
4. The Title IX Coordinator/Deputy Coordinator, appellant and appellee may present information in oral and written form, by witnesses and/or through documents. The parties will be given an opportunity to question witnesses. However, the complainant and the respondent may not directly cross examine one another, but may, at the discretion and direction of the individual or individuals resolving the complaint, suggest questions to be posed by the individual or individuals resolving the complaint and respond to the other party.
5. The AB reserves the right to hear the testimony of witnesses separately, so that the witnesses will not hear each other's testimonies.
6. Pertinent and relevant information will be reviewed by the AB without regard for the legal rules of evidence.
7. The Title IX Coordinator/Deputy Coordinator, appellant and appellee may make closing statements at the conclusion of the hearing on both the issue of misconduct and the issue of the recommended discipline.
8. An audio recording of the proceedings will be created and a record will be made available to either party upon request.
9. The AB will render its written decision within 7 business days after the hearing, absent extenuating circumstances. The decision will be to affirm, reverse or modify the Title IX Coordinator/Deputy Coordinator's determination as to the violation of policy and the sanction imposed (if any).
10. If a student respondent is found not to have engaged in sexual violence or misconduct in violation of policy, and if coursework has been missed as a direct result of the action taken against the student respondent, appropriate action will be taken to assist the student respondent in completing the course(s).
11. In all cases other than suspension or expulsion, the decision of the AB is final.
12. If the decision of the AB is to suspend or expel the student respondent, that decision will be transmitted to the Vice President of Academic Affairs. The student respondent will then have two business weeks after the decision to appeal pursuant to the

standard student grievance procedure. The appeal/grievance will consist of the student respondent's written statement of disagreement with the decision and argument for reversal, relevant documentation and the recording or transcript of the AB hearing. Upon further advancement of a grievance, relevant information will be reviewed before making a decision to uphold the suspension or expulsion or to take other appropriate action.

### **Procedures Governing Complaints Solely Involving Employees and/or Third Parties**

An employee or third party should notify the Title IX Coordinator if he or she believes that employees or agents have engaged in sexual violence or misconduct in violation of Board Policy.

The Title IX Coordinator will address the complaint promptly and thoroughly as follows.

#### **A. Filing a Complaint**

An employee or third party (hereinafter "Complainant") who wishes to avail him or herself of this procedure may do so by filing a complaint with the Title IX Coordinator. The Title IX Coordinator will request the Complainant to provide a written statement regarding the nature of the complaint and will request a meeting with the Complainant. The Title IX Coordinator shall assist the Complainant as needed.

#### **B. Investigation**

Each complaint shall be investigated promptly, thoroughly, impartially, and as confidentially as possible. The Title IX Coordinator or his or her designee will investigate the complaint or appoint a qualified person to undertake the investigation on his/her behalf. As a general rule, all complaints will be investigated, even when the Complainant requests that nothing be done. The investigator will inform potential complainants, complainants, and witnesses that the Board prohibits any form of retaliation against anyone who, in good faith, brings a complaint or provides information to the individual investigating a complaint.

### **Training, Prevention and Education**

#### **A. For Students and Employees**

IECC will provide training to ensure students and employees are provided substantive opportunities to learn about sexual misconduct including primary prevention, bystander intervention, risk reduction, consent, reporting methods, relevant policies and procedures, retaliation, survivor strategies, the impact of trauma relevant definitions, and other pertinent topics. Students will also receive a copy of the Preventing Sexual Violence Policy and the related protocols.

#### **B. For Employees**

IECC will provide 8-10 hours of annual survivor-centered and trauma-informed training to employees involved in: the receipt of a report of a student sexual violence, referral or

provision of services to a survivor, or any campus complaint resolution procedure for sexual violence.

### **Training for Designated Employees**

The Title IX Coordinator, Deputy Coordinators, Responsible Employees, investigators, victim advocates, counselors, legal counsel and anyone else involved in responding to, investigating or adjudicating sexual misconduct incidents must receive education and training on primary prevention, bystander intervention, risk reduction, consent, reporting obligations, investigation procedures confidentiality requirements relevant policies and procedures, retaliation the impact of trauma, relevant definition, and other pertinent topics. The CEO will annually review training offerings to identify ways in which to enhance its effectiveness.

### **Publication**

The following will be prominently published on the District website, updated regularly and made available: the comprehensive policy; student notification of rights, contact information for Title IX coordinators; confidential resources and advisors and counseling services; and an explanation of responsibilities of Title IX coordinators, responsible employees and mandated reporters.

### **Task Force**

The Board, through its CEO, will also establish a campus-wide task force or participate in a regional task force focused on improving coordination between community leaders and service providers to prevent sexual violence. The task force shall meet a minimum of twice per year.

### **Reporting**

The Board, through its CEO will comply with all reporting requirements established pursuant to the Illinois Board of Higher Education Act and the Preventing Sexual Violence in Higher Education Act.

## Notification of Rights and Options

A victim of sexual violence or misconduct has a right to report (or not report) the incident to Illinois Eastern Community Colleges.

### Reporting to IECC

If you choose to make a report the following individuals will receive a report and will investigate and resolve the matter pursuant to policy. IECC respects the sensitive nature of such complaints and the privacy of victims of sexual violence or misconduct but cannot guarantee complete confidentiality in meeting its responsibility to investigate and address the report. Any of these individuals will help a victim notify law enforcement of an incident, although it is the victim's choice whether or not to make such a report.

- A. The Title IX Coordinator is: Ashlee Spannagel, Program Director of Grants, Compliance, & Outreach, 320 East North Avenue, Noble, IL 62450, 618-393-3491, [spannagela@iecc.edu](mailto:spannagela@iecc.edu).
- B. The Deputy Title IX Coordinators are:

<u>Frontier Comm. College</u>	<u>Lincoln Trail College</u>	<u>Olney Central College</u>	<u>Wabash Valley College</u>
Jan Wiles Assistant Dean of Student Services 2 Frontier Drive Fairfield, IL 62837 618-847-9133 or 877-464-3687 <a href="mailto:wilesj@iecc.edu">wilesj@iecc.edu</a>	Megan Scott Assistant Dean of Student Services 11220 State Highway 1 Robinson, IL 62454 618-546-2252 or 866-582-4322 <a href="mailto:scottm@iecc.edu">scottm@iecc.edu</a>	Andi Pampe Assistant Dean of Student Services 305 North West Street Olney, IL 62450 618-393-3305 or 866-622-4322 <a href="mailto:pampea@iecc.edu">pampea@iecc.edu</a>	Tiffany Cowger Assistant Dean of Student Services 2200 College Drive, Mt. Carmel, IL 62863 618-263-5535 or 866-982-4322 <a href="mailto:cowgert@iecc.edu">cowgert@iecc.edu</a>

- C. Electronic/Anonymous reporting: <https://www.iecc.edu/e4/forms/svcf/default.php>
- D. Additional Non-Confidential Resources On-Campus:

<u>Frontier Comm. College</u>	<u>Lincoln Trail College</u>	<u>Olney Central College</u>	<u>Wabash Valley College</u>
Faculty/Administrators/Supervisors Athletic Director & Coaches Student Group Advisors & Student Advisors	Faculty/Administrators/Supervisors Athletic Director & Coaches Student Group Advisors & Student Advisors	Faculty/Administrators/Supervisors Athletic Director & Coaches Student Group Advisors & Student Advisors	Faculty/Administrators/Supervisors Athletic Director & Coaches Student Group Advisors & Student Advisors

District Office, Human Resources Department (when an employee is involved): 618-393-2982, ext. 5521

### Responsive Procedures:

Pursuant to policy, IECC will investigate reports of sexual violence and misconduct. A victim may request, and IECC will evaluate, interim protective measures to address victim safety, including obtaining and enforcing a no-contact order or order of protection.

Upon receipt of a report of sexual violence or misconduct, IECC will initiate a prompt, fair and thorough investigation through the Title IX Coordinator. The victim/complainant and respondent(s) will be afforded the opportunity to present information and witnesses, and IECC will make a good faith effort to contact and interview any witnesses identified by the parties or, including those no longer at the College. IECC strictly prohibits retaliation against the complainant, respondent, or other witnesses.

Upon conclusion of the investigation, the Title IX or Deputy Title IX Coordinator will notify the victim/complainant of the determination and of any remedies offered or provided by IECC to the victim and any disciplinary sanctions on the respondent(s) that directly relate to the victim/complainant. A victim/complainant and a student respondent may utilize the appeal process provided by policy upon conclusion of the investigation.

### Confidential Options for Reporting:

The following confidential advisors have been identified to provide support to victims. These advisors are not required to report any information about an incident to the Title IX Coordinator without a victim's permission:

CAISA, Robinson, IL (serving Lincoln Trail, Olney Central, and Wabash Valley)	618- 544-9379
	After-Hours Crisis Hotline: 866-288-4888
SAFE, Mt. Vernon, IL (serving Frontier)	618-244-9330
	After-Hours Crisis Hotline: 800-625-1414

### Additional Off-Campus Resources:

The following local health, mental health, counseling and advocacy services are available for victims. At a victim's request, IECC personnel identified above can assist victims in accessing these services.

- IECC Employee Assistance Program 1-855-775-4357 or [www.rsli.acieap.com](http://www.rsli.acieap.com)
- Illinois Coalition Against Sexual Assault: 217-753-4117 or [www.icasa.org](http://www.icasa.org)
- National Sexual Assault Hotline: 800-656-HOPE(4673); <https://www.rainn.org/get-help/national-sexual-assault-hotline>
- National Domestic Violence Help Line: 877-TO END DV (877-863-6338); [http://www.cityofchicago.org/dam/city/depts/fss/supp\\_info/DV/MODVsafteycardEnglish.pdf](http://www.cityofchicago.org/dam/city/depts/fss/supp_info/DV/MODVsafteycardEnglish.pdf)
- AARDVARC – An Abuse, Rape and Domestic Violence Aid and Resource Collection at [www.aardvarc.org](http://www.aardvarc.org)
- The Illinois Coalition Against Domestic Violence: 217-789-2830; [http://www.ilcadv.org/about\\_icadv/contact.asp](http://www.ilcadv.org/about_icadv/contact.asp)
- Illinois Attorney General's Office: 1-800-228-3368; [www.ag.state.il.us/victims/](http://www.ag.state.il.us/victims/)
- Illinois Crime Victims Bill of Rights 725 ILCS 120-1: <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1970&ChapterID=54>
- Illinois Crime Victims Compensation Program: 800-228-3368; <http://www.ag.state.il.us/victims/cvc.html>
- Illinois Department of Children and Family Services: 800-25-ABUSE (800-252-2873); <http://www.state.il.us/dcf/index.shtml>

<u>Frontier Comm. College</u>		<u>Lincoln Trail College</u>		<u>Olney Central College</u>		<u>Wabash Valley College</u>	
Fairfield Police	911	Robinson Police	911	Olney Police	911	Mt. Carmel Police	911
Wayne Co. Sheriff	842-6631	Crawford Co. Sheriff	546-1515	Richland Co. Sheriff	395-7481	Wabash Co. Sheriff	262-4186
*Fairfield Memorial	842-2611	*Crawford Memorial	544-3131	*Richland Memorial	395-2131	*Wabash General	262-8621
303 NW 11 <sup>th</sup> Street		1000 N Allen Street		800 E. Locust Street		1418 College Drive	
Fairfield, IL	62837-2601	Robinson, IL	62454	Olney, IL	62450	Mt. Carmel, IL	62863
SAFE	618-244-9330	CAISA	544-9379	CAISA	544-9379	CAISA	544-9379
Wayne Family Counseling		Crawford Family Counseling		Richland Family Counseling		Depot Counseling	
Regular Hours	842-2125	Regular Hours	546-1021	Regular Hours	395-4306	Regular Hours	262-7473
24 Hour Crisis	395-5026	24 Hour Crisis	395-5026	24 Hour Crisis	395-5026		

*\* Indicates health care options which provide rape kits and/or Sexual Assault Nurse Examiners. Seeking medical treatment also serves to preserve physical evidence of sexual violence.*

## Appendix A

The following have been appointed by the Chief Executive Officer to receive and investigate allegations of sexual misconduct, sexual assault, domestic violence, dating violence, or stalking:

**Frontier Community College**  
2 Frontier Drive  
Fairfield, IL 62837  
Phone: (618) 842-3711

Megan Black  
Eric Resor

**Lincoln Trail College**  
11220 State Highway 1  
Robinson, IL 62454  
Phone: (618) 544-8657

Tyler Browning  
Rena Gower

**Olney Central College**  
305 North West Street  
Olney, IL 62450  
Phone: (618) 395-7777

Linda Horn  
Doug Shipman

**Wabash Valley College**  
2200 College Drive  
Mt. Carmel, IL 62863  
Phone: (618) 262-8641

Tiffany Cowger  
John Day

**Workforce Education**  
John A. Logan College  
Carterville, IL 62918  
Phone: (618) 985-3741

Laurel Taylor  
Kim Underwood

**District Office**  
233 East Chestnut Street  
Olney, IL 62450  
Phone: (618) 393-2982

Bonnie Chaplin  
Alex Cline

The Chief Executive Officer shall update Appendix A as necessary.

**Agenda Item #8**

**Policy Second Reading**

**None**



**Agenda Item #9**

**Staff Recommendations for Approval**

**Agenda Item #9A**

**Employee Satisfaction Survey Results**

MEMORANDUM

TO: Board of Trustees  
FROM: Terry L. Bruce  
DATE: January 17, 2017  
RE: Employee Satisfaction Survey Results

In the fall of each year, IECC employees are given an opportunity to review the operation of the District and its four colleges.

Employees identify their work location, classification, whether they were employed full or part-time, and their years of service. The employees review health and dental benefits, information availability, personnel changes, website quality, equipment and technology needs, and a variety of other questions concerning their employment. Detailed survey results have been emailed to the members of the Board.

For FY17, some of the highest areas of satisfaction were:

- 99% The Administration is available to staff/faculty within a reasonable time frame.
- 98% The IT Help Desk resolving issues to employee satisfaction.
- 97% The IT Help Desk providing professional, courteous, and timely technical support.
- 97% Supervisors are open to suggestions, elicit feedback, and value opinions of their subordinates.
- 97% Overall satisfaction with employment.
- 97% Recommending IECC to a prospective student or employee.

Overall, the survey results show that employees are satisfied with their employment and the operation of the District.

I ask the Board's acceptance of the FY17 Employee Satisfaction Survey results.

TLB/rs

**Agenda Item #9B**

**Resolution declaring the intention of the District to issue \$6,250,000 Funding Bonds for the purpose of paying claims against the District**

MEMORANDUM

TO: Board of Trustees  
FROM: Terry L. Bruce  
DATE: January 17, 2017  
RE: Notice of District's Intent to Issue Funding Bonds

Because the State of Illinois has not paid the money due the District for credit hour reimbursement, the Board of Trustees issued General Obligation Bonds on January 5, 2017, to meet the financial obligations of the District. These bonds will be used for community college purposes to defray the ordinal and necessary cost of operating the District.

Because the District is obligated to repay these bonds out of future revenues, the District can now sell Funding Bonds to pay off this debt. The District has historically levied 15 cents per hundred dollars of EAV for bond principal and interest and these bonds would be paid within the existing historic rate. The Funding Bonds repayment schedule would wrap around the repayment schedule for the District's currently outstanding, but expiring bonds. The first payment for the Funding Bonds will be in 2018 and the bonds are anticipated to be paid off in December of 2020.

These bonds would be issued subject to a back door referendum, and if a petition signed by sufficient electors of the District asking that the issuance of the Bonds be submitted to referendum, an election on the issuance of these bonds would be held on the 20<sup>th</sup> day of March, 2018. If no such petition is filed within said thirty (30) day period, then the District shall thereafter be authorized to issue the Bonds.

The Board's action tonight would not be to issue the actual bonds, but declare the Board's intention to issue these bonds. The actual issuance of the bonds would occur at the February Board meeting.

I ask the Board approve a motion of intent to issue Funding Bonds in the amount not to exceed \$6,250,000.

TLB/akb

Attachment

MINUTES of a regular public meeting of the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, held in Bob Boyles Hall, Frontier Community College, 2 Frontier Drive, Fairfield, Illinois, in said Community College District at 7:00 o'clock P.M., on the 17th day of January, 2017. \* \*

\*

The meeting was called to order by the Chairman, and upon the roll being called, G. Andrew Fischer, the Chairman, and the following Trustees were physically present at said location: Brenda Culver, John D. Brooks, Michael Correll, Gary Carter, Alan Henager, Jan Ridgely and Gideon Raley (non-voting student trustee).

The following Trustees were allowed by a majority of the Board of Trustees in accordance with and to the extent allowed by rules adopted by the Board of Trustees to attend the meeting by video or audio conference: \_\_\_\_\_

\_\_\_\_\_

No Trustee was not permitted to attend the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

\_\_\_\_\_

The Chairman announced that in view of the current financial condition of the District, the Board of Trustees would consider the adoption of a resolution setting forth and describing in detail outstanding claims against the District, declaring its intention to issue funding bonds to pay claims against the District, and directing that notice of such intention be published.

Whereupon Trustee \_\_\_\_\_ presented and the Secretary read by title a resolution as follows, a copy of which was provided to each Trustee prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION setting forth and describing in detail claims heretofore authorized and allowed for proper community college purposes which are presently outstanding and unpaid, declaring the intention to avail of the provisions of Article 3A of the Public Community College Act of the State of Illinois, as amended, and to issue bonds for the purpose of paying claims against Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, and directing that notice of such intention be published as provided by law.

\* \* \*

WHEREAS, pursuant to the provisions of Article 3A of the Public Community College Act of the State of Illinois, as amended (the “*Act*”), Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the “*District*”), is authorized to issue bonds to pay claims against the District; and

WHEREAS, the District has presently outstanding and unpaid claims in the aggregate amount of \$6,250,000 (the “*Claims*”), all of the Claims having been heretofore authorized and allowed for proper community college purposes; and

WHEREAS, there are not sufficient funds on hand and available with which to pay the Claims, and the Board of Trustees of the District (the “*Board*”) has determined and does hereby determine that it is necessary and in the best interests of the District that the Claims be paid from proceeds of bonds in the principal amount of \$6,250,000 (the “*Bonds*”); and

WHEREAS, before the Bonds can be issued pursuant to the Act, the Board must examine and consider the Claims and must adopt a resolution declaring the Claims to be authorized and allowed for proper community college purposes, set forth and describe in detail the Claims, declare its intention to issue the Bonds for the purpose of paying the Claims and direct that notice of such intention to issue the Bonds be given as provided by law; and

WHEREAS, the Board has examined and considered the Claims:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, as follows:

*Section 1. Incorporation of Preambles.* The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

*Section 2. The Claims.* The Claims are the District's outstanding Taxable General Obligation Community College Bonds (Alternate Revenue Source), Series 2016, and it is hereby found, determined and declared that the Claims are presently outstanding and unpaid, were heretofore authorized and allowed for proper community college purposes and constitute valid and binding obligations of the District.

*Section 3. Declaration of Intent; Retention of Underwriter and Approval of Bond Counsel and Disclosure Counsel.* The Board does hereby (a) declares its intention to avail the provisions of Article 3A of the Act and to issue Bonds in the amount of \$6,250,000 for the purpose of paying the Claims, (b) retains First Midstate Inc., Bloomington, Illinois, as Underwriter or Placement Agent, as applicable, and (c) approves of Chapman and Cutler LLP, Chicago, Illinois, as bond counsel to the Underwriter or Placement Agent, as applicable, and disclosure counsel to the Underwriter, as applicable, with respect to the proposed issuance of said bonds.

*Section 4. Notice of Intent.* In accordance with the provisions of Section 5 of the Local Government Debt Reform Act of the State of Illinois, as amended, notice of said intention to avail of the provisions of Article 3A of the Act and to issue the Bonds shall be given by publication of such notice once in the *Mt. Carmel Daily Republican*, the same being a newspaper of general circulation in the District.



*Section 5. Form of Notice.* The notice of intention to issue the Bonds shall be in substantially the following form:

**NOTICE OF INTENTION OF  
COMMUNITY COLLEGE DISTRICT NO. 529,  
COUNTIES OF RICHLAND, CLARK, CLAY, CRAWFORD, CUMBERLAND, EDWARDS, HAMILTON,  
JASPER, LAWRENCE, WABASH, WAYNE AND WHITE AND STATE OF ILLINOIS  
TO ISSUE \$6,250,000 FUNDING BONDS**

PUBLIC NOTICE is hereby given that on the 17th day of January, 2017, the Board of Trustees (the “*Board*”) of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the “*District*”), adopted a resolution declaring its intention and determination to issue bonds in the aggregate amount of \$6,250,000 for the purpose of paying presently outstanding and unpaid claims against the District, all of which unpaid claims have been heretofore authorized and allowed for proper community college purposes and it is the intention of the Board to avail of the provisions of Article 3A (Sections 3A-6 to 3A-9, inclusive) of the Public Community College Act of the State of Illinois, and all laws amendatory thereof and supplementary thereto, and to issue said bonds for the purpose of paying such unpaid claims.

A petition may be filed with the Secretary of the Board (the “*Secretary*”) within thirty (30) days after the date of publication of this notice, signed by not less than 7,459 voters of the District, said number of voters being equal to ten per cent (10%) of the registered voters of the District, requesting that the proposition to issue said bonds as authorized by the provisions of said Article 3A be submitted to the voters of the District. If such petition is filed with the Secretary within thirty (30) days after the date of publication of this notice, an election on the proposition to issue said bonds shall be held on the 4th day of April, 2017. The Circuit Court may declare that an emergency referendum should be held prior to said election date pursuant to the provisions of Section 2A-1.4 of the Election Code of the State of Illinois, as amended. If no such petition is filed within said thirty (30) day period, then the District shall thereafter be authorized to issue said bonds for the purpose hereinabove provided.

By order of the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois.

DATED this 17th day of January, 2017.

Renee Smith  
Secretary, Board of Trustees,  
Community College District No. 529,  
Counties of Richland, Clark, Clay,  
Crawford, Cumberland, Edwards, Hamilton,  
Jasper, Lawrence, Wabash, Wayne and  
White and State of Illinois

G. Andrew Fischer  
Chairman, Board of Trustees,  
Community College District No. 529,  
Counties of Richland, Clark, Clay,  
Crawford, Cumberland, Edwards, Hamilton,  
Jasper, Lawrence, Wabash, Wayne and  
White and State of Illinois

*Section 6. Further Proceedings.* If no petition signed by the requisite number of voters is filed with the Secretary of the Board within thirty (30) days after the date of the publication of such notice of intention to issue the Bonds, the Board shall, by appropriate proceedings to be hereafter taken, fix the details concerning the issue of the Bonds and provide for the levy of a direct annual tax to pay the principal and interest on the same.

*Section 7. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

*Section 8. Repealer and Effective Date.* All resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed and that this Resolution be in full force and effect forthwith upon its adoption.

Adopted January 17, 2017.

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Chairman, Board of Trustees

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Secretary, Board of Trustees

Trustee \_\_\_\_\_ moved and Trustee \_\_\_\_\_  
seconded the motion that said resolution as presented and read by title be adopted.

After a full and complete discussion thereof, the Chairman directed the Secretary to call the roll for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following Trustees voted AYE: G. Andrew Fischer, Brenda Culver, John D. Brooks, Michael Correll, Gary Carter, Alan Henager and Jan Ridgely.  
and the following Trustees voted NAY: \_\_\_\_\_

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Whereupon the Chairman declared the motion carried and said resolution adopted, and in open meeting approved and signed said resolution and directed the Secretary to record the same in full in the records of the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

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Secretary, Board of Trustees

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF RICHLAND        )

**CERTIFICATION OF MINUTES AND RESOLUTION**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the “Board”), and that as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 17th day of January, 2017, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION setting forth and describing in detail claims heretofore authorized and allowed for proper community college purposes which are presently outstanding and unpaid, declaring the intention to avail of the provisions of Article 3A of the Public Community College Act of the State of Illinois, as amended, and to issue bonds for the purpose of paying claims against Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, and directing that notice of such intention be published as provided by law.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 96 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Public Community College Act of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Acts and with all of the procedural rules of the Board in the conduct of said meeting and in the adoption of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 17th day of January,  
2017.

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Secretary, Board of Trustees

**Agenda Item #9C**

**Agreement with First Midstate, Inc.**



MEMORANDUM

TO: Board of Trustees  
FROM: Terry L. Bruce  
DATE: January 17, 2017  
RE: Agreement with First Midstate Incorporated

With the approved resolution to issue \$6,250,000 in General Obligation Community College Bonds for paying claims against Illinois Eastern Community Colleges, the District must hire a placement agent to prepare the private placement memorandum, make recommendations on date of sale according to market conditions, identify potential purchasers, respond to inquiries, and cooperate with bond counsel.

I ask the Board to retain First Midstate, Incorporated to act as placement agent with respect to the issuance of \$6,250,000 more or less General Obligation Community College Bonds.

TLB/rs

**Agenda Item #9D**

**Affiliation Agreement with Larsson, Woodyard, and Henson – Office Careers**

MEMORANDUM

TO: Board of Trustees  
FROM: Terry L. Bruce  
DATE: January 17, 2017  
RE: Affiliation Agreement

An Affiliation Agreement is a formal contract between the educational institution and the facility or business where the student(s) will have the experience. It identifies the responsibilities and liabilities of the various parties covered by the contract. Students engaged in these placements are not paid and the experience is required for completion of the program.

IECC wishes to enter into affiliation agreements with Larsson, Woodyard, and Henson for offices located in Paris, Illinois and Casey, Illinois, for Olney Central College's Office Careers Program.

I ask the Board's approval of this affiliation agreement.

TLB/rs

Attachment

**ILLINOIS EASTERN COMMUNITY COLLEGES, DISTRICT #529  
OLNEY CENTRAL COLLEGE  
OFFICE CAREERS PROGRAMS**

**AGENCY AGREEMENT**

THIS AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_ by and between ILLINOIS EASTERN COMMUNITY COLLEGES, DISTRICT #529: OLNEY CENTRAL COLLEGE for its Office Careers Programs. (hereinafter referred to as OLNEY CENTRAL COLLEGE ) and Larsson, Woodyard, and Henson. (hereinafter referred to as AGENCY):

WITNESSETH THAT:

WHEREAS, OLNEY CENTRAL COLLEGE desires to make use of the AGENCY'S facilities for Internships by students of the Office Careers Programs, and

WHEREAS, the AGENCY has agreed to make its facilities available to the students and faculty of OLNEY CENTRAL COLLEGE for the purpose of gaining knowledge and experience in the field of Office Careers,

NOW THEREFORE, for consideration of the mutual covenants and acts to be kept and performed by the parties hereto, the parties do herewith agree as follows:

1. The AGENCY agrees to make its facilities available for office careers internship training subject to the conditions and limitations contained herein.
2. The arrangements for use of said facilities of the AGENCY will be made by the Coordinator of the Office Careers Programs on behalf of OLNEY CENTRAL COLLEGE and the Sponsoring Department on behalf of the AGENCY. The plan and program will be organized and agreed to by said persons prior to the commencement of the training.
3. OLNEY CENTRAL COLLEGE Program Coordinator will provide faculty contact information to the student(s) and AGENCY supervisor of the student(s). The specific assignment of learning experiences will be made and arranged by the AGENCY Supervisor, in consultation with the OLNEY CENTRAL COLLEGE Program Coordinator. The Program Coordinator will periodically as needed visit the AGENCY for the purpose of evaluation and discussion with the AGENCY Supervisor.

4. The use of AGENCY facilities will be consistent with, and in conformity with all applicable rules, regulations, and policies of the AGENCY. The student(s) will be given the same consideration as employees in regard to safety, health and general employment conditions. The AGENCY will retain full and final decisions for assignments made to the student(s). The OLNEY CENTRAL COLLEGE Program Coordinator will be notified of any concerns or issues during the internship. The student(s) shall be subject to discharge at any time because of inefficiency or because of conditions within the AGENCY. This process will be cleared through the OLNEY CENTRAL COLLEGE Program Coordinator who will remove the student(s) from the internship.

5. OLNEY CENTRAL COLLEGE will send only students and or faculty who are believed to be in good health at the time of reporting for their internship. Prior to student participation in an internship, OLNEY CENTRAL COLLEGE shall provide student with requirements of the AGENCY. All requirements are to be completed and documentation provided to the AGENCY before the internship will be approved by the AGENCY. Faculty entering the AGENCY will be expected to meet the same requirements.

This agreement forbids discrimination against any student on the basis of age, color, race, national origin, gender, religion, or disability unrelated to the reasonable physical requirements of the job.

6. The student(s) and Program Coordinator will respect the confidential nature of all information which may come to them with regard to patients and AGENCY records.

7. The status of the student intern(s) should be that of student learner(s). Any schedule of compensation shall be agreed on by the AGENCY, OLNEY CENTRAL COLLEGE Program Coordinator and student(s). Compensation is not a requirement. Neither OLNEY CENTRAL COLLEGE nor AGENCY hereto will be paid any monetary reimbursement as such by the other party heretofore for the contemplated program, or for use of either party's facilities by the other party. Neither party heretofore will have any responsibilities or liabilities to the other party, or its employees, or students, or anyone participating in the contemplated program. Student(s) shall be covered by professional liability insurance of \$1,000,000 per claim, \$3,000,000 annual aggregate through OLNEY CENTRAL COLLEGE prior to any assignment at the AGENCY. OLNEY CENTRAL COLLEGE will provide proof of insurance to the AGENCY.

8. An annual review of the agreement may be made each spring if either party requests the review. Either party hereto may terminate this AGREEMENT by at least one (1) school calendar year's written notice to the other party. All students enrolled in OLNEY CENTRAL COLLEGE's Office Careers Programs, and participating in the program contemplated herein at the time that notice to terminate this AGREEMENT is given by either party to the other, shall be permitted to complete their experience needed for graduation at the AGENCY.

IN WITNESS WHEREOF, the undersigned signatures have caused this instrument to be executed by its duly authorized officials on the \_\_\_\_\_ day of \_\_\_\_\_.

AGENCY

OLNEY CENTRAL COLLEGE

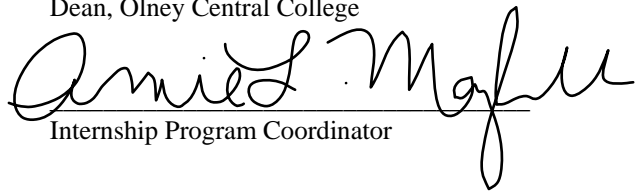
Larsson, Woodyard, and Henson

\_\_\_\_\_  
Chair, IECC Board of Trustees

\_\_\_\_\_  
President, Olney Central College

\_\_\_\_\_  
Dean, Olney Central College

\_\_\_\_\_  
Administrator, Hospital or Agency

  
\_\_\_\_\_  
Internship Program Coordinator

\_\_\_\_\_  
Chief Executive Officer,  
Illinois Eastern Community Colleges

Illinois Eastern Community Colleges, District 529, does not discriminate on the basis of race, color, religion, gender, age, disability, national origin, or veteran status. Illinois Eastern Community Colleges adheres to the Federal Regulations of the Americans with Disabilities Act of 1990 and offers appropriate services or activities with reasonable accommodations to any qualified disabled individual upon request.

**Agenda Item #10**

**Bid Committee Report**

**FCC Concession Stand Construction**



# BID COMMITTEE REPORT

January 2017

Frontier Community College

1. Concession Stand Construction

TO: Board of Trustees  
FROM: Bid Committee  
DATE: January 17, 2017  
RE: FCC Concession Stand Construction

The following bid recommendation is based upon the lowest responsible bid, considering conformity with specifications, terms of delivery, quality and serviceability.

The Bid Committee recommends acceptance of the bid received that meets all the specifications from David Lear Construction for a total of \$118,142.32. These bids are contingent upon the Frontier Community College Foundation receiving financing to fund the project.

<b>FCC Concession Stand Construction</b>	
<b>Company</b>	<b>Total Bid</b>
Illini Builders Company of Olney Olney, Illinois	\$225,742.00
K. Wohltman Construction, Inc. Effingham, Illinois	\$185,779.00
Lear Construction, Inc. Albion, Illinois	\$118,142.32

Respectfully submitted,

Roger Browning  
Terry L. Bruce  
Renee Smith

Department: Athletics/Operations and Maintenance

Source of Funds: #38310D-8310D-8200-806.

Rationale for Purchase: To construct concession stand at the FCC baseball field. Building will be used for concessions, press box and storage.

The "Advertisement for Bids" was placed in the Mt. Carmel Register for one (1) day.

**Agenda Item #11**

**District Finance**

**A. Financial Report**

**B. Approval of Financial Obligations**

**ILLINOIS EASTERN COMMUNITY COLLEGES  
DISTRICT #529**

**TREASURER'S REPORT  
December 31, 2016**

<b>FUND</b>	<b>BALANCE</b>
Educational	\$5,226,796.48
Operations & Maintenance	\$876,247.58
Operations & Maintenance (Restricted)	\$269,366.32
Bond & Interest	\$466,427.37
Auxiliary	\$845,328.42
Restricted Purposes	\$6,765.43
Working Cash	\$202,986.61
Trust & Agency	\$655,809.07
Audit	(\$9,481.23)
Liability, Protection & Settlement	\$661,963.30
<b>TOTAL ALL FUNDS</b>	<b>\$9,202,209.35</b>

Respectfully submitted,

Roger Browning, Treasurer

**ILLINOIS EASTERN COMMUNITY COLLEGES**  
**Combined Balance Sheet - All Funds**  
**December 31, 2016**

	<b>ALL FUNDS</b> <hr/> <b>Fiscal</b> <b>Year</b> <b>2017</b> <hr/>
<b>ASSETS:</b>	
CASH	9,202,209
IMPREST FUND	21,400
CHECK CLEARING	12,500
INVESTMENTS	15,590,000
RECEIVABLES	3,439,098
ACCRUED REVENUE	-
INTERFUND RECEIVABLES	-
INVENTORY	509,653
OTHER ASSETS	457,507
TOTAL ASSETS AND OTHER DEBITS:	<hr/> 29,232,367
 <b>LIABILITIES:</b>	
PAYROLL DEDUCTIONS PAYABLE	228,772
ACCOUNTS PAYABLE	11,861
ACCRUED EXPENSES	-
INTERFUND PAYABLES	-
DEFERRED REVENUE	50,000
OTHER LIABILITIES	-
TOTAL LIABILITIES:	<hr/> 290,633
 <b>EQUITY AND OTHER CREDITS:</b>	
INVESTMENT IN PLANT	2,672,727
PR YR BDGTD CHANGE TO FUND BALANCE	594,297
 <b>FUND BALANCES:</b>	
FUND BALANCE	18,447,103
RESERVE FOR ENCUMBRANCES	7,227,607
TOTAL EQUITY AND OTHER CREDITS	<hr/> 28,941,734
 TOTAL LIABILITIES, EQUITY, AND OTHER CREDITS	 <hr/> <hr/> 29,232,367

ILLINOIS EASTERN COMMUNITY COLLEGES  
 Combined Statement of Revenues, Expenses,  
 and Changes in Net Assets  
 AS OF December 31, 2016

ALL FUNDS

FY 2017  
 YEAR-TO-DATE

REVENUES:

LOCAL GOVT SOURCES	5,958,546
STATE GOVT SOURCES	5,021,372
STUDENT TUITION & FEES	11,373,458
SALES & SERVICE FEES	1,892,059
FACILITIES REVENUE	4,024
INVESTMENT REVENUE	76,935
OTHER REVENUES	47,031
TOTAL REVENUES:	24,373,425

EXPENDITURES:

INSTRUCTION	5,083,913
ACADEMIC SUPPORT	243,718
STUDENT SERVICES	735,951
PUBLIC SERV/CONT ED	4,235
OPER & MAINT PLANT	1,343,775
INSTITUTIONAL SUPPORT	5,266,495
SCH/STUDENT GRNT/WAIVERS	4,366,928
AUXILIARY SERVICES	2,797,716
TOTAL EXPENDITURES:	19,842,731

TRANSFERS AMONG FUNDS:

INTERFUND TRANSFERS	0
TOTAL TRANSFERS AMONG FUNDS:	0

NET INCREASE/DECREASE IN NET ASSETS	4,530,694
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**Illinois Eastern Community Colleges  
Operating Fund Analysis  
CASH BASIS**

July 1, 2016 -- December 31, 2016

	<b>Education Fund</b>	<b>O &amp; M Fund</b>	<b>Total Operating Funds</b>
<b>REVENUES:</b>			
Local Government Sources	2,323,225	997,137	3,320,362
State Government Sources - Current Year	5,021,372	-	5,021,372
State Government Sources - Prior Year	-	-	-
Net Tuition and Fees	2,732,608	840,630	3,573,238
Sales & Service Fees	25,072	-	25,072
Facilities Revenue	-	3,448	3,448
Investment Revenue	42,635	9,699	52,334
Other Revenues	14,828	170	14,998
<b>TOTAL REVENUES:</b>	<b><u>10,159,740</u></b>	<b><u>1,851,084</u></b>	<b><u>12,010,824</u></b>
 <b>EXPENDITURES:</b>			
Salaries	6,578,566	430,145	7,008,711
Employee Benefits	1,019,557	89,549	1,109,106
Contractual Services	218,837	156,873	375,710
Materials	445,870	108,551	554,421
Travel & Staff Development	74,734	1,790	76,524
Fixed Charges	92,524	9,088	101,612
Utilities	28,096	494,448	522,544
Capital Outlay	48,037	5,651	53,688
Other	98,719	-	98,719
<b>TOTAL EXPENDITURES:</b>	<b><u>8,604,940</u></b>	<b><u>1,296,095</u></b>	<b><u>9,901,035</u></b>
 <b>TRANSFERS :</b>			
Interfund Transfers	<u>(1,317,348)</u>	<u>                    </u>	<u>(1,317,348)</u>
<b>TOTAL TRANSFERS:</b>	<b><u>(1,317,348)</u></b>	<b><u>                    </u></b>	<b><u>(1,317,348)</u></b>
 <b>NET INCREASE / (DECREASE)</b>			
	<b><u><u>237,452</u></u></b>	<b><u><u>554,989</u></u></b>	<b><u><u>792,441</u></u></b>

**OPERATING FUNDS  
COMPARISON REPORT FY15-17**

College	Category	FISCAL YEAR 2015			FISCAL YEAR 2016			FISCAL YEAR 2017			
		Anticipated Budget	Spent Thru December	% of Bdgt	Anticipated Budget	Spent Thru December	% of Bdgt	Anticipated Budget	Spent Thru December	% of Bdgt	% of Year
Frontier	Bills		\$ 914,006			\$ 894,338		\$ 983,431			
	Payroll		979,528			1,081,629		1,008,990			
	Totals	\$ 4,283,530	1,893,534	44%	\$ 4,230,407	1,975,967	47%	\$ 3,989,274	1,992,421	50%	50%
Lincoln Trail	Bills		1,196,359			1,031,223		1,147,769			
	Payroll		1,047,585			1,116,560		1,020,279			
	Totals	\$ 4,540,934	2,243,944	49%	\$ 4,505,520	2,147,783	48%	\$ 4,298,705	2,168,048	50%	50%
Olney Central	Bills		1,473,888			1,357,075		1,174,897			
	Payroll		2,126,034			2,200,124		2,019,229			
	Totals	\$ 7,866,901	3,599,922	46%	\$ 7,696,886	3,557,199	46%	\$ 7,208,163	3,194,126	44%	50%
Wabash Valley	Bills		1,669,710			1,669,709		1,699,673			
	Payroll		1,438,097			1,552,936		1,489,391			
	Totals	\$ 6,111,313	3,107,807	51%	\$ 6,176,922	3,222,645	52%	\$ 6,024,837	3,189,064	53%	50%
Workforce Educ.	Bills		1,532,677			1,635,565		1,430,931			
	Payroll		642,876			640,574		551,073			
	Totals	\$ 5,577,344	2,175,553	39%	\$ 5,467,706	2,276,139	42%	\$ 5,056,047	1,982,004	39%	50%
District Office	Bills		154,578			157,713		137,969			
	Payroll		471,185			521,804		527,547			
	Totals	\$ 1,318,178	625,763	47%	\$ 1,351,446	679,517	50%	\$ 1,299,414	665,516	51%	50%
District Wide	Bills		760,440			791,398		684,185			
	Payroll		394,773			481,380		392,202			
	Totals	\$ 2,791,650	1,155,213	41%	\$ 2,771,726	1,272,778	46%	\$ 2,489,438	1,076,387	43%	50%
<b>GRAND TOTALS</b>		<b>\$32,489,850</b>	<b>\$ 14,801,736</b>	<b>46%</b>	<b>\$32,200,613</b>	<b>\$ 15,132,028</b>	<b>47%</b>	<b>\$ 30,365,878</b>	<b>\$14,267,566</b>	<b>47%</b>	<b>50%</b>



**ILLINOIS EASTERN COMMUNITY COLLEGES**  
**Operating Funds Expense Report**  
**December 31, 2016**

	<u>FY 2017</u>		<u>FY 2016</u>		<u>Increase</u>
	<u>Amount</u>	<u>% of Total</u>	<u>Amount</u>	<u>% of Total</u>	<u>(Decrease)</u>
Salaries	7,008,711	49.12%	7,595,007	50.19%	(586,296)
Employee Benefits	1,109,106	7.77%	1,095,854	7.24%	13,252
Contractual Services	375,710	2.63%	351,336	2.32%	24,374
Materials	554,421	3.89%	699,349	4.62%	(144,928)
Travel & Staff Development	76,524	0.54%	103,991	0.69%	(27,467)
Fixed Charges	101,612	0.71%	129,204	0.85%	(27,592)
Utilities	522,544	3.66%	500,416	3.31%	22,128
Capital Outlay	53,688	0.38%	77,731	0.51%	(24,043)
Other	4,465,250	31.30%	4,579,140	30.26%	(113,890)
	<u>14,267,566</u>	<u>100.00%</u>	<u>15,132,028</u>	<u>100.00%</u>	<u>(864,462)</u>

**Agenda Item #12**

**Chief Executive Officer's Report**

**Agenda Item #13**

**Executive Session**

**Agenda Item #14**

**Approval of Executive Session Minutes**

- A. Written Executive Session Minutes**
- B. Audio Executive Session Minutes**

**Agenda Item #15**

**Approval of Personnel Report**

**Agenda Item #16**

**Collective Bargaining**

**Agenda Item #17**

**Litigation**

**Agenda Item #18**

**Other Items**



**Agenda Item #19**

**Adjournment**

**Locally Funded, CDB, & PHS Projects  
Projects Schedule**

	Funding Source	Estimated Budget								
Student Center - WVC	CDB	\$4,029,400	██████							
Temp Building Replacement - LTC	CDB	\$1,495,500	██████							
Center for Technology - LTC	CDB	\$7,569,800	██████							
<b>GRAND TOTAL</b>		<b>\$13,094,700</b>	<b>Board Approval</b>	<b>Materials</b>	<b>Begin Construction</b>	<b>30% Completed</b>	<b>60% Completed</b>	<b>80% Completed</b>	<b>100% Completed</b>	<b>Fully Accepted</b>

12/31/2016