



Personnel Policies and Procedures Manual



Aaniiih Nakoda College

REVISED AND APPROVED ON AUGUST 8, 2022

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AANIIH NAKODA COLLEGE

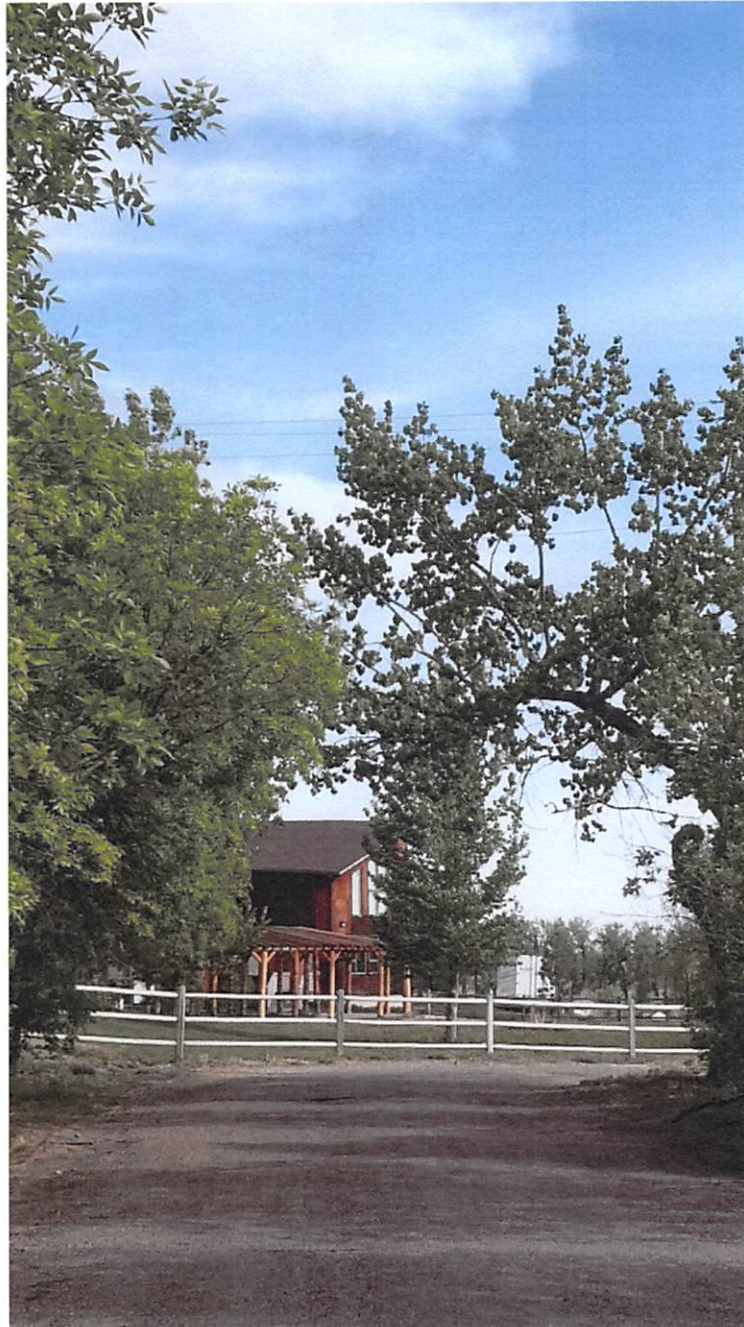


Photo by M. Brockie

PUBLIC NOTICE

This Personnel Policies and Procedures Manual was amended and approved on Monday, August 8, 2022, by unanimous decision of the Aaniiih Nakoda College, Board of Directors at the regular August Board of Directors Meeting; to be effective on August 8, 2022.

AANIIH NAKODA COLLEGE DISCRIMINATION POLICY

We are committed to valuing diversity. We believe in treating all employees, students, and applicants with dignity and respect. At Aaniiih Nakoda College, we do not discriminate in employment based upon race, color, national origin, age, physical or mental disability, marital status, religion, creed, or sex. Any applicant for employment or employee who believes he or she has experienced discrimination should immediately contact his or her supervisor, and/or the Office of the President.

Employees and applicants may also contact the Human Rights Bureau and/or the federal Equal Employment Opportunity Commission. Note: it is important to contact these agencies within 180 days of alleged discrimination. At Aaniiih Nakoda College, we will not retaliate against anyone for making or participating in a complaint of discrimination.

ACCREDITATION

Aaniiih Nakoda College is accredited through the Northwest Commission on Colleges and Universities. For accreditation details write to: 8060 165th Avenue N.E., Suite 100, Redmond, WA, 98052-3901.

MISSION OF THE COLLEGE

The mission of Aaniiih Nakoda College is to provide quality post-secondary education for residents of the Fort Belknap Indian Reservation and surrounding communities. The college promotes individual and community development by maintaining and revitalizing the indigenous lifeways of the Aaniinen and Nakoda Tribes and by preparing students to succeed in an American technological society.

PHILOSOPHY

The educational philosophy of the Board of Directors, administration, staff, and students of Aaniiih Nakoda College reflects the abiding relevance of Aaniiih and Nakoda cultures. The college strives to promote equality among all people and diversity within the college campus and tribal community. The college strives to acquire and maintain active and on-going leadership in all aspects of reservation life by using qualified staff that are sensitive to student and community needs. This is reflected by adhering to lifelong, inter-generational learning by promoting family involvement and the will to meet each person and community needs by respecting the spirituality of the Aaniiih and Nakoda.

CORE THEMES AND GOALS

Core Theme 1: Academic Quality

Goal: ANC will provide high quality postsecondary education opportunities.

Core Theme 2: Cultural Integrity

Goal: ANC will provide educational programs and services grounded in the lifeways of the Aaniiih and Nakoda Tribes.

Core Theme 3: Student Success

Goal: ANC will help students succeed in achieving their academic and professional goals.

SECTION 1 – PERSONNEL

100.00 - 100.09 INSTITUTIONAL INTEGRITY

100.00 INSTITUTIONAL INTEGRITY

Aaniiih Nakoda College leads with the highest ethical standards in its representation to its fellow-tribal colleges, other constituents, and the public; in its instruction, scholarship, and service; in its treatment of its students, faculty, and staff; and in its relationships with regulatory and accrediting agencies. Aaniiih Nakoda College reflects academic traditions, philosophical principles, as an institution of higher learning and is committed to the pursuit of truth, in its communication instilling the Aaniinen and Nakoda lifeways.

100.01 INSTITUTIONAL REVIEW BOARD (IRB)

Aaniiih Nakoda College's Institutional Review Board policies and principles are for the Protection of Human Subjects in Research Principles, Policies, and Procedures. Aaniiih Nakoda College adheres to the contemporary principle that any research involving human subjects, regardless of the funding source must be conducted with the utmost integrity by the researcher and must demonstrate the highest ethical standards in dealing with research subjects. Research that may not directly involve individual human subject but involves Aaniiih Nakoda College resources or indirectly affects the community must also adhere to policies which are guaranteed to protect the unique cultural survival of the Aaniinen and Nakoda peoples' life ways.

Aaniiih Nakoda College is fully aware of the value of research not only to Indian people but society in general. The college must and will demonstrate research compliance, while, at the same time, working to protect the safety and well-being of individuals and the community. Therefore, research at or sponsored by Aaniiih Nakoda College will be well-designed and properly executed according to the IRB principles, policies and guidelines. SEE ANC IRB GUIDEBOOK, OCTOBER 30, 2008.

100.02 REVIEWING POLICY AND PROCEDURES

It is the policy of the Aaniiih Nakoda College to maintain the Personnel Policies and Procedures Manual to highest of standards and integrity. To ensure the policies are maintained, the President will conduct a periodical review. The President shall designate a review team and revise policies and related procedures when appropriate or have been suggested in between review times. The proposed changes will be posted for thirty calendar days for staff and faculty feedback. The feedback will be reviewed by the President's Executive Team and the suggestions and comments will be taken into consideration. The final document will be presented to the Board of Directors for final review and approval.

The ANC Personnel Policies and Procedures Manual will be updated when required or when mandated Federal, State or Tribal policies are updated, this is to reflect the policies and related procedures remain at the highest standards. The Board of Directors approved updates will be disseminated to all employees.

110.00 - 120.00 HIRING PROCEDURES

110.00 AFFIRMATIVE ACTION

It is the College's goal to employ as many members of the Aaniinen (Gros Ventre) and Nakoda (Assiniboine) Tribes as possible as well as other American Indians. To further this goal the College shall give primary consideration to this group when hiring applicants for any position. However, the College accepts and considers all applications submitted by qualified applicants and shall not discriminate against them on any basis.

110.01 EQUAL EMPLOYMENT OPPORTUNITY

The College commits to a policy of equal employment opportunity for all of its employees. The College actively seeks and employs qualified persons in all job classifications and administers all personnel actions affecting employees without discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or any other basis prohibited by law.

The College shall further its policy of equal employment opportunity by recruiting, hiring, compensating, training, and promoting persons in all job classifications without regard to race, color, religion, sex, national origin, age, or handicap. Promotion decisions will continue to be scrutinized to guarantee that only valid requirements are imposed to qualify employees for promotional opportunities.

110.02 INDIAN HIRING PREFERENCE

The policy of Indian Preference in employment may be considered by the President in the selection of an employee to fill an advertised position vacancy in the event that the applicant for the position is deemed to have similar qualifications and experience. If two applicants are deemed equally qualified for a position in terms of education, competence, technical skills, and related successful position experience, an applicant who is an enrolled member of the Aaniiin (Gros Ventre) or Nakoda (Assiniboine) Tribes shall be given first preference; an applicant who is an enrolled member of a federally recognized tribe other than the specific aforementioned tribes shall be given second preference.

110.03 PROCEDURES FOR HIRING THE PRESIDENT

The President, as the Chief Executive Officer of the College, is chartered with the responsibility of executing the policies of the Board of Directors of Aaniiih Nakoda College and the general administration of the College. When a vacancy occurs, the President's position shall be advertised with the agencies listed in Section 112.00 and other agencies or organizations designated by the College Board. The position shall be advertised for a **minimum** of thirty (30) working days. Within in those 30 days, the President may choose the option to advertise the position in-house for 10 working days before the position is advertised off campus.

The Assistant to the President shall organize all job advertisements. The Assistant to the President shall follow the format set for job advertisements. A complete application will be submitted to the interview committee. When there are three (3) qualified applicants the screening process shall be engaged. The applicant who meets the qualifications will be screened and interviewed by the Presidential Search Committee. Within five (5) days of the conclusion of all interviews, the committee shall make its selection and recommend its their choices to the College Board for final approval. Should the Board fail to approve any of the recommended candidates, or should the candidate decline to accept the position, the Committee shall again review its applicants and make another recommendation or begin the process of re-advertising.

110.04 PROCEDURES FOR HIRING COLLEGE ADMINISTRATORS

The administrator positions are the Dean of Academic Affairs, Dean of Student Affairs, Comptroller, or other positions of a comparable level that may from time to time be so designated by the Board of Directors.

When a vacancy occurs, the President will cause it to be advertised with the agencies listed in Section 112.00. The position shall be advertised for a **minimum** of 14 days. Within those 14 days, the President may choose the option to advertise the position in-house for five (5) working days before the position is advertised off campus.

The complete application shall be submitted to the Assistant to the President who shall conduct the initial screening. The Assistant to the President will then assemble the Screening/Selection Committee. This committee shall be the President Executive Team and two qualified staff and/or faculty members. Should more than three applications be received which meet the qualifications for a particular vacancy, the committee shall screen the applicants and collectively select three applicants for the interview process. Within five (5) days of the conclusion of the interviews, the committee shall make its selection and recommend its first, second, and third choices to the President for final approval. Recommendations for appointments, approved by the President, will be presented to the Board for confirmation. Should the candidate decline to accept the position, the Committee shall again review its applicants and make another recommendation or begin the process again by re-advertising.

110.05 PROCEDURES FOR HIRING FULL-TIME FACULTY

The hiring of full-time faculty and other positions of a comparable level that may from time to time be so designated by the President.

When a vacancy occurs or is projected, the Assistant to the President, at the request of the Dean of Academic Affairs, will cause it to be advertised in accordance with Section 112.00. Position vacancies shall be advertised for a **minimum** of fourteen days.

Applications will be submitted to the Assistant to the President who shall conduct the initial screening. The Assistant to the President will then assemble the Screening/Selection Committee. This committee shall be the Dean of Academic Affairs, who shall serve as the committee chairperson, a faculty member and two other qualified members appointed by the President.

The committee will make its recommendations to the President. Recommendations for appointment will be approved by the President and will be presented to the Board of Directors for affirmation.

110.06 PROCEDURES FOR HIRING PART-TIME FACULTY

The President is authorized to interview, select and determine the rate of pay for part-time faculty without the necessity of verification of the Board. All temporary and part-time instructors shall be paid according to the established base rate per credit. The President will notify the Board on a regular basis of the employment of part-time faculty.

110.07 PROCEDURES FOR HIRING OTHER EMPLOYEES

All positions not included under Section 110.00 - 110.07 which includes Program Managers/ Coordinators and support staff.

When a vacancy occurs, the President will cause it to be advertised with the agencies listed in Section 112.00. The position shall be advertised for a minimum of 14 days.

Qualified applications will be submitted to Assistant to the President who shall conduct the initial screening of the applications. The Assistant to the President will then assemble the Screening/Selection Committee at the President's approval. This committee shall be comprised of qualified staff and/or faculty members.

Should more than three applications be received which meet the qualifications for a particular vacancy, the committee shall screen the applications and collectively select three applicants for the interview process. Within five (5) days of the conclusion of the interviews, the committee shall make its

selection and recommend its first and second choices to the President for final approval. Should the first and second candidates decline to accept the position, the Committee shall again review its applicants and make another recommendation or begin the process again by re-advertising.

110.08 IN-HOUSE TRANSFERS

In-house transfers are available to provide a current College employee the opportunity for lateral transfers or promotional advancement, all vacant positions shall be advertised in-house for five (5) to ten (10) working days period prior to being advertised off-campus according to Section 112. A current employee must apply for an in-house transfer, they are not automatically entitled to a promotion or lateral transfer. All recommendations and applications shall be processed and acted upon as mandated by the policies and procedures outlined in this manual.

110.08 A Lateral Transfer: A lateral transfer is defined as the assignment of an employee to a position for which they are qualified, which is of equal pay status, and which is of equal responsibility to the current role of the employee. Transfer of an employee to an existing position vacancy may be requested by the employee or by the employee's immediate supervisor. All transfer requests must be processed in writing to the President for consideration. The intent of lateral transfers is to facilitate the assignment of employees based upon their skills, abilities, and competencies. The newly transferred employee shall serve a probation period; 30 workdays for a similar job description and 90 workdays for a new position.

110.08 B Promotions: A promotion is defined as a change in position and status of an employee from a current job to another job requiring higher qualifications and/or involving a higher level of responsibility. Any employee interested in a vacant position and whose appointment would result in a promotion must submit to the President, in writing, an affirmation that he/she would like to be considered for the position. In turn, the President must submit all promotion considerations and recommendations to the Board of Directors. The President and the Board of Directors must approve or disapprove all employee promotion requests prior to advertising the position as mandated by section 112.00. In considering employee promotion, the President will:

- 1) Discuss the possible promotion with the employee being considered for the promotion, identifying specific rules, responsibilities, duties and other factors related to the promotion; and
- 2) Provide to the Board of Directors an accurate accounting of the promotion-candidate's strengths, weaknesses and abilities as related to the position in question, as well as a recommendation to award or deny the promotion.

110.08 C Transition Periods: An employee accepting or awarded a lateral transfer or promotion shall be given fourteen to thirty days from the announcement of his/her new position by the President and the Board to transition into his/her new position. During this period, the employee will be expected to conclude projects, train his/her replacement, and familiarize him or herself with the new position.

111.00 EMPLOYEE STATUS CLASSIFICATION

111.01 Full-Time Employee: An employee who is hired to complete a forty (40) hour work week is a full-time employee. The employee is subject to all the rules and regulations contained in this manual. Full-time administration, secretarial/clerical and facilities positions and full-time faculty who manage a program (s) are included in this classification.

111.02 Part-Time Employee: An employee who hired to complete a work week of thirty-nine (39) hours or less will be considered a part-time employee. This classification includes part-time faculty (adjunct) appointed for the academic year. A part-time employee does not serve a probationary period and do not accrue leave. A part-time employee may follow the application process should the part-time position be

advertised, or the part-time employee may be appointed by the President. The employee, however, is subject to all other rules and regulations within this manual and specifications in their contracts and/or letter of agreement.

111.03 Full-time Temporary Employee: An employee who has a valid College contract for services as a full-time temporary employment may be made by the President for a period not to exceed ninety (90) working days. A temporary full-time employee does not serve a probationary period and does not accrue leave. The temporary full-time employee is subject to all other rules and regulations within this manual and specifications in their contract.

111.04 Temporary Employee: A temporary appointment may be made by the President for a period not to exceed ninety (90) working days. A temporary employee does not serve a probationary period and does not accrue leave. This includes part-time faculty on a one-semester appointment. The employee is also subject to all other rules and regulations within this manual and specifications in their contract for services and/or letter of agreement.

111.05 Volunteers on Campus: All volunteers must be approved BEFORE they begin any duties on campus. Supervisors will submit to the President for approval a job description of the volunteer's hour. The volunteer will fill out a Campus Volunteer Form, with attached approval letter that indicates where they will be volunteering and what hours they will be on campus. These approved documents will be kept with the President's administrative files.

111.06 Student Employee: A student employee is defined as a current student attending ANC and employed in a tutor, work-study, or intern position. Student employees do not accrue leave or benefits and are not eligible for holiday pay.

112.00 POSITION ADVERTISEMENTS

Notices of position vacancies for full-time employees shall, at a minimum, be advertised in two or more of the following locations and with the following agencies and media:

- a.* Fort Belknap Indian Community Human Resources office;
- b.* Local and State Newspapers;
- c.* Tribal Colleges Nation-wide;
- d.* Graduate Centers in the Montana University System,
- e.* Montana Jobs.gov;
- f.* Any other applicable agency and/or media related to the vacant position.
- h.* ANC website and KGVA Radio Station

When a position advertisement indicates an "open until filled" status, Aaniiih Nakoda College will accept complete Letters of Application and supporting documentation, and interview qualified applicants on a first come, first serve basis and make a sound recommendation to the President for approval with the Board of Directors making their confirmation.

The administration may choose to advertise a full-time position in-house for 10 working days. Current employees seeking a new position within the college may apply for the vacant position; she/he will follow the application procedures as follows.

113.00 APPLICATION PROCEDURES

An interested individual seeking an Aaniiih Nakoda College advertised position must submit to the Assistant to the President: a Letter of Application, current resume, official college transcript(s)* that indicates degree of education that has been advertised for, three current letter of recommendation.

**Note:* some advertised positions will not require a college transcript, but all job positions will require a high school diploma or GED and a valid Montana Driver's License.

113.01 PRE-EMPLOYMENT BACKGROUND CHECKS

It is the policy of the Board of Directors that any finalist recommended for hire to a paid or volunteer position with Aaniiih Nakoda College shall submit to a name-based and fingerprint criminal background investigation conducted by the appropriate law enforcement agency within the 90-day probation or prior to consideration of the recommendation for employment or appointment by the President.

When a complete background check exceeds the 90-day probation period the probation period will be extended until the background check is completed.

Any requirement of the applicant to submit to a fingerprinting background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the President and appropriated certified personnel, who shall decide whether the applicant shall be declared eligible for appointment or employment (in a manner consistent with the expectations and standards set by the Board). Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.

An applicant who is a registered violent offender shall voluntarily give ANC notification upon application submission. Failure to do so will be cause for immediate dismissal. An applicant who is non-compliant with registration standards will be immediately dismissed.

An applicant who is a sexual offender, registered or non-compliant will not be hired to work for ANC in any capacity.

113.02 CRIMINAL BACKGROUND INVESTIGATION AND DISQUALIFYING OFFENSES

The purpose of the Background Investigation is to maintain a safe and productive educational environment. Any applicant who refuses to comply the Background Investigation process will be denied employment with any Aaniiih Nakoda College program.

Disqualifying criminal offenses: any conviction, plea of guilty or no contest, or deferred prosecution of the following criminal offenses (Felony or Misdemeanor) that appears on any part of a Criminal Background Check at the time of the application for employment is submitted will disqualify an applicant. Applicants who have successfully completed the terms of a deferred adjudication will not be disqualified from employment. Applicants who have a disposition of "dismissed after successful completion," regardless of the crime, will be disqualified from employment.

An applicant will be disqualified from employment with Aaniiih Nakoda College based on the following guidelines:

1. Any violent felony convictions of homicide (no time limit).
2. Any registered sex offender (no time limit).
3. Any crime of child abuse (no time limit).

4. Crimes of violence (assault, sexual offenses, arson, kidnapping, any crime against an at-risk adult or juvenile, etc.) in ten years immediately preceding the submittal of an application.
5. Any crime, the underlying basis of which has been found by the court on the record to include an act of domestic violence in the seven years immediately preceding the submittal of an application.
6. Any crime relating to the sale, possession, distribution or transfer of narcotics or controlled substances in the seven years preceding the submittal of an application.
7. Any felony theft crimes in the seven years preceding the submittal of application.
8. Any misdemeanor theft crimes in the five years preceding the submittal of an application.
9. Misdemeanor or felony crimes of moral turpitude in the seven years preceding the submittal of an application, which include but are not limited to prostitution, sexual exploitation of a minor, and criminal invasion of privacy.

In addition to the above, an applicant will be disqualified from employment with ANC for any daycare and/or elementary teacher position based upon the following guideline: ANC will not employ any individual in any position where he/she has contact with or control over children if that individual has been found guilty of or entered a plea of nolo contendere or guilty to any offense under Tribal, Federal or State Law involving a crime of violence, sexual assault, molestation, exploitation, contact, or prostitution or other crimes against person(s).

113.03 REGISTERED SEX OFFENDER POLICY

To increase the safety of and welfare of the students, faculty, and staff of Aaniiih Nakoda college. No convicted or registered sex offender will be allowed to enroll in any ANC courses or allowed on any ANC property.

A hard copy of the registered sex offenders located on the Fort Belknap Indian Reservation (Blaine and Phillips Counties) will be kept at the human resources desk and distributed to each building manager to be used as a reference guide and identification.

If a registered sex offender is identified, the Tribal Law Enforcement will be notified immediately with the person asked and/or escorted off campus.

114.00 APPLICANT INTERVIEWS

A qualified applicant will not be selected or appointed without a personal interview with the Screening/Selection Committee and/or President, except in the case of a temporary appointment. The President may make a temporary appointment following a personal interview with a qualified individual. All applicants screened and selected for personal interviews will be notified by the Assistant to the President. An applicant who was not selected for an interview will be notified in writing and their application will be held by the Assistant to the President for one (1) year from the time of receipt. **Incomplete applications will not be considered for the screening process. The individual who does not meet minimum qualifications listed in the advertised job description will not be considered for the screening process.**

115.00 APPOINTMENTS OF PART-TIME AND TEMPORARY POSITIONS

Part-time and temporary appointments may be made by the President. When a vacancy occurs in a full-time position and it is critical that the position be filled immediately, the President may make a temporary appointment (not to exceed 90 working days) to fill the position. However, the position must be advertised and hiring procedures must be followed to elevate the employee to full-time status.

116.00 NOTICE OF APPOINTMENT

The President shall notify the new employee in writing of his/her selection, salary, and the date and time the employee is to report to work. The President or his/her designated representative shall sign all notices of appointment. In the case of hiring a President, the Board Chairperson shall notify and sign the President's notice of appointment.

117.00 NEPOTISM

The College will permit the hiring of multiple members of the same immediate family as long as the applicant is not directly hired, supervised or directly affected by the supervision of a member of his/her immediate family. A related employee or board member shall not take part in the screening, interviewing, or hiring of his/her immediate family members.

Immediate Family Definition: For the purpose of the Aaniiih Nakoda College Personnel Policies and Procedure Manual, the term, "immediate family" shall mean: wife, husband, son, daughter, mother, father, brother, sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, mother's siblings, father's siblings, grandparents (mother's or father's parents), grandchildren, and legal dependents. Any deviation from this policy must be approved by the President.

118.00 BOARD MEMBER EMPLOYMENT ELIGIBILITY CRITERIA

A member of the Board of Directors or other policy making body may submit an application for a staff position providing he/she resigns from the Board of Directors upon accepting or being appointed to the position and does not take part in the selection process.

The exception to this is when an individual is employed as part-time faculty. The individual will not take part in the selection or confirmation of a process but need not resign their Board of Directors position.

119.00 BONDING EMPLOYEES

Each employee is responsible for the handling of money or materials of value must be bonded.

120.00 PRIVACY ACT POLICY

The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, is a Federal law which states: (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of employees be made available. The law provides that the institution will maintain the confidentiality of employee records.

The College adopts all the applicable rights under the law to employees who are at least 18 years of age. No one shall have access to nor will the institution disclose any information from employees records without the written consent of the employee. The following exceptions are permitted under the Act: 1) by valid request from accrediting agencies; 2) in compliance with a judicial order; 3) in an emergency situation; and/or 4) to protect the health and/or safety of employee(s).

Within the College, only those members, individually or collectively, acting in the employee's interest, are allowed access to employee records. These members include the President and President's Assistant to the President.

The College may provide directory information in accordance with the provisions of the Act which include: 1) employee name, address and telephone number, 2) date and place of birth, 3) major of study, 4) dates of employment, 5) degrees and awards received, 6) the most recent previous employer, and 7) institution(s) attended by the employee. The College may withhold directory information if the employee

notifies the Assistant to the President in writing. The Assistant to the President and Receptionist/Secretary choose not to give a staff or faculty email address or cell number over the phone or through the email; they will take a message or send a message to the employee; it will be the responsibility of the employee to provide the requested information.

Request for non-disclosure will be honored by the College until said employee removes the request. The request for non-disclosure will remain in effect after employment has ended. Therefore, authorization to withhold directory information must be formally filed with the Assistant to the President. The law provides an employee with the following rights: 1) the right to inspect and review information contained in their employment records, 2) to challenge the contents of their records, 3) to have a hearing if the outcome of the challenge is unsatisfactory, and 4) to submit explanatory statements for inclusion in their files if the decisions of the hearing panels are unacceptable. The Assistant to the President has been designated by the institution to coordinate the inspection and review procedures of an employee's records. An employee wishing to review their employee records must make written requests to the Assistant to the President a listing the item or items of interest. Only records covered by the Act will be made available within forty-five (45) days of the request. An employee may have copies made of their records at the employee's expense if any fees are assessed.

An employee who believes that their employment records contain information that is inaccurate or misleading or is otherwise in violation of their privacy or other rights, may discuss their problems informally with the President or his/her designee. If the decision is in agreement with the employee requests, the appropriate records will be amended. If not, the employee will be notified within ten (10) working days that the records will not be amended, and they will be informed by the Assistant to the President of their right to a formal hearing.

An employee who requests for a formal hearing must be made in writing to the President or his/her designee who, within ten (10) days after receiving such requests, will inform employee of the date, place, and the time of the hearings. The employee may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the employee's expense.

The hearing panel which will adjudicate such challenges shall be designated by the Board of Directors. The Board of Directors shall, through a majority decision, nominate and appoint three qualified persons to sit as the hearings panel.

Decisions of the hearings panel are final. Decisions will be based solely on the evidence presented at the hearing and will consist of written statements summarizing the evidence and stating the reasons for the decision. Copies of the decisions will be delivered to all parties concerned. If the decision is in favor of the employee, the employee's records will be corrected or amended in accordance with the decision of the hearings panel. If the decisions are unsatisfactory to the employee, he/she may place with the employee records, statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The statements will be placed in the employee's records, maintained as part of the employee records, and released whenever the records in question are disclosed. Revisions and clarifications will be published as experience with the law and institution's policy warrants.

120.01 IMMIGRATION REFORM AND CONTROL ACT (IRCA) (1986)

The United States Congress passed, and the President signed into law the Immigration Reform and Control Act of 1986. The IRCA designates the Immigration and Naturalization Service be accountable for implementing this law. IRCA prohibits employers from knowingly hiring, recruiting, or referring for a fee any alien who is unauthorized to work in the United States. All employers are required to verify both the identity and employment eligibility of all regular, temporary employees, temporary agency personnel, and student employees hired after November 6, 1986, and complete and retain a one-page U.S. Citizenship and Immigration Services form (USCIS Form I-9) documenting this verification. ANC does not recruit potential employees who are unauthorized to work within the exterior boundaries of the United States, and their territories. Accepted documents to verify the applicant's identity:

- Valid State Driver's License
- Valid State Identification Card
- Valid/Current Tribal Identification Card of a Federally Recognized Tribe or State Certified
- Current U.S. Passport or current U.S. Passport Card
- U.S. Social Security Card
- U.S. Certified Birth Certificate
- Permanent Resident Card or Alien Registration Receipt Card (Form I-551)

Please see the USCIS Form I-9 for the complete list of acceptable documentation; these documents will only be accepted in certain combinations.

121.00 - 125.00 POSITION CLASSIFICATIONS

121.00 ADMINISTRATION

The President is designated by the Board of Directors as the Chief Executive Officer of Aaniiih Nakoda College. The President has the overall responsibility for the administration of the College in all its aspects by carrying out the policies and procedures that have been approved by the Board of Directors. The Board of Directors employs other administrators of the College who have primary responsibility for specific departments and/or areas of operation of the College. These administrators operate under the immediate supervision of the President, and include the Dean of Academic Affairs, the Dean of Student Affairs, and the Comptroller. The President shall have the authority to establish and appoint College employees to administrative committees established to study administrative and executive problems, and/or to offer a process to ensure College faculty and staff involvement in the development and operation of the College. All administrative committees, i.e. President's Executive Team, established by the President, shall report directly to the President, unless otherwise delegated by the President to another administrator of the College.

122.00 STAFF

An employee is designated as staff if the employee is in a support role and does not teach more than half of their working hours. Staff position can be exempt or non-exempt depending upon the job description and requirements for the position.

123.00 INSTRUCTIONAL STAFF

An employee is designated as instructional staff if the majority of his/her time is devoted to instruction, curriculum development, and advising in support of these roles.

125.00 CONSULTANTS

A consultant may be hired by the President to perform any duty not assigned to a College employee. The consultant shall be issued a contract for services which shall include: the contract period, description of services to be performed, amount of compensation, the signature of the hiring authority, and the signature of the consultant. No staff member will make financial commitments to a consultant, in excess of \$500, without first receiving the approval of the President.

130.00 - 142.00 CONDITIONS OF EMPLOYMENT

130.00 ORIENTATION

It is the responsibility of immediate supervisor to assist the new employee in completing his/her employment forms and to thoroughly inform the employee of the goals and priorities of the College. The immediate supervisor shall also inform the new employee about the relationship of programs, organizational structure, and the employee's rights, benefits, and duties. Furthermore, immediate supervisor shall provide copies of the Personnel Policies and Procedures manual to all new employees. The employee shall follow the chain of command at all times when seeking approval, affirmation and reporting purposes.

130.01 PROFESSIONAL ATTIRE

The staff and faculty of Aaniiih Nakoda College are expected to model professionalism at all levels including appropriate business attire. Staff and faculty will wear business or business casual at all times. For men, "business casual" is considered to be long- or short-sleeved shirts or a polo style, or shirt with a sports jacket. Specific staff will dress appropriate to their vocation (example: physical plant staff, extension staff); ***although will be expected to dress business casual accordingly for staff meetings***. For women, "business casual" is considered to be a blouse, slacks, capris, skirt, dress, or suit.

Faded jeans, shorts, cut-offs, t-shirts, sweats, work-out clothing, clothing with holes, or worn tennis shoes are *not* work appropriate. Shoes should also reflect a business/business casual atmosphere.

131.00 CONTRACTS

Upon acceptance of an appointment at the College, an employee will be issued a contract which shall include: the beginning of the contract; the amount of compensation; position title; the signature of the hiring authority; the signature of the employee. A new employee hired shall be offered a contract with the above specifications within fifteen (15) days of completion of the employee's probationary period with a favorable 90-day performance evaluation and a favorable background check. The original contract will be filed in the employee's personnel file with a copy to be issued to the employee and another copy will be filed in the Business Office employee payroll file.

The annual faculty Letters of Intent will be issued by February 1st of each year with sign and return date of March 1st.

131.01 BENEFITS

The College offers the full-time, permanent employee the opportunity for three benefits, they are optional; 401K, health insurance and life insurance. The employee is responsible to complete all documents and return completed documents to appropriate office departments. In the event the new employee has an established retirement account and does not apply to the ANC 401K, the employee's previous retirement account will maintain the responsibility of the new employee. The employee at their discretion, may open a new College retirement account and the College will begin quarterly contributions based on the employee salary. Or the new employee can "roll-over" their retirement funds into the ANC 401K and the College will begin timely contributions based upon their salary. The ANC health insurance

is not mandatory, and the new employee may opt out, but are encouraged to maintain some sort of health insurance. If an employee chooses to participate in the College health insurance and would like to add family members, this is at their expense; the employee must pay the additional costs to the College business office. The life insurance is also optional, the College will pay for an established amount and if the employee wants to increase the preset life insurance amount, they may pay for the increased fees above the allotted amount. The College maintains the option to revise these benefit plans at their discretion and/or due to budget constraints.

All benefits, except health insurance, offered by the College will terminate in respect to ANC's obligation to continue them, on your last day of employment unless there is a written, pre-existing agreement. In the case of health insurance, if the termination date falls within the month of coverage, coverage will cease at the end of next succeeding month premium date, i.e., your last day of work is June 1st, your health insurance coverage is extended for the next 30 days, then expires unless the ex-employee chooses to continue to pay for the ANC health insurance under COBRA guidelines. All ex-employees who were covered by our policy are eligible to continue coverage under the Affordable Care Act and COBRA rules. In the case of life insurance, the policy can be continued at the ex-employee's expense. It is up to the employee to contact the College policy providers and determine what, if any, coverage will be continued. All costs associated with after employment coverage is at the expense of the ex-employee. (Accepted at the ANC Board of Directors Regular Meeting, April 16, 2014.)

132.00 POSITION DESCRIPTIONS

Each identifiable position with Aaniiih Nakoda College shall be described in writing by a job description containing the following:

- a.* Position title and classification,
- b.* General statement of duties,
- c.* Specific area of duties,
- d.* Supervision received,
- e.* Supervision extended and,
- f.* Qualifications required.

The writing of position descriptions and their updating is the responsibility of the President or his/her designated representative. Each employee of the College shall be provided with a copy of their position description upon commencement of employment. A copy of the position description shall be placed in the employee's personnel file.

133.00 PROBATIONARY PERIOD

An employee in a full-time or part-time position will serve a probationary period beginning with the first calendar day of employment and ending the same calendar day three (3) months later. (i.e., employment starts September 3, Probation ends December. 3) The probationary period for faculty shall be the same time frame as for a regular full-time employee. While in probation status, a new employee will accrue four (4) hours of personal leave and four (4) hours of sick leave with the completion of an eighty (80) hour pay period. Should the employee not complete eighty hours within a pay period they will not accrue personal and sick leave. The accrued personal leave and sick leave will become eligible for usage when the probation status has been completed.

A new fulltime employee in probationary status is not eligible for business travel until they have successfully completed their ninety day (thirty-day lateral/transfer position). Exception: if the grant they are working under requires mandatory travel within their 90-day probation period

While on probationary status new permanent full- and part-time employees will be eligible for holiday pay. The new permanent employee in 90-, 60- or 30-day probation must be in a “work” status on the scheduled workday immediately preceding and immediately following the holiday, i.e., Veteran’s Day is November 11th, the new employee must be at work November 10th and November 12th to received November 11th as holiday pay, except when November 11th falls on a Monday, Friday or weekend.

An employee receiving lateral transfers to a new position must also serve a one (1) month probationary period. An employee receiving a promotion to a new position must serve a three-month probationary period. The employee receiving a lateral transfer or promotion shall retain any accrued leave and/or benefits that he/she accrued at his/her previous position.

During the probationary period, the new employee must demonstrate his/her ability to perform the duties described in the position description and to work cooperatively with colleagues. At the end of the probationary period, the new immediate supervisor shall render a performance evaluation and, on the basis of that evaluation, notify the employee of his/her status for continuation or termination in writing. An employee may be dismissed without cause during his/her probationary period. When an employee is released for just cause while in probationary status, any accrued personal leave is not eligible for payout.

Upon satisfactory completion of the probationary period, the employee's leave will accrue from the date of hire. Interruption of the probationary period by sickness or other reason may prolong the completion of the probationary period. An employee will not be given credit for absences.

During the probationary period, it is the responsibility of the supervisor to assist the employee in adjusting to his/her job. If the supervisor deems that the employee is not performing the job satisfactorily, the supervisor must advise the employee in writing specifically what improvements need to be made to perform the job satisfactorily.

Upon satisfactory completion of the probationary period, the employee will acquire applicable full-time or part-time employment status. If the employee completes the probationary period without being dismissed, but the immediate supervisor deems the employee’s work unsatisfactory, the employee may be terminated. In the case of lateral transfer or promotion, the employee will not have the right to return to his/her previous position. The employee must reapply and complete the application and interview process as specified by this policy.

Release or suspension from the job for cause must proceed according to the terms stated under Section 205.00-205.02. This provision does not apply where release is in accordance with contract provisions in the event of program changes or insufficient financial resources.

133.01 JUST CAUSE – NEW EMPLOYEE TERMINATION

Termination for Just Cause may be valid based on the following violations:

- Failure to follow company policy
- Neglect of Duty
- Misconduct
- Incompetence
- Breach of contract
- Stealing money or products from the organization
- Lying or deceiving within the organization
- Falsifying records
- Insubordination
- Harassing other employees or customers

- Threatening other employees or customers
- Violence towards other employees or customers
- Being intoxicated on the job
- Being under the influence of drugs on the job
- Criminal conviction, see Policies 113.01, 113.02, 113.03
- Viewing inappropriate websites at work, including pornography or illegal material

134.00 PROFESSIONAL DEVELOPMENT

One of the goals of the College is the professional development of all faculty and staff. In this regard the following guidelines have been developed. Any qualified employee who wishes to participate in professional development must acquire written approval from the President prior to registering.

a. Financial support to attend workshops and/or professional meetings will be limited to resources have been budgeted for this area. Special consideration will be given to attendance at meetings as a presenter. For consideration, submit a brief outline of how the proposed workshop/classes will enhance your effectiveness as a faculty or staff member and a proposed budget, as far in advance as possible. Proposals presented with less than one week notice of the workshop may not be considered.

b. An allowance of six (6) hours per week of educational leave may be granted to a qualified employee. All educational leave must be approved by the President prior to each semester that an employee is taking a class(es). Educational leave is approved only for specific class(es) at specific times, as documented by registration forms. Lack of support may start payback process. Educational leave may not be accrued and used at a later date.

c. When the President has approved the financial support of a specified academic program the employee will be required to sign the contract: Professional Development Service Agreement. Failure to sign the agreement will cause forfeiture of financial support.

d. The employee shall submit a progress report of completed coursework or provide the President with a transcript that indicated forward progress in the agreed upon academic program. This shall be submitted after each course or courses, has been completed.

135.00 PERFORMANCE EVALUATIONS

Each new employee is to be evaluated by his/her immediate supervisor at the end of the probationary period, and annually thereafter. Evaluations should be scheduled to coincide with the employee's anniversary of his/her date of employment. The purpose of the performance evaluation is to inform the employee on how well he/she is meeting the standards set for him/her and to encourage the employee to improve his/her performance through supplementary education or other means. Further, the performance evaluation supplies information to the employee on salary level and possible increments based upon performance and facilitates evaluation of possibilities of promotion or transfer. The completed evaluation should be discussed with the employee and signed by both the employee and the supervisor within fifteen (15) days of meeting and placed in the employee's personnel file.

Should the employee object to any portion of the performance evaluation, he/ she must notify his/her immediate supervisor, in writing, prior to signing the performance evaluation. The immediate supervisor will have five days from receipt of the objection to modify the evaluation or provide the employee with his/her stated reasons for upholding the evaluation. If the employee continues his/her satisfaction, he/she may then proceed with a formal grievance as specified in these policies and procedures.

136.00 SCHEDULE OF PERFORMANCE EVALUATIONS

President - The Board shall conduct an evaluation from 1 to 3 year intervals of the College President, with the length of time to be determined by the Board and President. Such evaluation shall comply with any requirements set forth in the President's contract of employment as well as this policy. The President shall conduct a written self-evaluation determined by the goals and polices set by the President and

approved by the Board. The President shall be notified by the Board at the following regular Board meeting. A copy of the evaluation is to be placed in his/her personnel file.

Administrative and Other Staff - The President shall evaluate administrative employees that are under the President's direct supervision. This includes the Dean of Academic Affairs, Dean of Student Affairs, Comptroller, Assistant to the President, Manager of Information Systems, Sponsored Programs Specialist, and any other employee who reports directly to the President. Other personnel shall be evaluated by their supervisor. The President and/or the supervisor shall complete a personnel evaluation form and shall discuss the evaluation with the employee in private conference. If the employee's duties and responsibilities have changed from the previous year, his/her job description will be revised at this time also. The completed evaluation form, signed by both the employee and supervisor along with the current position description shall be placed in the employee's personnel file by the end of March.

Full-time and adjunct instructors shall be evaluated by the Dean of Academic Affairs. See the Faculty Handbook for detailed evaluation description.

137.00 WORK HOURS

Unless otherwise specified, all full-time non-academic employees will work a forty (40) hour week, eight (8) hours per day, Monday through Friday. The workday begins at 8 a.m. and ends at 5 p.m. with one hour for lunch and two (2) fifteen (15) minute breaks. Specific programs may dictate a different schedule in order to better serve the students. Full-time instructors are expected to work at least forty (40) hours, per week, although not necessarily from 8 a.m. to 5 p.m. Instructors shall be available for consultations with students and shall submit a copy of their office hours to the Dean of Academic Affairs and Assistant to the President at the beginning of each semester.

Full-time instructors are not hourly employees. Generally, the instructor's duties include teaching, serving on campus committees, serving as academic advisor to students, performing academic assessment activities, reviewing and revising curriculum as necessary. A full-time instructor credit load averages 12-15 credits per semester with a maximum load of 18 credits. The type of courses taught must be factored into this average, as laboratory course require more contact time than a lecture course.

Part-time instructors shall be available for at least one-half hour before or after each regularly scheduled class.

Reduced credit loads will be reassigned for administrative duties not part of the normal duties of a faculty member.

138.00 RESIGNATION

An employee who resigns shall submit their request in writing to their respective immediate supervisor, with a copy of the resignation letter to the President at least two weeks prior to the requested effective date of the resignation. Failure to submit an employee resignation in this manner may result in the employee's forfeiture of all accrued personal leave balances and payment for the personal leave balances.

Verbal resignations reported to their immediate supervisor and/or President are considered binding and will be handled according to the above policy. **Verbal resignations may result in the forfeiture of all personal leave balances and payment for the personal leave balances.**

Please see the Finance Manual for last pay-check protocol.

138.01 SELF-TERMINATION

The President has the authority to enforce self-termination if the employee has been absent from their duties for four (4) consecutive workdays without notification to their supervisor or front office via email, phone call, or text by 10:00 a.m. on the fourth day. On the fourth day after 10:00 a.m. the absent employee will be notified self-termination was excepted and will receive notification by phone, or email, or letter or all three.

139.00 WORKERS COMPENSATION

Each college employee is covered by the Fort Belknap Indian Community Worker's Compensation insurance. One of the objectives of the Worker's Compensation Act is to provide sure, prompt and reasonable income and medical benefits to work-related accident victims. The cost of this insurance is paid by the College. An employee must report any work-related injury to their immediate supervisor the day it occurs and immediately complete an incident report detailing the facts and circumstances surrounding the accident.

140.00 OUTSIDE EMPLOYMENT AND DIRECTORSHIPS

Each employee shares a serious responsibility for Aaniiih Nakoda College's good public relations, especially at the community level. Staff readiness to help with religious, charitable, educational, and civic activities brings credit to the college and is encouraged. The employee while at work or away from work shall proactively promote ethical behavior as a responsible partner among peers, in the work environment, and in the community. The employee must however, avoid acquiring any business interest or participating in any other activity outside the Institution that would, or would appear to create an excessive demand upon their time and attention, thus depriving the college of their best efforts on the job. The employee should not create a conflict of interest-an obligation, interest, or distraction-that may interfere with the independent exercise of judgment in the Institution's best interest.

Outside employment is permitted providing such employment does not result in any of the following:

- a.* Impairment of on-the-job efficiency;
- b.* Conflicts of interest; or
- c.* Unfavorable publicity or poor public relations to the College or the Fort Belknap Indian Community.

Full-time employees must request approval by the President for any outside employment which would require them to work an excess of a 40-hour work week.

141.00 – 143.00 PERSONNEL FILE PROCEDURES

141.00 LOCATION

Personnel files for all College employees are secured in the President's administrative office. A personnel file shall be established upon the initial date of employment for each individual who has been officially hired. Personnel files shall be maintained as a depository of records and documents concerning that individual during his/her employment period. Inactive files are kept for a period of three years, and thereafter will be destroyed in a manner consistent with confidentiality.

142.00 FILE CONTENTS

The structure of the personnel file shall consist of a classification folder. The contents of the employee personnel files consist of the following:

- a.* Letters of Application
- b.* Résumé
- c.* Original transcripts of College courses (when applicable)

- d. High School Transcripts or Official GED (when applicable)
- e. Letter of Hire
- f. Contract(s) (original)
- g. Job description which includes performance objectives and standards of performance
- h. Performance evaluations
- i. Other information required by funding agency
- j. Correspondence related to disciplinary action, change in status or assignment, etc.
- k. Correspondence relating to employee
- l. Termination or resignation
- m. Consents and acknowledgments regarding the Drug Free Workplace policy

The contents of personnel files for temporary appointments shall contain the following minimum information:

- a. Letter of Application (if applicable)
- b. Resume'
- c. Notice of hire
- d. Contract for Services (if applicable)
- e. Job description (if applicable)
- f. Consents and acknowledgments of the ANC the Drug Free Workplace policy.

143.00 FILE PROCEDURES

The personnel file of each employee is confidential and is only accessible to the President, Assistant to the President and the respective employee on a "need to know" basis. Personnel records may be offered as evidence that the College uses fair employment practices. Unsuccessful complete applications for employment will be maintained for one year so that the applicant can be considered for other College vacancies.

150.00 - 156.01 PERSONNEL LEAVE POLICIES

150.00 ADMINISTRATIVE LEAVE

Administrative leave may be authorized to staff by the College President under the following conditions and stipulations, utilizing the Application for Leave form. Administrative leave granted by the President will be used on said designated day; this administrative leave cannot be carried forward to another day or time, i.e., holiday leave. An employee who is absent with approved leave, will not have their leave adjusted by the Payroll Clerk.

Immediate family definition:

Immediate Family Definition: For the purpose of the Aaniiih Nakoda College Personnel Policies and Procedure Manual, the term, "immediate family" shall mean: wife, husband, son, daughter, mother, father, brother, sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, mother's siblings, father's siblings, grandparents (mother's or father's parents), grandchildren, and legal dependents. Any deviation from this policy must be approved by the President.

150.01 BUSINESS TRAVEL

Administrative leave may be granted for non-college business travel activities such as attending conferences, workshops, seminars, or community meetings may be authorized by the President when attendance at such activities is beneficial to the College. Employees in Probation Status shall not attend non-college business travel unless mandated for said position and authorized by the President.

150.02 CIVIC RESPONSIBILITIES

When an employee is obligated to jury duty, he/she must request to the President for approval. The employee will be required to relinquish jury pay but will retain his/her regular pay from the College for the period the employee serves. An employee who serves as an Election Judge will be required to relinquish any pay accrued but will retain his/her regular pay from the College for the period the employee serves. Forfeiture of pay is not required when duties extend beyond the 8:00 a.m. to 5:00 p.m. workday. Employees who use the Civic Responsibilities policy will act under personal integrity and the honor system.

150.03 COMMUNITY SERVICE

An employee who is a member of an off-campus board/committee, i.e., School Board Trustee, Head Start Parent Committee, etc., may be eligible for administrative leave to attend meetings that may have been planned during the workday. This is on a case-by-case basis and will be presented to the President.

150.04 EMERGENCY LEAVE

An employee may be granted leave with pay by the President for absences due to inclement weather or emergencies arising from disasters such as fire, flood, and other natural phenomena.

150.05 BEREAVEMENT LEAVE

Bereavement leave with pay may be granted by the President for a maximum of three days when there is a death in the immediate family as defined.

150.06 EDUCATIONAL LEAVE

This policy applies to full-time permanent employee working at the College. Educational leave with pay, not to exceed six (6) hours per week, may be granted by the President to an employee upon request for employee's career development. Approval by the President is required *prior* to enrollment. Any educational leave exceeding six (6) hours per week must be approved by the President prior to registering for the class(es). Educational leave is approved only for specific class(es) at specific times, as documented by registration forms. Lack of support may start payback process. **Educational leave cannot be accrued and used at a later date.**

150.07 HEALTH AND FITNESS LEAVE

Health and fitness leave, not to exceed one and one-half (1 ½) hour per week, may be granted to an employee to improve health and fitness, but also to promote a healthy work environment. **A schedule approved by the President is required prior to utilization of leave.**

150.08 OTHER SPECIAL OCCASION ADMINISTRATIVE LEAVE

The President may grant special occasion administrative leave for eligible staff on campus, i.e., Milk River Indian Days, what is not an official college holiday. Staff that are obligated to remain on campus due to the nature of their job duties will not be eligible and will be advised to remain on campus. New employees who are in probation status will be eligible for this special administrative leave. Temporary full-time and part-time employees are not eligible for said leave. If an employee is currently on approved leave; their approved leave will not be adjusted for "special occasion" administrative leave hours.

150.09 BIRTHDAY LEAVE

A full-time permanent employee may be granted 8 hours of approved birthday leave if their birthday falls within the work week. This leave must be approved by the President at least two (2) days prior to the date of birth. A birthday that falls on Saturday or Sunday is not eligible.

150.10 RELIGIOUS LEAVE

With prior authorization from the President, an employee may utilize a maximum of three (3) days leave with pay per calendar year, for attending religious ceremonies or religious activities. An employee is required to provide at least one week notice to the President and their immediate supervisor prior to the absence. No leave shall be denied because of discrimination.

150.11 DECLARED EMERGENCY ADMINISTRATIVE LEAVE ¹

1. In response to the national, tribal, or local emergency declared by the Fort Belknap Indian Community or the U.S. Government, the President of ANC is authorized to grant a Declared Emergency Administrative Leave, including Paid Administrative Leave to College employees when:
 - A. The President had determined such Leave is necessary to protect:
 - i. the health and safety of college employees;
 - ii. the health and safety of college students; or
 - iii. the public health and safety of the communities served by the college; and
 - B. The period for which the Declared Emergency Administrative Leave is granted is the minimum amount of time necessary to achieve the interests set forth in this policy, based upon the facts known at the time the leave is authorized; and
 - C. There are no other effective alternatives available such as authorizing work from home or altering the location of work for the employees who are granted Declared Emergency Administrative Leave.
2. Prior to making a determination under subsection 1, the President shall ensure that:
 - A. The College has in place an established written leave policy that allows for Paid Declared Emergency Administrative Leave (e.g., this section)
 - B. The costs of such leave are equitably allocated to all related activities, including Federal awards; and
 - C. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees¹
3. The President will issue written notification to affected employees specifying:
 - A. The employees granted Declared Emergency Administrative Leave by class or title;
 - B. The basis for granting Declared Emergency Administrative Leave under this Policy;
 - C. The duration of the Declared Emergency Administrative Leave.
4. The President has the authority to enact intermittent or ongoing, as relevant, Declared Emergency Administrative Leave to all or classes of employees in response to any pandemic that requires social distancing as a mechanism to prevent the spread of a virus.
5. The President shall notify the ANC Board of Directors in writing within 48 hours when any Declared Emergency Administrative Leave has been granted. Such notification shall include assurances that the College is in compliance with subsection B, above.
6. This policy is based on and consistent with the following federal regulation: **2 CFR 200.431(a)**.

Approved by the Board of Directors June 17, 2020, retroactive to March 17, 2020.

¹According to federal regulation, when a non-Federal entity uses the cash basis of accounting, the cost of leave is recognized in the period that the leave is taken and paid for. Payments for unused leave when an employee retires or terminates employment are allowable in the year of payment. Further, the accrual basis may be only used for those types of leave for which a liability as defined by GAAP exists when the leave is earned. When a non-Federal entity uses the accrual basis of accounting, allowable leave costs are the lesser of the amount accrued or funded.

150.12 COVID-19 DEFINITION OF LEAVE

Please be advised the quarantine protocols will be revised as CDC updates their guidelines, regional mandates and Fort Belknap Indian Community Disaster Emergency Services.

151.00 PERSONAL LEAVE

A full-time permanent employee with nonacademic appointments will accumulate personal leave at the College. Personal leave shall not be accrued by, or granted to, faculty on academic appointments who are not required to work during the semester breaks. A non-instructional employee is requested to file an "Application For Leave" form prior to taking.

151.01 PERSONAL LEAVE USAGE

An employee who has completed the probationary period may be authorized by their supervisor to use their personal leave. The employee is encouraged to plan personal leave time with their supervisor and in some instances the President and any others who will be affected by the employee's absence; the employee shall submit a Personal Leave form three (3) days prior to requested date. Personal leave may be granted for personal business or in the case of family emergencies and/or sicknesses. Extended personal leave must be requested by submitting a Personal Leave form, to the immediate supervisor, one (1) week in advance of the requested leave time.

While in probation status, a new employee, with the exception of full-time faculty, will accrue four (4) hours of personal leave with the completion of an eighty (80) hour pay period and accrue four (4) hours of sick leave. Should the employee not complete eighty hours within a pay period they will not accrue personal or sick leave. The accrued personal leave and sick leave will become eligible for usage when the new employee has successfully completes their probationary status.

151.02 UNUSED PERSONAL LEAVE

At the end of the fiscal year an employee having unused personal leave may carry forward the hours of accrued personal leave, not to exceed 156 hours.

151.03 ACCUMULATION OF PERSONAL LEAVE

Personal leave is accrued at the rate of four (4) hours per pay period increasing to six (6) hours per pay period after three (3) years of full-time permanent employment. The maximum accumulation for an employee shall not exceed 156 hours of personal leave as of the year-end. An employee shall automatically forfeit all personal leave that exceeds 156 hours at the end of the year. As a consequence, an employee is encouraged to utilize Personal leave to avoid forfeiture. In the event of a temporary layoff, accrual of leave will be adjusted accordingly. No personal leave will be accrued during a pay period in which the employee has approved or unapproved leave without pay.

151.04 HOLIDAY TIME WHEN ON PERSONAL LEAVE

When a holiday occurs during personal leave, except during a vacation period, the holiday is not considered day(s) of personal leave.

151.05 DISAPPROVAL OF PERSONAL LEAVE

All personal leave requests made after the fact may not be approved, unless proof of an emergency is supplied to the immediate supervisor. The immediate supervisor has discretionary power to approve or disapprove leave in an emergency situation. If disapproved, the employee will be charged leave without pay. Personal leave cannot be granted during the probationary period. It is the responsibility of the employee to contact their immediate supervisor and the switchboard operator of their absence.

151.06 COMPENSATION FOR UNUSED LEAVE TIME

Providing funds are available, an employee may be eligible to receive compensation for unused Personal leave at his/her current hourly rate if he/she has resigned or is terminated without sufficient notice to utilize any personal leave accrued during the employee's tenure.

152.00 SICK LEAVE

A permanent full-time employee not on academic yearly appointment is eligible for sick leave. Sick leave is for illness, (physical or mental) injury, pregnancy appointments, confinement, medical, dental or optical examinations or treatment. Sick Leave shall be accrued at the rate of four (4) hours per pay period to the maximum of 104 hours per year. Sick leave will continue to accrue until a maximum of 168 hours has accumulated. The use of sick leave will be governed by the following policies:

- a.* Sick leave may be used if an employee is sick and/or in cases where an employee must be away from the job to care for a sick member of his/her immediate family; see immediate family definition.
- b.* When an employee is absent on sick leave, the employee must notify the switchboard operator and their supervisor by 9:00 a.m. of the morning the day the employee is sick.
- c.* If three or more days of sick leave are used consecutively, a doctor's statement or doctor's work release must be submitted to the immediate supervisor and Payroll Office immediately upon returning to work.
- d.* When an employee has expended all sick leave; the next resource will be to use personal leave which the employee has accrued. When these resources are expended, the employee will be placed on approved leave-without-pay status until the employee returns to work.
- e.* Sick leave cannot be borrowed when it has been expended unless approved by the President. Should an employee expend their sick leave and personal leave due to a lengthy illness; they may request and receive a donation from an eligible colleague(s) for example: if you receive your salary from the ANC General Fund you may receive a donation from a colleague who is also receiving a salary from the General Fund; if an employee is salaried through a grant (restricted funds), then an employee may receive a donation from another employee salaried through a grant (restricted funds). The payroll clerk will assess the wages that equalizes the salaries.
- f.* Pre-arranged medical, dental or optical examinations or treatment should be applied for at least one week in advance.
- g.* No sick leave will be accrued during a pay period in which the employee has approved or unapproved leave without pay.

153.00 COMPENSATORY TIME

Compensatory time is "time off the job" and is earned by working more than forty (40) hours per week. Compensatory time earned shall be authorized by the President in advance and must follow these conditions and stipulations:

- a.* The President, deans, administrators, program managers/coordinators, and faculty will not be eligible for compensatory time unless pre-approved by the President. These employees are expected to work whatever hours when necessary to meet the responsibilities of their employment positions.
- b.* Compensatory time may be earned by an eligible employee for required attendance and participation at regular and special meetings, special projects requiring overtime hours beyond the normal workday, or emergency situations requiring overtime hours beyond the normal work day.
- c.* Compensatory time shall be taken within the current or following pay period in which time is earned. Compensatory time shall be authorized with written approval of the immediate supervisor.

154.00 MILITARY LEAVE

Military leave is governed by federal and state law and will be treated in accordance with applicable regulations. Generally, such leaves include National Guard and Reserve duty, and must be granted. Where reasonably possible, employees must give advance notice that he/she will be taking a military leave of absence.

Full-time and part-time employees with benefits will be paid the difference between their military base pay (not including allowances) and their normal straight time salary for up to 10 days each calendar year. Such employees will submit a receipt or certification of their military pay to Human Resources. An employee may use his/her vacation time for the purpose of military duty

During the period of leave, the employee will retain his/her previously earned seniority, vacation, and sick time, but no additional benefits shall accrue. Employees honorably discharged from military service are entitled to reinstatement to their former positions upon returning from military leave.

155.00 LEAVE WITHOUT PAY

- a. The President may grant a permanent employee leave without pay for a period not to exceed one (1) year upon showing of good cause. The President will notify the Board of Directors for affirmation.
- b. The President may grant a qualified employee sabbatical leave for educational purposes. The request will be handled on a case-by-case situation and should be documented as showing good cause if the request extends past one (1) year. While on sabbatical leave an employee shall not accrue personal or sick leave. The President will notify the Board of Directors for affirmation.
- c. Except during military leave, employment time shall not be credited to an employee on leave without pay status. The employee's employment anniversary date shall be advanced the total number of days which he/she is on leave without pay status. Further, no leave shall accrue during the period an employee is on leave without pay status.

156.00 FAMILY MEDICAL LEAVE

An eligible employee may request a leave of medical absence for themselves or a dependent family member for up to twelve (12) weeks per year pursuant to the Family and Medical Leave Act of 1993. The leave of absence must be necessary for medical reasons or result from family circumstances. To be eligible for leave of absence under this policy, an employee must have been employed by the college for at least twelve (12) months and must have worked at least 1,250 hours during the twelve-month period preceding the commencement of the leave of absence. New and part-time employees are not entitled to family or medical leave of absence. FMLA leave is approved leave without pay, see 155.00 Leave Without Pay.

Only eligible employees are entitled to FMLA leave. An eligible employee is one who:

- Works for a covered employer;
- Has worked for the employer for at least 12 months
- Has at least 1,250 hours of service for the employer during the 12-month period immediately preceding the leave; and
- Works at a location where the employer has at least 50 employees within 75 miles.

The President of the college has the authority to approve requested Family Medical Leave. Family medical leave may be approved for unpaid leave of absence under certain family circumstances, i.e., the birth of an employee's child; the placement of a child with an employee for adoption or foster care, or when the employee is needed to care for a child, spouse, or parent, who has a serious health condition.

When an employee requests FMLA leave due to his or her own serious health condition or a covered family member's serious health condition, the ANC will require certification in support of the leave from a health care provider.

When an employee returns from FMLA leave, the employee will return to his or her original job with the same rate of pay, benefits, and other terms and conditions of employment when FMLA leave began. The employee's use of FMLA leave cannot be counted against the employee under a "no-fault" attendance policy. ANC will make reasonable accommodations dependent upon any physical restrictions are part of the employee's recovery. The accommodations will be based up on the employee's certification to return to work.

An employee who does not return to work at the scheduled time and is unresponsive to communications between themselves and ANC, can be terminated for be just cause. This will be conducted on a case-by-case basis.

SECTION 2 – WORKPLACE SAFETY

200.00 - 206.00 WORKPLACE SAFETY, CONDUCT, DISCIPLINARY, GRIEVANCE PROCEDURES

200.00 DRUG FREE WORKPLACE

The College policy for a drug free workplace is zero tolerance; keeping with the Drug Free Workplace Act of 1988. Controlled substances, illegal and inappropriate drug use subjects all employees, students and visitors to campus to unacceptable risks, and undermines the individual's ability to function effectively and efficiently.

Employees, administrators and board members are not to report to work or remain at work while under the influence of drugs and/or alcohol. Employees, administrators, and board members of the College are prohibited from using or possessing alcohol while they are performing in their official or employment capacity.

The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance in the workplace or while engaged in College business off premises is strictly prohibited. Drug use during non-working hours is also prohibited to the extent that it impairs an employee's ability to work or threatens the reputation or integrity of the College. All employees are required to abide by this policy as a condition of employment.

The college has zero tolerance for the use of illegal drugs, or the illegal use or misuse of prescription medication by an employee, administrator, or Board member. Evidence that an employee, administrator, or Board member has violated this policy will be sufficient to establish the employee's violation of their provision and will have disciplinary action taken against them.

The College may require an employee, Board member or administrator to be tested for illegal drugs or alcohol when there is a reasonable suspicion to believe an employee is under the influence of illegal drugs or alcohol while at work.

201.00 SEXUAL HARASSMENT

Aaniiih Nakoda College provides staff and students with a campus environment free of sexual harassment of employees, customers, students, clients, and any other persons on the ANC campus. Aaniiih Nakoda College prohibit unwelcome sexual conduct that interferes with a student's presence or creates an intimidating, hostile or offensive environment. This includes displaying sexually suggestive email, texts, objects, pictures, cartoons, or posters. Aaniiih Nakoda College prohibits verbal abuse of a sexual nature, sexually oriented jokes, innuendoes, or obscenities.

Title IX of the Education Amendments of 1972 prohibits sex discrimination which include sexual violence in educational programs and activities. All public and private schools, school districts, colleges and universities receiving federal funds must comply with Title IX. ANC complies with the U.S. Department of Education Office of Civil Rights:

- Respond promptly and effectively to sexual violence
- Provide interim measures as necessary
- Make known where students can find confidential support services
- Conduct an adequate, reliable, and impartial investigation
- Provide remedies as necessary
- Ensure students know their rights
- Under Title IX, students have up to 180 days from date of incident to report.

Title IX Authority of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq.; Jeanne Clery Disclosure of Campus Security policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46; and Family Educational Rights & Privacy Act (FERPA), 20 U.S.C. Section 1232g; 34 C.F.R. Part 99 Titles IV, VI, and VII of the Civil Rights Act of 1964; 34 C.F.R. pt. 100; Title IX of the Education Amendments of 1972; 28 C.F.R. pt. 54 and 34 C.F.R. pt. 106; Section 504 of the Rehabilitation Act; 34 C.F.R. pt. 104; Age Discrimination Act of 1975; 34 C.F.R. pt. 110; and Titles I and II of the Americans with Disabilities Act; 28 C.F.R. pt. 35; Montana Human Rights Act and Governmental Code of Fair Practices.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires campuses to collect information with respect to campus crime statistics and campus security policies, publish findings, and distribute information related:

- Murder, Manslaughter
- Sex offences, forcible or non-forcible
- Robbery, Burglary
- Aggravated assault (i.e., physical assault, domestic violence, dating violence, etc.)
- Motor vehicle theft
- Arson
- Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession. Other crimes (i.e. intimidation, stalking, property damage offenses, crimes that result in bodily harm, national origin, sexual orientation, gender identity, race/ethnicity, disability, religion, etc.)

For more information on the summary of the Jeanne Clery Act, please visit https://www.federalregister.gov/articles/2014/10/20/2014-24284/violence-against-women-act#print_view.

Sexual conduct sought in return for job benefits or opportunities, such as the loss or threatened loss of a job for failing to comply with a supervisor's sexual demands is discrimination. This shall include situations that began as mutual attractions, but later ceased to be mutual.

Harassment not involving sexual activity or language is also discriminatory if it is sufficiently patterned or pervasive and directed at employees because of their sex. For hazing an employee based on gender because he or she is in a non-traditional work environment.

What an student should do: A staff member who has been harassed in any form listed in this policy should report the incident(s) to the Dean of Student Affairs, the ANC Safety Officer. Your complaint may include any of these issues, but are not limited to this list; sexual jokes, comments and/or other sexual or gender-based conduct in your immediate vicinity while on campus. If your complaints are not resolved, you should take the following steps:

- Report sexual harassment to another supervisor or to the President;
- Keep a written record of the dates and facts of all sexual harassment and the names of the witnesses.

What the employer will do. The best tool for eliminating sexual harassment is prevention.

- All reports of sexual harassment will be immediately investigated;
- Immediate corrective action will be taken upon determining that sexual harassment has occurred.

Approved by the Board of Directors July 15, 2020.

201.01 UNLAWFUL HARASSMENT

Aaniiih Nakoda College provides employees with a work environment free of harassment. ANC does not tolerate harassment of employees, clients, students, customers and any other persons doing business with Aaniiih Nakoda College because of a person's race, color, national origin, age, physical or mental disability, marital status, religion, creed, sexual orientation, or sex.

Examples of other prohibited harassment include, but are not limited to: coercion of employees, students, clients, or customers because of their participation or non-participation in religious activities. Also, ethnic slurs, repeated jokes, innuendoes, or other verbal or physical conduct because of a person's nationality, race, color, age, physical or mental disability, marital status, religion, creed, sexual orientation, or sex are prohibited if these actions create an intimidating, hostile, or offensive working environment.

Aaniiih Nakoda College is committed to preventing and promptly correcting any harassment. Please immediately notify your supervisor or the college President if you feel you have experienced or witnessed harassment in the workplace or at a college function.

Any employees found to have engaged in harassment is subject to the full range of disciplinary procedures, including but not limited to, termination, suspension and/or be barred from any campus facilities.

These rights are guaranteed to all:

- Board of Directors;
- Administrators;
- Current staff and faculty;
- Applicants for employment at the college;
- Current registered students;
- Students applying for admissions, and;
- Campus visitors.

202.00 EMPLOYEE CODE OF CONDUCT

Aaniiih Nakoda College (ANC) and each employee must, at all times comply with all applicable laws and regulations. The College will not condone the activities of an employee who achieves results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. The College does not permit any activity that fails to stand the closest possible public scrutiny.

All business conduct should be well above the minimum standards required by law. Accordingly, the employee must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing the College's operations. If an ANC employee is uncertain about the application or interpretation of any legal requirements should refer the matter to their supervisor, who, if necessary, should seek the advice of legal counsel of the College.

The employee shall follow the chain of command at all times when seeking approval, affirmation and reporting purposes.

202.01 *General Employee Conduct* – The College expects an employee to conduct himself/herself in a businesslike manner. Drinking, gambling, fighting, swearing, and similar unprofessional activities are strictly prohibited while on the job or attending work related functions. An ANC employee must not engage in sexual harassment or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work areas, or accessing inappropriate materials on their assigned computer station. Act with honesty and integrity avoiding actual or apparent conflicts of interest in personal and professional relationships.

202.02 *Conflict of Interest* – The College expects an employee to perform their duties conscientiously, honestly, and in accordance with the best interests of the College. An employee must not use their position or the knowledge gained as a result of their position for private or personal advantage. Regardless of the circumstances, if an employee senses that a course of action they have pursued, are presently pursuing, or contemplating pursuing may involve them in a conflict of interest with either employer, they should immediately communicate all the facts to their supervisor.

202.03 *Outside Activities, Employment, and Directorships* – An ANC employee shares serious responsibility for the College’s good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to the College and is encouraged. An employee while at work or away from work shall proactively promote ethical behavior as a responsible partner among peers, in the work environment, and in the community. An ANC employee must however, avoid acquiring any business interest or participating in any other activity outside the College that would, or would appear to:

- Create an excessive demand upon their time and attention, thus depriving the College of their best efforts on the job.
- Create a conflict of interest, an obligation, interest, or distraction that may interfere with the independent exercise of judgment in the College’s best interest.

202.04 *Relationships with Clients and Suppliers* – An Aaniiih Nakoda College employee should avoid investing in or acquiring a financial interest for their own accounts in any business that has a contractual relationship with the College, or that provides goods or services, or both to the College, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties on behalf of the College.

202.05 *Gifts, Entertainment, and Favors* – An ANC employee must not accept entertainment, gifts, or personal favors that could, in any way, influence, or appear to influence, business decision in favor of any person or business with whom or with which the College has, or is likely to have, business dealings. Similarly, an employee must not accept any other preferential treatment under these circumstances because their position with the College might be inclined to, or be perceived to, place them under obligation.

202.06 *Kickbacks and Secret Commission* – Regarding the College business activities, an employee may not receive payment or compensation of any kind, except as authorized under the College’s remuneration policies. In particular, the College strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate termination and prosecution to the fullest extent of the law.

202.07 *Institution Funds and Other Assets* – An ANC employee who has access to College funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in the Personnel Policies and Procedures manual or other explanatory materials, or both. The College imposes strict standards to prevent fraud and dishonesty. If an employee becomes aware of any evidence of fraud and dishonesty, they should immediately advise their supervisor and President so that the College can promptly investigate further.

When an employee’s position requires spending College funds or incurring any reimbursable personal expenses, that individual must use good judgment on the College’s behalf to ensure that good value is received for the expenditure.

An employee, particularly those in the finance office will endeavor to provide information that is accurate, complete, objective, relevant, timely, and understandable. An administrator who manages a program must comply with rules and regulations of federal, state, provincial and local governments and other appropriate private and public regulatory agencies. College funds and all other assets of the business are for College purposes only and not for personal benefit; this includes the personal use of College assets.

202.08 *College Records and Communications* – Accurate and reliable records of many kinds are necessary to meet the College’s legal and financial obligations and to manage the affairs of the College. The College’s books and records must reflect in an accurate and timely manner all business transactions. The employee responsible for accounting and record-keeping must fully disclose and record all assets, liabilities or both, and must exercise diligence in enforcing these requirements.

An employee must not make or engage in any false record or communication of any kind, whether internal or external, including but not limited to:

- False expense, attendance, production, financial, or similar reports and statements.
- False advertising, deceptive marketing practices, or other misleading representations.

202.09 *Working with Outside People and Businesses* – An ANC employee must take care to separate their personal roles from their College positions when communicating on matters not involving College business. The employee must not use College identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve College business, the employee must not presume to speak for the College on any topic, unless they are certain that the views they express are those of the College, it is the College’s desire that such views be publicly disseminated.

When working with anyone outside the College, including public officials, an employee must take care not to compromise the integrity or damage the reputation of the College or any outside individual, business or government body.

202.10 *Prompt Communications* – In all matters relevant to customers, suppliers, government authorities, the public, and others in the College, each employee must make every effort to achieve complete, accurate, and timely communications, responding promptly and courteously to all proper requests for information and to all complaints.

202.11 *Privacy and Confidentiality* – When handling financial and personal information about customer or others with whom the College has dealings, observe the following principles:

- 1) Collect, use and retain only the personal information necessary for the College’s business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
- 2) Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
- 3) Each employee shall respect the confidentiality of information acquired in the course of one’s work except when authorized or otherwise legally obligated to disclose. Confidential information acquired in the course of one’s work will not be used for personal advantage.
- 4) Limit internal access to personal information to those with a legitimate business reason for seeking that information. Use only personal information for the purposes for which it was originally obtained. Obtain the consent of the person concerned before externally disclosing any personal information, unless legal process or contractual obligation provides otherwise.

203.00 WORK ENVIRONMENT MISCONDUCT

The College has a commitment and employees have an obligation, to make the work environment efficient and safe. Any conduct that interferes with another employee's performance or creates a hostile, intimidating or offensive work environment will not be tolerated. Included as misconduct are derogatory statements about one's race, religion, handicap, or national origin. Sexual advances, requests for sexual favors, and other verbal and physical contact of a sexual nature are strictly prohibited.

It is a violation of policy for any College personnel to tolerate any form of harassment defined by this policy by a student, faculty, administrator, or other College personnel, or by any third parties who are participating in, observing, or otherwise engaged in activities. This harassment policy applies not only to the workplace during normal business hours, but also to business travel and all work-related social functions, even if such activities are held off-campus.

An individual who encounters misconduct, including conduct violating the College's Equal Employment Opportunity Policy should immediately contact their superiors and/or the administrative staff. The administrative staff shall investigate reports of misconduct. Any employee(s) found to have engaged in misconduct are subject to the full range of disciplinary procedures, including but not limited to, termination, suspension and/or be barred from any campus facility.

These rights are guaranteed to all:

1. Board members;
2. Administrators;
3. Current employees;
4. Applicants for employment at the College;
5. Presently enrolled students;
6. Students applying for admission and;
7. The private sector visiting our campus.

Persons with inquiries or complaints regarding discrimination should contact:

**Office of the President
Aaniiih Nakoda College
P.O. Box 159
Harlem, MT 59526
Phone: (406) 353-2607**

OR

**The Equal Employment Opportunity Officer
Fort Belknap Tribal Employment Rights Office
656 Main Street-Agency
Harlem, MT 59526
Phone: (406) 353-4803**

For additional general information about discrimination concerns, you may contact the Montana Human Rights Commission, 1625 11th Ave Ste 2, Helena, MT 59601, (406) 444-2884.

203.01 KNOWN SUBVERSIVE ACTIVITY FORBIDDEN

An Aaniiih Nakoda College employee or Board of Directors member who knowingly participates in an organization or activity, that it is manifestly disloyal or subversive to the organization or the Fort Belknap Indian Community, may disqualify a person for employment at the College. Membership in such an organization knowingly having the specific intent of promoting or enabling disloyal or subversive activities to the College and the Fort Belknap Indian Community will disqualify an applicant from employment.

As used in this section, "subversive activity" means acts designed to overthrow, destroy, or corrupt the College or the Fort Belknap Indian Community. A "subversive organization" is an established collection of individuals devoted to promoting, enabling, or performing acts designed to overthrow, destroy or corrupt the College or the Fort Belknap Indian Community.

204.00 EMPLOYEE PROTECTION (WHISTLEBLOWER) POLICY

Aaniiih Nakoda College is committed to high standards of ethical, moral and legal business conduct. In line with this commitment and Aaniiih Nakoda College's commitment to open communication, this policy aims to provide an avenue for an employee to raise concerns and reassurance that they will be protected from reprisals or victimization for whistleblowing.

This whistleblowing policy is intended to cover protections for you if you raise concerns regarding Aaniiih Nakoda College such as concerns regarding:

- Incorrect financial reporting;
- Unlawful activity;
- Activities that are not in line with ANC's policy, including the Code of Business Conduct; or
- Activities, which otherwise amount to serious improper conduct.

Safeguards

Harassment or Victimization - Harassment or victimization for reporting concerns under this policy will not be tolerated.

Confidentiality - Every effort will be made to treat the complainant's identity with appropriate regard for confidentiality.

Anonymous Allegations - This policy encourages an employee to put their name to allegations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously will be explored appropriately, but consideration will be given to:

- The seriousness of the issue raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from reliable sources.

Bad Faith Allegations - Allegations in bad faith may result in disciplinary action.

Procedure 1: Process for Raising a Concern

Reporting- The whistleblowing procedure is intended to be used for serious and sensitive issues. Employment-related concerns should continue to be reported through your normal channels such as your supervisor, or to the President/CEO. Such concerns, including those relating to financial reporting, unethical or illegal conduct, can be reported to President, Comptroller or if deemed appropriate the general counsel of Aaniiih Nakoda College: Sam Painter, Attorney-At-Law, Thompson Painter Law P.C., Professional Center @ 32nd 176 South 32nd Street West, Suite 4, Billings, MT 59102-6867, (406) 294-4230 Facsimile: (406) 294-4235.

Procedure 2: How the Report of Concern Will Be Handled

The action taken by ANC in response to a report of concern under this policy will depend on the nature of the concern. The Office of the President shall receive information on each report of concern and follow-up information on actions taken.

Initial inquires – Initial inquires will be made to determine whether an investigation is appropriate and the form that it should take. Some concerns may be resolved without the need for an investigation.

Further Information – The amount of contact between the complainant and the person or persons investigating the concern will depend on the nature of the issue and the clarity of information provided. Further information may be sought from or provided to the person reporting the concern.

205.00 PERSONNEL DISCIPLINARY ACTION

The immediate supervisor of an employee may recommend the suspension or termination of an employee to the President. Only the President shall have the authority to suspend or terminate the employment of an employee of the College. A full-time employee who is subject to disciplinary actions shall have access to the Grievance Procedures.

205.01 GROUNDS FOR DISCIPLINARY ACTION

Grounds for demotion, probation, suspension, or termination include, but are not limited to:

- a.* Theft or willful misuse or abuse of Aaniiih Nakoda College property;
- b.* Insubordination;
- c.* Unauthorized absence or excessive absence or tardiness;
- d.* Misappropriation of funds or willful falsification of records;
- e.* Acceptance or solicitation of bribes or favors;
- f.* Use of illegal drugs or narcotics while on the job or at a College activity approved by the President or Board of Directors;
- g.* Neglect of duty or inefficiency in performance of duty;
- h.* Serious personal misconduct in performance of job, such as physical and/or verbal assault of a student, faculty, staff, or Board member of the College. Serious misconduct is defined as any act of an employee that disrupts the normal operations of the College or which creates a significant negative reflection upon the College, or which threatens the health and safety of College employees, students or other resources of the College, or other unlawful conduct;
- i.* Failure to follow established grievance procedures of the College, including the failure to offer due process in resolving grievances as is described in College personnel policies and procedures;
- j.* Violation of any laws and/or safety regulations including any violation of the Drug Free Workplace Policy;
- k.* Falsely making or counterfeiting or forging any form of request; or
- l.* Concealing, removing, mutilating, obliterating or destroying program records or documents.

205.02 TYPES OF DISCIPLINARY ACTION

An employee of the College is expected to adhere to the standards of conduct and consistently demonstrate the ethics and a work performance that constitute professionalism in an institution of higher education. In the event that employee conduct, ethics, and work performance are not exhibited in accordance with professional College standards, the following types of disciplinary actions may be used to enforce the College's work rules and standards of conduct. The type and degree of disciplinary action will be determined by the severity and nature of the offense.

- a.* **Verbal Corrective Interview** - When an employee requires corrective attention, the employee's supervisor shall discuss the reason(s) for a verbal corrective interview and suggest a plan of action. A written report of the verbal corrective interview shall be placed in the employee's personnel file by the supervisor. The supervisor and employee must sign and date letter. If the employee improves his/her performance within ninety (90) days, the documentation shall be removed and destroyed. If an employee refuses to sign, the supervisor shall sign and date the report, write on the report that the employee refused to sign it and place it permanently in the employee file.
- b.* **Written Reprimand** - If the employee fails to make corrective actions following a verbal corrective interview, the supervisor shall write a letter of reprimand to the employee including the nature of the deficiency or infraction, the suggested means of correction, and the probable resulting action (probation or suspension) if improvement is not made. The supervisor and employee must sign and date letter. The copy of the letter shall be placed in the employee's personnel file for at least six months depending on whether further corrective action is taken. If the employee completes the recommended corrective action, the letter shall be destroyed at the end of six months. If he/she fails to complete the corrective action, the letter may remain in his/her file permanently. If an employee refuses to sign, the supervisor shall sign and date the report, write on the report that the employee

refused to sign it and place it permanently in the employee file.

- c. **Probation** - The President shall notify the employee in writing that he/she has been placed on "probationary status", the reasons for the status, the duration of the status, and suggested corrective action. This action shall be considered a severe warning. While on probation, the employee may be subjected to stricter scrutiny and additional requirements and evaluations for the purposes of corrective action. If an employee fails to complete corrective action during his/her probation period, he/she may be terminated.
- d. **Suspension** - The President may, with just cause, suspend an employee without pay for one (1) to thirty (30) days. The employee will not accrue leave or receive any other employee benefit during the suspension period. Documentation of the suspension shall be placed in the personnel file.
- e. **Termination** - If the employee is to be terminated, he/she must be notified by certified mail or personal hand delivery of the action.

In the event an allegation of serious misconduct is brought against an employee of the College, it shall be the responsibility of the President to ensure that an appropriate investigation is conducted to determine whether or not allegations are substantiated. The President may suspend an employee without pay for no more than ten (10) working days to conduct necessary fact-finding and interviewing activities.

206.00 GRIEVANCE PROCEDURES

An employee who believes their rights or entitlements have been violated may file a grievance under the provisions of the Grievance Procedures. The following procedures have been established for the purpose of reviewing and settling an employee's grievance in a fair and impartial manner. These procedures must be adhered to throughout the grievance process, and there must be written documentation at each level of the review as outlined below. All documentation will be placed in the employee's personnel file. An employee filing a grievance may be assisted by a representative of their choosing at any and all stages of the grievance process.

An employee may file a grievance to settle a dispute involving the employee and the College related to matters of interpretation, application, or claimed violation of the specific terms and provisions of established College policy or regulations. Grievances may also be filed in circumstances involving a dispute between one employee and another, where the employee believes that she/he has been aggrieved or suffered an injustice through the decisions, actions, or practices of the other.

Finally, an employee may file a grievance concerning conditions of employment not directly covered by established College policy or regulation which adversely affect the employee's employment relationship to the College.

Formal Process

Step 1. The grievant (employee filing the grievance) shall meet with the party who allegedly caused the grievance within five (5) working days from the cause of the complaint in an attempt to settle the dispute. If the grievant is unsatisfied with the results of this meeting, she/he shall proceed to Step 2.

Step 2. The grievant shall file a written grievance to the administrator of the department, in which she/he is employed at the College within five (5) working days of the cause of the complaint. A copy of the grievance shall be forwarded to the President by the administrator. The administrator shall conduct a closed conference with the grievant and the party who allegedly caused the complaint within five (5) days of receipt of the written grievance. Based upon the information presented at this meeting, the administrator shall issue a written decision within five (5) working days of the conference. If the grievant is unsatisfied with the administrator's decision, she/he shall proceed to Step 3.

Step 3. The grievant shall file a written request of review with the President. This request must be submitted within five (5) working days following the receipt of the administrator's decision in Step 2. The President shall hold a closed conference with the grievant and the party who allegedly caused the dispute in an effort to settle the grievance. Within five (5) working days of this meeting, the President will issue a written decision. If the grievant is unsatisfied with the President's decision, she/he shall proceed to Step 4.

Step 4. The grievant may Petition for a review of the President's decision with a Grievance Committee within five (5) working days following the President's decision. The Grievance Committee shall be convened at the request of the President and comprised of three randomly selected persons representing each of the following areas: administration, faculty, and non-instructional staff. Persons selected to serve on the committee must decline their appointment if they cannot be unbiased, if they have a conflict with any of the parties involved or are related to any party. The Grievance committee will then conduct a hearing concerning the grievance.

Hearing Procedures

- 1.** The Grievance Committee will choose a chair from its members to conduct the hearing. Committee members will be presented with all documentation from the previous steps of the grievance process.
- 2.** Both the grievant and the party who allegedly caused the complaint will attend the hearing. Both parties may also elect to have a representative of their choosing, and at their own cost, who may assist them in the process.
- 3.** The Grievance Committee will hear testimony from the grievant and the party who allegedly caused the complaint, as well as any additional witnesses deemed necessary by the committee to evaluate the relevant circumstances of the grievance.
 - a.** Following the hearing, the Grievance Committee will deliberate in executive session and deliver a written decision within five (5) working days of the hearing.
 - b.** The written decision will be delivered to the grievant and the party who allegedly caused the complaint by certified registered mail.
 - c.** The Grievance Committee chair will submit documentation of the grievance and the committee's written decision to the President for disposition.
 - d.** The decision of the Grievance committee will be final in regard to the College's Administrative process.

SECTION 3 – FINANCE

300.00 - 310.00 FINANCIAL PROCEDURES

300.00 PAYROLL

Payroll is computed and processed for payment biweekly. All time sheets shall require signatures of both the employee and supervisor prior to processing. A time sheet lacking approval will be returned to the employee or supervisor for signature(s). The business office shall be notified via letter or memorandum of all new employees, with initial date of employment, program or department, and placement on salary scale. This finance section provides a good guide, for detailed or more financial procedures please see the Finance Policies and Procedures Manual.

300.01 HOLIDAY PAY

To be eligible to receive pay for a recognized holiday, an employee must be in a "work" or "paid leave" status on the scheduled workday immediately preceding and immediately following the holiday. While on probationary status new permanent full- and part-time employees will be eligible for holiday pay. The new permanent employee in 90-, 60- or 30-day probation must be in a "work" status on the scheduled workday immediately preceding and immediately following the holiday, i.e., Veteran's Day is November 11th, the new employee must be at work November 10th and November 12th to received November 11th as holiday pay, except when November 11th falls on a Monday, Friday or weekend. The College recognizes the following holidays:

- *Labor Day-1st Monday in September*
- *Indigenous Day-2nd Monday in October*
- *Veteran's Day-November 11*
- *Thanksgiving Day and following Friday*
- *Christmas Holiday Refer to Academic Calendar*
- *New Year's Day-January 1*
- *Martin Luther King Day-3rd Monday January*
- *President's Day-3rd Monday in February*
- *Good Friday and Easter Monday*
- *Memorial Day-3rd May Monday*
- *Juneteenth Day-June 19*
- *Independence Day-July 4*

300.02 PERSONAL LEAVE PAY

Payment will not be made for unused personal leave, except as provided for in Section 151.00.

300.03 PAYROLL DEDUCTIONS

Automatic payroll deductions are made for the following:

- a. Social Security (FICA);
- b. Federal Income Tax;
- c. Montana State Tax (For employees subject to State income tax withholding);
- d. Retirement Plan (if extra coverage elected);
- e. Medical insurance (if extra coverage elected);
- f. Medicare; and,
- g. Any other legitimate payroll deductions the employee indicates using "Payroll Deduction" form.

301.00 EMPLOYEE BENEFITS

301.01 RETIREMENT

FICA deductions are made from each employee's payroll check. This is a federal retirement plan which must be matched by the employer. An additional retirement plan is available to all permanent, full-time employees. A qualified retirement plan with the College contributing a percentage (as established annually by the Board) of all qualified and eligible staff's salary to the plan is available. The plan document provides definitions and details in respect to the plan and contributions.

301.02 HEALTH INSURANCE

Health Insurance including medical, and dental is provided for all regular College employees. The health insurance coverage is subject to change, in light of availability of funds and providers.

301.03 STAFF AND FACULTY ON-CAMPUS TUITION WAIVER

An employee interested in registering for a current course at Aaniiih Nakoda College will have the benefit of a fifty (50) percent (%) tuition waiver. See Educational Leave protocol before registration.

Financial Information - The College's financial policies have been developed to provide guidelines for all financial management activities in accordance with generally accepted accounting principles. The purpose is to systematically record, summarize and interpret all financial transactions of the College. The accounting system is designed so that major duties are identified, and responsibility assigned to individuals within the Business Office. To insure proper internal control, regulatory authority and ultimate oversight, is granted to the Board of Directors. *Please refer to the Financial Policies and Procedures Manual (FPPM).*

The Institution expects an employee to conduct themselves in a businesslike manner. Drinking, gambling, fighting, swearing, and similar unprofessional activities are strictly prohibited while on the job or attending work related functions. Employees must not engage in sexual harassment or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work area, or accessing inappropriate materials on their computer. Act with honesty and integrity avoiding actual or apparent conflicts of interest in personal and professional relationships.

302.00 AUTHORITY TO PURCHASE OR OBLIGATE FUNDS

The President shall be the principal authority to purchase and obligate College funds and shall be responsible for obtaining the maximum quality of goods and services at the lowest price. Specific programs may also require the coordinator's or director's authorized signature for specific transactions. The President may delegate his/her authority to other administrative staff. A College employee who wishes to utilize College funds to make a purchase must receive the written approval of the designated administrator. All purchases must be accompanied by a signed purchase order. The College is not responsible for financial obligations made by an employee without proper authorization.

303.00 PURCHASE ORDERS

All purchase requisitions shall be processed by the department head or program coordinators/directors. The purchase requisition shall contain the appropriate department or program, fund account number, description of supplies or services, and signature of the program coordinator/director. The requisition is then submitted to the Business Office and a purchase order is processed with an assigned number. The Business Manager shall verify the budget information and approve the purchase order. All purchase orders must be signed by the Business Manager or the Assistant Business Manager. All purchase requisitions that exceed the budget will be denied and returned to the appropriate department head or program manager.

304.00 PURCHASE OF EQUIPMENT

Any purchase of equipment of \$5,000 must be approved by the President, and in the case of special College programs, the coordinator/director.

305.00 CONTRACT FOR SERVICES

All services provided by contract shall require a written agreement approved by the President, prior to the work being performed. The contractual agreement must contain the name, address, social security number, description of service, purpose of service, payment amount, conditions of payment, program and account number and, if applicable, the period in which the contract must be performed. All contractors must complete a Form W-9 to be retained on file in the Business Office.

306.00 REIMBURSEMENTS

All requests for payments by check shall include proper documentation, i.e. program fund account number, and signatures. Checks requests turned into the Business Office by Tuesday at noon will be ready for pick up on Thursday, by 3:00 p.m. Late requests will be processed the following week.

307.00 TRAVEL

Federal travel regulations shall be utilized by the College to determine per diem and mileage rates. Airline travel shall require prior approval from the President. All travel shall require prior approval from the President with the exception of local mileage. All travel must be requested on the travel request form. When traveling by personal vehicle instead of by air, mileage claimed shall be for the cheaper of the two i.e. airline ticket is \$1000.00, mileage is \$2000.00; mileage request will be \$1000.00.

If anyone receives an ANC travel check but does not travel; reimbursement to the College shall be returned within three (3) consecutive working days.

Paid travel by the College is restricted to college employees and ANC fulltime/declared major students. All employees requesting to participate in business travel must follow the appropriate chain of command when seeking approval to travel. All travel must be pre-approved before flight arrangements are made.

Fulltime employees are allowed to participate in business travel upon completion of their 90-day probationary period. Exception: if the grant they are hired under requires travel within their 90-day probationary period.

Students are allowed to participate in business travel upon completion of one semester (Fall or Spring). Students must be in good academic standing, enrolled in an academic program. Example exception: if they are traveling to compete in academic/sporting events in the AIHEC Student Conference and they are in their first college semester (spring).

White Clay Immersion School (WCIS) students and interns are allowed to participate in business travel. Parental authorization is required for those under 18 years of age. Generally, WCIS college interns have been students/graduates of the WCIS and have been affiliated with ANC/WCIS.

308.00 PER DIEM

Per diem shall be paid to any staff member required to work away from their workstation. Per diem shall be computed at the federal travel rate for the area. The total per diem rate will be computed on a semester basis for each six-hour period at the federal rate. Board members shall follow all travel procedures contained herein.

309.00 TRAVEL REPORTS

An employee who has completed travel shall submit a Trip Report form and Travel Claim form within seven (7) working days of their travel for auditing purposes. The report should include the dates of the travel, destination, nature of the business and summary of the business/training. All staff and board members are required to file receipts and return unused portions of taxi/shuttle expense, airport parking, and any miscellaneous advances to the Business Office. Failure to reconcile or complete the Trip Report and Travel Claim form shall result in involuntary payroll deduction until the College is reimbursed for the entire amount of the trip.

310.00 LOCAL MILEAGE

Assigned duties that take staff and/or faculty away from the Aaniiih Nakoda College will be paid round trip mileage from the agency to the designated site. The rate will be the current federal rate. Mileage may be claimed at the end of each calendar month on a "Local Mileage Claim form".

The Board of Directors who travel roundtrip of 50 miles or more to attend a regular or special meeting shall receive a local mileage check using the current federal rate.

SECTION 4- FACILITIES

400.00 -403.00 FACILITIES

400.00 COLLEGE VEHICLES

A permanent college employee, except college intern shall follow the check-out, check-in procedures for all College vehicles. The Assistant to the President, Secretary or Business Office shall provide the required forms, i.e. purchase order for gas, mileage form and key check-out form. The vehicle must be cleaned upon return and will be inspected by the Facilities Department or Assistant to the President or Secretary before vehicle keys are checked in. Only a college employee, except college interns may be allowed operate College vehicles and only for purposes related to their work at the College or for service to the College's needs; all drivers must submit a current Montana issued Driver's License and be ANC insurance approved. A college vehicle(s) may not be used by non-college personnel and/or be borrowed by college staff for personal usage.

Summer interns or students under special programs may be allowed to operate all-terrain vehicles, utility vehicles and/or tractor(s) as necessary for their specific programs.

401.00 MAINTENANCE OF EQUIPMENT AND SUPPLIES

Equipment and supplies owned by the College shall only be used for official College business. Audio-visual equipment for instructional use shall be checked out from the Manager of Information Systems (MIS). It is the responsibility of the employee to report to MIS if the equipment is not working properly. An employee may be held financially responsible for any deliberate damage or loss of equipment. College equipment will not be loaned for personal use or loaned to non-college people or programs.

402.00 EQUIPMENT INVENTORY

An inventory of all College equipment, regardless of the source of the funds used to purchase the equipment, shall be maintained by MIS. The inventory will be of all items with a value of \$5,000 or more. The inventory should include the following information:

- a.* Description of item;
- b.* Serial number and/or model number;
- c.* Contract/Grant number;
- d.* Program Title;
- e.* Date of acquisition;
- f.* Cost of Property; and,
- g.* Purchase order/date.

A property log for check out of equipment will be maintained by MIS to ensure location of College property at all times.

403.00 VIDEO SURVEILLANCE SYSTEM

The Aaniiih Nakoda College makes limited use of video surveillance systems on its campus. Video surveillance systems are primarily used to record access at building entrances, common areas, and some classrooms. Video surveillance cameras are also used to provide surveillance of the exterior of the building and surrounding streets. Video surveillance cameras are generally not used to observe employee work areas and are never used in areas where employees would have an expectation of privacy, such as

The primary purpose of the video surveillance system is to allow the after-the-fact investigation of crimes committed against the college, its staff, or students. The system may also be used to assist in the investigation of certain types of occupational health and safety violations. The video surveillance system is not intended to be used as a method of tracking the work habits or productivity of individual employees.

403.01 MANAGEMENT OF VIDEO SURVEILLANCE SYSTEMS

The Facilities Manager is responsible for the management of all video surveillance systems used at the college. Other college departments shall not install a video surveillance system without the knowledge and approval of the Facilities Manager (FM). In particular, the use of covert camera systems must first be approved by both the Aaniiih Nakoda College Facilities Department and the President.

403.02 VIDEO SURVEILLANCE MONITORING

The video surveillance systems are capable of being monitored on campus and remotely. Surveillance monitoring will be the FM and designees as deemed necessary. The FM will generally view video surveillance cameras on a periodic basis or in response to a specific incident. As a result of the many responsibilities of the FM, the video surveillance system is not monitored on a continuous basis.

403.03 VIDEO SURVEILLANCE RECORDING

All video surveillance cameras are capable of being recorded continuously by a digital video recording system. Recorded video is used exclusively for the investigation of security and safety incidents only.

The Facilities Department is responsible for the management of the video surveillance recording system. Release of any video must be approved by the President or Board of Directors. Recorded video is not directly available to ANC employees, building tenants, or the general public. In the event that a security incident occurs, employees should report the incident to the FM. If the event occurred in an area where video surveillance coverage is available, the FM will review the recorded video and make a determination if any video relevant to the incident is available. This video will be used by the FM to investigate and resolve the reported security incident.

Requests to provide video recordings directly to non-employees (members of the general public) will not be accommodated. If a crime has been committed, non-employees should be encouraged to report it to the police. If it is believed that recorded video from the Aaniiih Nakoda College would assist in the investigation of this crime, the police should be told to contact the Aaniiih Nakoda College FM or President. If relevant video is available, a permanent video clip of the incident will be produced and made available to the police. All requests for video recordings by law enforcement agencies shall be coordinated through the Aaniiih Nakoda College President.

Recorded video is generally stored for a period of thirty days. Any video associated with a specific security incident or event is generally converted into a permanent video clip and stored for the duration of the investigation. Video clips which could become evidence in civil or criminal proceedings are kept indefinitely unless other direction is given by the College's attorney or Office of the President.

403.04 LIMITATIONS OF VIDEO SURVEILLANCE SYSTEMS

Employees should be aware that staff are not watching cameras most of the time and employees should not have an expectation that they are under continuous surveillance when they are in the range of a camera. Employees should also be aware that the video surveillance system has cameras that cover only a part of the total campus, and even when camera coverage exists, it may not provide the level of detail necessary to spot suspicious activity or identify criminals.

404.00 EMERGENCY ACTION PLAN AND EMERGENCY PROTOCOL POLICY

The College created an Emergency Action Plan through the solicitation of various administrators, officers, faculty, and staff, combining the emergency activities of all College offices and departments. When circumstances warrant, the President or her/his designee may declare a state of emergency and activate the Emergency Action and Emergency Protocol plan of the college. The Emergency Action and Emergency Protocol Manual shall be made available on the College web site. All ANC emergency policies shall adhere to and be consistent with relevant federal and state laws, rules, and regulations (EAPEPP adopted January 23, 2013).

SECTION 5 - INSTRUCTION

500.00 - 532.00 CURRICULUM

500.00 CURRICULUM

All courses and programs comprising the College curriculum are described in the current catalog and other College publications. The curriculum is designed to meet the needs of the residents on or near the Fort Belknap Indian Reservation.

501.00 COURSE SCHEDULES

The class schedule is guided by the classes required each semester as specified in the catalog's course descriptions. The schedule is developed by the Dean of Academic Affairs and instructors are asked for input prior to the completion of the class schedule. This schedule takes into account the needs of the academic program, targeted students and the need to increase access to those students who cannot attend classes full time.

502.00 CHANGES IN COURSES SCHEDULES

Any changes in the course schedules, such as the time and place of the class meeting, must be approved by the Dean of Academic Affairs.

503.00 CLASS TIME

Lecture classes will meet one hour per week for each credit assigned. Two (2) hours of outside study is implied for each credit per week. Example: A three credit class will be in session for three (3) hours per week for fifteen (15) weeks, with sixty (60) hours of study outside of class. It is recommended that a student be allowed a ten (10) minute break for classes that meet for more than one (1) hour. Laboratory courses and activity courses, such as physical education, should meet for at least two (2) hours per credit, per week.

504.00 CANCELLATION OF CLASSES

Ideally, every faculty member will meet every scheduled class period. For a variety of reasons, this is not always possible. Absence that can be planned for at the beginning of the semester, such as professional meetings, should be provided for in the course outline. Faculty may provide for class activities such as an exam to be administered by a designated proctor or a possible project that the student may undertake independently or under the supervision of another faculty or staff member. All classes are required to meet for the specified hours. If an instructor is not able to meet his/her class, s/he should make arrangements for another College instructor or teaching assistant to take the class. If a substitute instructor cannot be found, the instructor must schedule a make-up session at another time during the semester. The Dean of Academic Affairs shall make all decisions on class cancellations.

505.00 CHANGES IN CURRICULUM

Changes in the required curriculum for degree programs will be reviewed by the Curriculum Committee. The College Curriculum Committee shall consist of the following: the Dean of Academic Affairs (chairperson), all full-time faculty members, one student services staff. Part-time faculty are welcome to attend Curriculum Committee meetings. The Curriculum Committee is the body responsible for academic program revision, new academic programs and any amendments in the required curriculum for degree and certificate programs.

The Curriculum Committee's recommendations for curriculum changes will be submitted to the President and the Board of Directors for review and approval.

506.00 DEFINITIONS OF COURSES AND CREDITS

506.01 Lecture Course - A lecture course is a regularly scheduled class offered for academic credit. Generally, a student will spend one (1) hour in class per week for a fifteen (15) week semester and also be assigned additional study or reading to be completed out of class to earn one (1) credit.

506.02 Activity/Studio Course - Activity classes are offered in the areas of physical education and recreation. (Example: Bowling). The student will normally participate two (2) hours per week for fifteen (15) weeks to earn one (1) credit.

506.03 Laboratory Course - Laboratory courses are offered in fields which require the use of laboratory facilities and equipment. (Example: Biology). Laboratory courses involve lecture time as well as two (2) hours of laboratory time. Two (2) hours of laboratory time are required for each credit earned.

506.04 Independent Study Course - Introductory courses or basic requirement courses, such as WRIT 101, cannot be offered for independent study. It is the responsibility of the instructor sponsoring a student in independent study to determine the purpose, the means, the type of evaluation, and the amount of credit to be earned. One (1) independent study course is allowed up to a maximum of six (6) credits. At least three (3) hours of study per hour per week is required for one credit. (90 hours of study minimum per semester for a 3 credit class.)

506.05 Seminar Course - The purpose of a seminar course is the exchange of ideas or information on an advanced level. Seminar courses are most appropriate for the student enrolled in a specific program, and should be limited to the student who have completed more than half of the credits required for their degree or have achieved a level of expertise whereby they may benefit academically from the seminar format.

506.06 Field Experience Credits - Field experience credits may be earned in vocational fields where the student will benefit from on-the-job training. Field experience credits may be earned at the rate of one (1) credit for every three (3) hours per week for fifteen (15) weeks of supervised work experience.

506.07 Workshops for Credit - Workshops may be sponsored by the College, but certain conditions must be observed to insure that the workshops are meeting a definite need, are consistent with the standards set by the College, and are properly reported and recorded. An instructor, or other interested party interested in having a workshop offered for credit, should contact the Dean of Academic Affairs one (1) semester before the workshop is held. The sponsor should then submit a workshop proposal following the guidelines listed below:

- a. Workshop topics should be those not normally covered in regular class offerings.
- b. The workshop should present material of a specific and limited nature which can be accomplished in a relatively short time.
- c. The amount of credit earned will be based on the formula of one (1) semester credit for fifteen (15) contact hours. Contact hours mean time spent in direct instruction or in-class activities. The hours need not be continuous or consecutive. A workshop may follow a time sequence of two (2) hours for two (2) days (such as a Saturday or weekend workshop). However, the hours must be specified before the workshop is approved. No workshop involving College students will be approved if the schedule conflicts with the hours already assigned to regular classes. In cases where the workshop will involve only individuals who are not College students such as tribal employees, the workshop may be scheduled during regular class time providing that space is available.

The workshop must be held in the time period of one (1) semester. If the days between semesters are to be used, arrangements must be made with the Registrar to insure that the enrollment and completion data will be accurate. Before the workshop is approved, the workshop sponsor should inform the Registrar of the grading procedures and the date the grades will be submitted.

507.00 GUEST LECTURERS, CAMPUS AND RESOURCE PERSONNEL

Guest may be engaged for classroom and/or campus presentations only with the prior approval of the departmental Dean. The presenter must have expertise in the subject and meet the standards established by the College. **Please refer to the Faculty Handbook (FH).**

520.00 ORDERING TEXTBOOKS AND SUPPLIES

It is the responsibility of the instructor to select and order textbooks and supplies for his/her classes. This is to be completed at least one month before the start of the semester. After the textbook has been selected, the instructor shall submit a "Textbook and Supply Order Form" directly to the Bookstore Manager. Textbooks and supplies shall be sold to the student through the Bookstore. If a copy cannot be obtained from the publisher, the instructor may sign out a copy from the bookstore. The book must be returned to the bookstore at the end of the semester. Supplies for art classes are also sold to the students through the Bookstore. If a scheduled class does not have an instructor assigned, this responsibility shall fall to the Dean of Academic Affairs.

521.00 GRADING POLICIES

The general quality of a student's work is expressed in terms of a grade point average, which is obtained by dividing the number of grade points earned by the number of credits attempted. Credits attempted include all credits for which the student has received a grade A, B, C, D, or F. For convenience in computing scholastic averages, each letter grade is assigned a specific number of grade points for each credit.

<u>GRADE</u>	<u>INTERPRETATION</u>	<u>GRADE POINT</u>
A	High Degree of Excellence	4
B	Above Average	3
C	Average	2
D	Below Average	1
F	Failure	0
I	Incomplete	0
W	Withdrawal	0
N	Auditor (Listener)	0

The student must meet the requirements for the courses to receive grade and credit. However, a grade of "D" does not meet graduation requirements in a required course and the student should note that they must repeat a required class if they receive a "D" grade. Instructors shall make the final determination on all grades within grades timelines.

521.01 *Incomplete* - A student may apply for an incomplete "I" grade for a class with the instructor, if:

- 75% of the course requirements have been met within the last two weeks of the end of the semester; and,
- The work is satisfactory, but some essential requirement of the course has not been completed due to an extreme emergency.

The incomplete "I" grade request form is available in the Dean of Academic Affairs Office and at the Registrar's Office. The student must complete the form and obtain signatures from the instructor, Dean of Academic Affairs, and Registrar. To receive Financial Aid the student must complete the course

requirements within two weeks into the next consecutive semester. Upon completion of the course work, the instructor will submit a "Change of Grade" form to the Registrar's Office. The student who has not completed the coursework within the allowable time frame will receive a failing grade. A student must complete the course requirements within two (2) weeks after the end of the semester.

521.02 Change in Grad(es) – A grade change must be submitted to the Registrar's Office on a "Change of Grade Form". Except for "I" grades, no change in grade will be accepted after thirty (30) days from the final day of the semester for which the grade was issued.

521.03 Audit - With the consent of the instructor, a student may enroll in a course on a non-credit basis, but must pay the same fees as a student enrolled for credit.

522.00 COURSE SYLLABI

A summary containing the main points for each course of study shall be prepared in a standard format.

523.00 COURSE OUTLINE

A detailed outline must be developed detailing how the course will proceed during a semester. It is the responsibility of the instructor to determine the class requirements, standards of satisfactory completion of the class, and method of evaluation. It is recommended that the instructor clearly inform the student of the class content, requirements, and evaluation at the beginning of the semester. A course outline should be in the hands of the student, with a copy to the Dean of Academic Affairs, at the first class meeting. In no case should the instructor distribute an outline later than the second week of instruction. A file of course outlines from previous semesters are available in the Dean of Academic Affairs office.

524.00 COURSE RECORD KEEPING

It is the responsibility of the instructor to keep class records of all courses taught.

524.01 Class Roster - The instructor shall maintain a roster of students. Any discrepancies in the class roster shall be reported to the Registrar immediately. If a student's name appears on the class roster (computer printout) and he/she is not attending, the instructor shall notify the Registrar who will notify the student, who will take responsibility for the error and make corrections. If a student is attending the class and his/her name is not listed on the class roster, the Registrar should be advised so that the registration forms can be completed.

524.02 Attendance – Attendance is an important factor in the students' success at the College. Upon registering for classes, a student is, in effect, signing a contract in which he or she is assuming responsibility for attendance and completing the class assignments. Attendance is maintained in all classes for financial aid purposes as students must maintain a 60% attendance rate in order to receive a PELL grant. Failure to maintain this rate may affect the amount of PELL grant funds a student receives and may result in a payback of money. Some instructors may require attendance as part of the course requirements.

Accurate daily records of class attendance must be kept by the instructor so they can be reported to the funding agencies. Attendance reports must be entered into the EMPOWER system on a daily basis. A delay in entering this data will cause a lock out of the system and it will require extra measures for this information to be added to the database. Whether attendance is used in determining actual grades is up to each individual faculty member.

524.03 Mid-Semester Reports - At the designated week of the semester, all students who have "D" or "F" grade(s) should be notified and reported to the Registrar. The Registrar shall notify the student by mail regarding his/her academic status. A student must make arrangements to remedy any problems. It is recommended that the instructor schedule a conference with the student to advise him/her of his/her status.

524.05 Final Grade Reports - An instructor must submit a final grade for each student listed on the class roster. Final grade reports are due in the Registrar's office as per academic calendar.

525.00 COURSE EVALUATIONS

Students will be asked to complete a class evaluation two weeks after mid-term week through the end of the semester depending on the instructor's determination. This is an electronic file that students complete online. This information will be tabulated within the attendance program module and provided to the Dean of Academic Affairs.

If a paper copy is needed for the class evaluation, the instructor must request copies of the evaluation for his or her students to complete. A volunteer will be sought out from the class to collect the completed evaluations and submit them to the Dean of Academic Affairs office immediately after class.

These evaluation results will be compiled and shared with the instructor in the overall performance review process. If there is cause for concern indicated by the class evaluation results, this will be discussed with the instructor as soon as possible by the Dean of Academic Affairs.

524.00 ACADEMIC FREEDOM AND RESPONSIBILITY

Aaniiih Nakoda College promotes the conditions whereby both the student and the instructor possess the freedom to search for the truth and its free expression, the College has adopted the following principles expressed by the American Association of University Professors:

a. The faculty member is entitled to freedom in the classroom in discussing the subject, but he/she should be careful not to introduce into his/her teaching controversial subject matter which has no relation to his subject.

b. The faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline. Nevertheless, his/her special position in the community imposes special obligations. As a person of learning and as an educational officer, he/she should remember that the public may judge the profession and the institution by his/her utterances. Therefore, he/she shall at all times be accurate, shall exercise appropriate restraint, shall show respect for the opinions of others, and shall make an affirmative effort to indicate that he/she is not an institutional spokesman.

526.00 RECORD KEEPING

Each faculty member is required to keep records of attendance and grading. Other information as desired may also be recorded. The attendance/grade information shall be recorded by the instructor in the EMPOWER program; as well as midterm and final grades.

527.00 FACULTY RESEARCH

The research policy is predicated on the college mission statement. The emphasis of research is first and foremost to be driven by the relevance that it has for the Fort Belknap Indian Community. Paramount to this is the inclusion and training of the Fort Belknap students in any faculty research

project. A research project proposal that involves a Aaniiih Nakoda College faculty member must be submitted to the College's Institutional Review Board (IRB) for vetting to ensure that the proper protections are in place for the community. The appropriate forms are found on the home page of the College website. Annual review of approved research is required.

528.00 END-OF-SEMESTER PROCEDURES

The instructor shall print out final grading roster(s) with final grades recorded and the original instructor signature, to be given to the Registrar for official record keeping.

530.00 FACULTY COMMITTEES

It is intended that all instructors have a voice in and share the responsibility for the development of the college into a sound academic institution. Faculty should, where possible, serve in an active capacity on one or more of the following committees:

- Curriculum Committee (all instructors)
- Assessment Committee
- General Education Committee
- Institutional Review Board (IRB)
- Library Services Committee
- Accreditation Committee
- Search Committees (As needed)
- Scholarship Committee
- Financial Aid Committee
- Continuing Education Oversight Committee
- Student Services Committee
- Planning-Assessment Committee
- Oversight Budget Committee
- Other or Ad Hoc Committees
- Teacher Education Committee

531.00 COPIES

The campus copy machines are available to the faculty in each campus building. The faculty members are responsible for following the copyright laws. Sensitive items (e.g., exams, quizzes, student essays) should be placed into the hands of the appropriate individual. Normally items will be copied both sides and head-to-head. Students are not allowed to use the copy machines. Instructors have the discretion whether to copy a document for a student; students are prohibited from using the office copiers.

532.00 COPY RIGHT LAWS

Instructors have a moral obligation to practice integrity and trustworthiness. We expect students to refrain from cheating on tests and from taking others' belongings. Instructors should honor the law when it comes to fair use and copyright. Thus, instructors not only should protect themselves from legal liability but should also model honesty and truthfulness by knowing when and what may be copied for educational use.

SECTION 6 - STUDENT SERVICES

600.00 – 609.00 STUDENT SERVICES

600.00 ADMISSION AND REGISTRATION—Please refer to the College Catalog and Student Handbook for detailed information.

The College maintains an “open door” policy. A student with an accredited high school diploma or valid High School Equivalency Test (HiSET) may apply for admission. A student who has less than 30+ college-level credits must complete a placement test for academic placement. Acceptance letters will not be issued until completion of the student academic file.

601.00 FINANCIAL AID

Aaniiih Nakoda College participates in the Federal Title IV Program. The following programs are available through the Financial Aid Office: Pell Grant, Federal Supplement Education Opportunity Grant, Federal Work Study, High School Graduate Scholarship, Academic Award Waiver, Senior Citizen Scholarship, other aid, tribal higher education grants. Aaniiih Nakoda College does not participate in student loan programs.

602.00 ACADEMIC PROGRAM ADVISEMENT

Academic program advisors provide the student with information regarding their selected course of study. The advisor is assigned to a student dependent upon their chosen course of study and he/she is available for pre-advising and registration.

Academic advising files for all students will be maintained by the advisor. If a student changes his/her academic program, the advising file will be transferred to the new advisor. The Dean of Academic Affairs office shall maintain all inactive advising files.

603.00 ATTENDANCE VERIFICATION

Class rosters are verified after semester registration is completed. The instructor will verify with the Registrar of student attendance. A student who is listed but not attending a class or a student who is attending a class but not registered will be reported immediately to the Registrar to make the appropriate correction. Student attendance is verified through the EMPOWER system after the instructor has entered attendance. Most attendance is used for class verification and other departmental needs.

604.00 ACADEMIC PROGRESS

Weekly attendance per instructor per class must be entered into the EMPOWER program at the close of each week in order to comply with student federal financial aid regulations. Monitoring of students in academic jeopardy are reported to the Student Services department to make a connection with the student. A failing student(s) is encouraged to meet with their instructor, advisor, and utilize the Success Center and to work with the Success Center Coordinator for tutorial services to salvage course requirements and prevent withdrawal from course.

Final grades are recorded after the collection of final grades are entered into EMPOWER by each instructor. Transcripts are then evaluated by the Registrar. A student with a semester and/or cumulative grade point average below 2.00 will be placed on either academic probation or academic suspension, depending upon their prior academic status due to satisfactory academic progress. A student placed upon academic suspension will not be eligible to register for courses until one (1) consecutive semester has lapsed. However, a student may petition the Student Services Committee to continue attending in subsequent semesters. All decisions following the petition (appeal) process are final. See the Student Catalog for appropriate procedures.

605.00 TRANSCRIPTS

An official transcript of the student's courses and grades are maintained in the EMPOWER program by the Registrar. An official copy of a transcript may be issued upon receipt of a written transcript request and payment by the student. All transcripts are stored in electronic format.

606.00 GRADUATION AND PROGRAM COMPLETION

The advisor shall collaborate with the student regarding program completion and graduation requirements. It is the responsibility of the student to acquire a graduation application from the Registrar's office and complete it, with the assistance of his/her advisor. Completed graduation applications must be returned to the Registrar for processing. Additional required forms for course substitution or course waiver must be completed by student, advisor and Dean of Academic Affairs and attached to the completed graduation application. All graduation applications must be on file by the close of Fall semester.

607.00 ACADEMIC PROGRAM CHANGES AND GRADUATION

When academic program revisions occur and a student has only completed a portion of the revised program, they may remain in the catalog academic program they originally enrolled in. The student is guaranteed to complete their degree program if their program is eliminated and/or revised.

608.00 PRIVACY ACT—INFORMATION RELEASE POLICY

Release of grades and transcripts and other student data requires written authorization by the student. Directory type student data may be given to any inquirer without written authorization from the student: name, academic program, enrollment data, diplomas and/or certificates awarded with dates, honors, address, telephone number. A student may request any or all information will remain confidential and must inform the Registrar in writing.

609.00 CRIME AWARENESS POLICY

Policy Statement

- 1.** All criminal incidents should initially be reported to the Dean of Student Affairs unless the incident requires immediate police action. In that case, the local law enforcement agency (Fort Belknap Tribal Police) should be contacted first.
- 2.** There is not a Campus Law Enforcement Department. A security guard maintains security during the evening hours and law enforcement is provided by the Fort Belknap Tribal Police.
- 3.** Students and employees are informed during orientation each semester about campus security and procedures. Students are encouraged to be responsible for their own security.
- 4.** A program for students and staff will involve presentations by campus administrators on reporting procedures, information from the facilities manager on campus security and fire systems and presentations by Fort Belknap Tribal Law and Order personnel on crime prevention and personal safety.
- 5.** The use or possession of alcohol or drugs is prohibited at the College. Attending class under the influence of alcohol or drugs is reason for dismissal. Under Federal regulation, the College shall have a drug and controlled substances policy.
- 6.** Students who have been found guilty of the manufacture, distribute, dispensing, possess, or use of a controlled substance while on the College campus, or attending a College class away from the main campus, or participating in a College sponsored activity may be placed on probation, be suspended, or be expelled from further attendance at the College.
- 7.** Students who are brought up on misconduct charges shall follow the Student Conduct Grievance and Review Procedures for any challenges to the charge.

SECTION 7 - SUPPORT SERVICES

700.00 - 703.00 SUPPORT SERVICES

700.00 BOOKSTORE

Instructors shall submit textbook orders one month before the beginning of the semester by submitting a textbook request form through the Dean of Academic Affairs to the Bookstore Manager, with exception to the academic year's end when books are ordered prior to the summer break. When the textbooks arrive, they will be priced and placed in the bookstore for sale to students. An inventory of books on hand will be maintained by the Bookstore Manager. Bookstore inventory will include books required for classes during the current and succeeding semester. Other books will be returned to the publisher by the middle of the semester. The Bookstore carries an assortment of items. Books will only be repurchased if they are required for the next academic year.

701.00 LIBRARY SERVICES

The library is an essential resource for students and instructors. The mission of the ANC library is to support current and anticipated programs as well as serving the Fort Belknap community. This responsibility includes the acquisition, organization, maintenance, and availability of library resources to this end. The library staff assists instructors and students in locating materials. Every semester the Library Director provides instruction in the use of the library to individual students and classes. Instructors need to contact the Director in advance.

702.00 STUDENT ORGANIZATIONS

Clubs and organizations organized under the name and umbrella of the College must be officially recognized as a school club or organization. The Student Senate officially requires students organizing a club or official organization but follow the guidelines of the Student Senate Constitution. After new student organizations have been accepted and chartered through the Student Senate, then the organization is presented to the Aaniiih Nakoda College Board of Directors. Each organization must have a constitution and/or bylaws that govern and outline the academic uniqueness of the group and the financial structure for financial reporting. A recognized organization of the College must promote educational, social and recreational activities that will contribute to the positive growth of the organization, the College, and/or the Tribe. Funds raised or procured as a club of the College must be spent on activities that contribute to the goals of the club. Upon being officially recognized by the College, the club or organization will be asked to adhere to the following:

- a.* The organization/club must, at all times, have a sponsor that is a full-time staff person of the College. The sponsor must be aware of all of the organization's activities, be present at all official meetings, the club officers must keep notes (minutes) and approve all expenditures.
- b.* The organization/club must have bylaws. A current copy of the bylaws must be on file with the Student Senate and Dean of Student Affairs at all times. The bylaws must state the purpose of the organization, membership requirements, election of officers, meeting dates, quorum, amendment procedures, etc.
- c.* Minutes must be kept of all meetings and be on file for review by the Dean of Student Affairs.
- d.* All activities of the club should contribute positively to the College and the College's relationship with the Fort Belknap Indian Community.
- e.* Funds shall be receipted and expended through the College business office. All expenditures must be documented with a purchase order approved by the sponsor and appropriate officers of the club. Each club is expected to keep an account of its funds for the year. The account will be audited by the club's officers and business office each year. All financial records must be made available upon request by the College's Comptroller.
- f.* Club or organizational funds shall not be utilized for the purchase, promotion, or attendance of an alcohol or drug related function. Any club or organization and its respective members may be suspended and/or expelled if found to violate this policy.

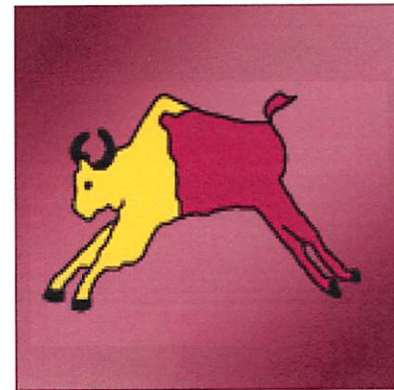
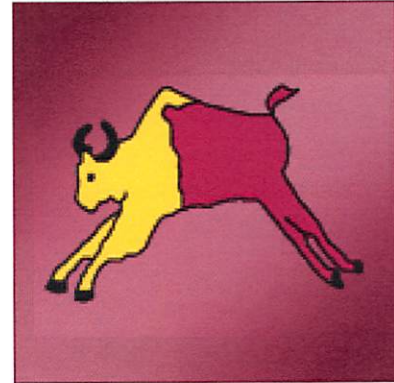
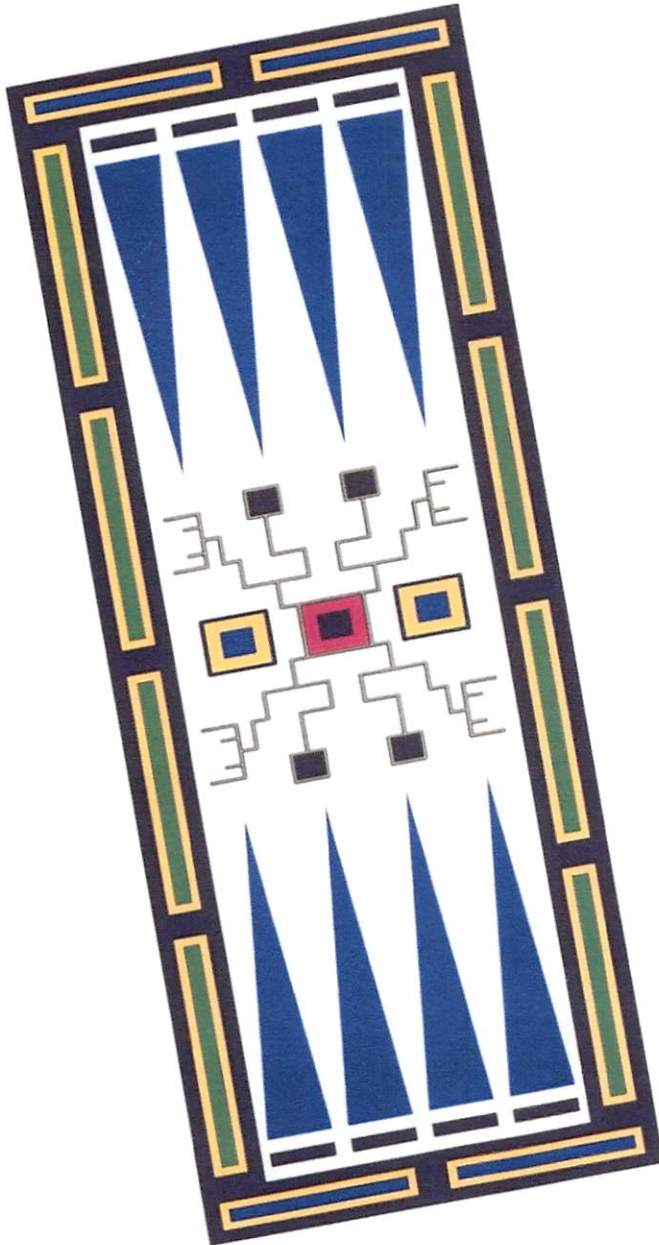
AANIHH NAKODA COLLEGE
PERSONNEL POLICIES AND PROCEDURES EMPLOYEE ACKNOWLEDGMENT

I have received my copy of the Aaniih Nakoda College Personnel Policies and Procedure Manual and understand that it is my responsibility to read it and to understand it. If I have any question regarding the interpretation of the Manual, I must seek answers from my immediate supervisor. I further acknowledge that this Manual is provided as an informational guide only and is not to be considered as supplement to any employment contract between myself and the College and that either I or the College can terminate employment in accordance with the employment contract.

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Mission Statement

The mission of Aaniiih Nakoda College is to provide quality post-secondary education for residents of the Fort Belknap Indian Reservation and surrounding communities. The college promotes individual and community development by maintaining and revitalizing the indigenous lifeways of the Aaniinen and Nakoda Tribes and by preparing students to succeed in an American technological society.



*"Where American
Indian Culture
and Technology
Meet"*