



# SOUTHWESTERN

AN OREGON COMMUNITY COLLEGE

## NWCCU 2020 Comprehensive Report *2D and 2E Exhibits*





# SOUTHWESTERN

AN OREGON COMMUNITY COLLEGE

# Student Handbook

**SOUTHWESTERN OREGON COMMUNITY COLLEGE (SWOCC)**

**[www.socc.edu](http://www.socc.edu)**

## **Mission**

Southwestern Oregon Community College supports student achievement by providing access to lifelong learning and community engagement in a sustainable manner.

## **Vision**

Southwestern leads and inspires lifelong learning.

Southwestern Oregon Community College does not discriminate on the basis of race, color, gender, sexual orientation, marital status, religion, national origin, age, disability status, gender identity, or protected veterans in employment, education, or activities as set forth in compliance with federal and state statutes and regulations.

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# Chapter 1 - Student Right to Know

In accordance with 34 CFR Part 668, you have the right to know certain information about Southwestern Oregon Community College, including a variety of academic information, financial assistance information, institutional information, information on completion or graduation rates, institutional security policies and crime statistics, and athletic program participation rates and financial support data.

## Chapter 2 – Student Rights and Responsibilities

Southwestern Oregon Community College (SWOCC) students, as free citizens and members of a learning community, enjoy particular rights. Along with these rights is the responsibility to conduct oneself in accordance with the standards of the College that are designed to advance student learning. Although not all of these rights can be found in any document, it is important to note those that are most fundamental.

For a list of policies visit ([https://mylakerlink.socc.edu/ICS/Administrative\\_Services](https://mylakerlink.socc.edu/ICS/Administrative_Services)).

### **Alcohol and Drug-Free** (Refer to [APP 7135](#) for the full policy)

It is the Administrative procedure of the Southwestern Oregon Community College District that the College is committed to the prevention of the misuse and abuse of alcohol and drugs by both students and employees. Drug and alcohol abuse is a significant public health problem which has spread throughout our society, affecting performance and productivity, as well as our level of general health. In addition, the use of alcohol and drugs can adversely affect an organization's level of safety as well as its public confidence and trust.

Southwestern Oregon Community College defines the following behaviors as violations of the standards of student conduct: The possession of alcoholic beverages or controlled substances on the College campus or any other facility that is rented, leased, owned or occupied by the College at any time when classes or student activities are scheduled, except as specifically approved by the College President or designee.

Sanctions which may be imposed on students for violations of the code include: disciplinary probation, temporary exclusion (removal from classes, privileges, or activities for a specified period), expulsion (termination of student status).

### **Equity and Inclusion**

Students, their families, employees, and potential employees of the Southwestern Oregon Community College District are hereby notified that Southwestern Oregon Community College does not discriminate on the basis of race, color, religion, ethnicity, use of native language, national origin, gender, sexual orientation, gender identity, marital status, veteran status, disability, age, pregnancy, or any other status protected under applicable federal, state, or local laws.

## **Freedom of Association**

Students shall be free to organize and join associations to promote their common interests subject to the following considerations.

- A. The membership, policies and actions of a student organization will be determined by vote of only those persons who are bona fide Southwestern Oregon Community College students.
- B. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.
- C. Each organization shall be free to select its own Southwestern Oregon Community College advisor. Advisors must be either contracted faculty or staff currently employed by SWOCC. SWOCC staff serves the college community when they accept the responsibility to advise and consult with student organizations to provide guidance to the group on college procedure and policy.
- D. Student organizations shall be required to submit a statement of purpose, criteria for membership, rules of procedures, a current list of officers, and a certified number of active members as a condition of institutional recognition.
- E. Campus organizations, including those affiliated with an extramural organization, shall be open to all students without respect to race, color, sexual orientation, marital and/or parental status, religion, national origin, age, mental/physical disability or learning disability, Vietnam era or disabled veteran status, or any other status protected under applicable federal, state, or local law. Disability consultations are available through the Office of Accessibility.

## **Freedom of Inquiry and Expression**

Students shall be free to take exception with the information or views presented in any course without it affecting their grade as long as the disagreement is not disruptive to the instructional process. Students are responsible for learning the content of any course for which they have enrolled even if they disagree with the course content. Students and student organizations shall be free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves. Actions by individuals or groups to prevent the appearance of speakers who have been invited to the campus, and actions to obstruct or restrain other members of the academic community and campus visitors by physical force are subject to sanction.

## **Freedom to Participate in Institutional Governance**

Student representation on selected SWOCC councils and committees provides an opportunity for students to participate in institutional governance.

## **Nondiscrimination/Nonharassment** (Refer to [APP 7165](#) for the full policy)

Southwestern Oregon Community College wishes to maintain a place of learning and work that is free of unlawful discrimination or harassment. The college prohibits discrimination or harassment based upon a person's race, color, religion, ethnicity, use of native language, national origin, gender, sexual orientation, gender identity, marital status, veteran status, disability, age, pregnancy, or any other status protected under applicable federal, state, or local laws.

## **Sexual Offender Registration**

Anyone who is required to register as a sex offender under ORS 181.592-181.607 (sexual offender registration) or has been ordered by any court, parole board, or other public agency to not have contact with persons under the age of 18 must notify the Office of Administrative Services at Southwestern Oregon Community College (1988 Newmark Ave., Coos Bay OR 97420) in writing within one business day of registering for any class at the College.

## **Student Publications** (Refer to [APP 8050](#) for the full policy)

It is the policy of the College that all student-edited campus media publications have been established as designated public forums for student expression.

It is the College's intent student media will provide a full opportunity for its students to inquire, question, and exchange ideas and that they will strive to reflect all areas of student interest, including topics about which there may be dissent or controversy.

In student publications, both electronic and in print, content must follow the accepted ethics and standards of journalism and opinions must be disclaimed as not necessarily those of the College.

## **Tobacco Use Environment** (Refer to [APP 7155](#) for the full policy)

Southwestern Oregon Community College is committed to providing a safe and healthy environment for its employees, students, and visitors. Consequently, except in designated smoking areas, the use or carrying of any lighted smoking instrument in College buildings or on College premises, at events on College premises, or in College-owned, rented, or leased vehicles is prohibited. The distribution and/or sale of tobacco including any smoking device, is prohibited. For the purpose of this policy, "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, e-cigarette, vaporizer pens, and any other smoking product; and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form.

### Coos Bay campus designated smoking areas

- 1- West side of parking lot 1.
- 2- South side of parking lot 2.
- 3- Southeast side of parking lot 3.
- 4- Student Housing parking lot (outside Trinidad Head)
- 5- Student Housing parking lot (outside Cape Arago)

The Brookings campus is a tobacco-free campus.

## Chapter 3 – Laker Code

1. Students have the responsibility to obey and follow the Laker Code, [College policy and procedures](#), [Board policies](#), the ASG bylaws, federal and state statutes, and city ordinances. The *ASG constitution and bylaws* and [College policy and procedures](#) shall provide means for student involvement.
2. Students are responsible for fulfilling the requirements of their courses
3. Students are responsible for the effects of their decisions and behavior that becomes destructive to the educational goals and processes of Southwestern Oregon Community College.

### The following activities may result in disciplinary action:

1. **Academic Plagiarism:** The intentional submission for evaluation to a College instructor or administrator of material based on ideas or work done by someone other than the submitter, without reasonable written documentation of material's original source.
2. **Academic Cheating:** The intentional submission for evaluation to a College instructor or administrator of material based, in part, on a source or sources forbidden by generally accepted standards or by regulations established by the evaluator and disclosed in a reasonable manner.
3. **Animal Abuse:** Intentionally, knowingly, or recklessly causing physical injury to an animal in violation of ORS 167.
4. **Furnishing false information** to the College with the intent to deceive.
5. **Forgery, alterations, or misuse** of college documents, records, or identification cards.
6. **Detention, physical abuse, or conduct** that threatens imminent physical abuse of any person in the college community.
7. **Malicious destruction, damage, or misuse** of college or personal property on the college campus. College property is defined as all real and/or tangible property owned or controlled by the College, including but not limited to buildings, grounds, equipment, motor vehicles, library, or other instructional materials.
8. **Theft or extensive damage** to another's property at the College or College-related environment.
9. **Hazing:** Any initiation rites, on or off campus, involving any intentional action or situation that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, or ridicule. Individual acceptance of or acquiescence to any activity that occurs during an initiation rite does not affect a determination of whether the activity constitutes hazing.
10. **The possession, use, or threatened use of firearms, ammunition, knives, explosives, dangerous chemicals, or any other objects as weapons** on College property, except as expressly authorized by law or institutional regulations. [5.014](#)
11. **The possession of alcoholic beverages or controlled substances** on the College campus

or any other facility that is rented, leased, owned, or occupied by the College at any time when classes or student activities are scheduled. [APP 7135](#), [BP 7135](#), [APP 10016](#)

12. **Sexual Harassment:** Repeated and unwanted sexual advances, requests for sexual favors, and other verbal and physical conduct which results in inhibition of unconstrained academic interchange or career advancement, or creates an intimidating, hostile, or offensive environment for one of the parties. [APP 7165](#)
13. **Substantial and material interference** with the operation of the College.
14. **Failure to comply** with the terms of any penalties applied under this Student Conduct Code.
15. **Disorderly Conduct:** Knowingly and intentionally engaging in violent, tumultuous, or threatening behavior which results in inconvenience, annoyance, or alarm, creates unreasonable noise, or disturbs any lawful assembly of persons.
16. **Eluding** or attempting to elude a College Campus Security officer who is pursuing official duty.

#### **Additional Sanctioning Bodies:**

1. Athletic Department: See current Athletic Handbook
2. Residence Life/Housing: See current Housing Page
3. Nursing Standards: See current Nursing Handbook
4. OCCI: See current OCCI Handbook
5. Student Government (ASG): See current ASG Bylaws
6. Federal Financial Aid Regulations pertaining to drug convictions: Eligibility regarding drug convictions - student is ineligible for financial aid if he/she has a drug conviction which is declared at the time student files the FAFSA. Ineligibility begins from date of conviction. Please note that this is a self-declaration when the student files the FAFSA.

#### **Possible sanctions for violations of the Laker Code**

The Dean of Students, Vice President of Student Services, or designee will be responsible for maintaining and disseminating a disciplinary procedure for imposing sanctions while ensuring a student's right to due process. The severity of the sanction(s) should reflect the severity of the violation and may be imposed singly or in any combination. Sanctions for violation(s) of the Laker Code (or any other violations of [Board policies](#) or [College administrative rules and regulations](#)) may include, but are not limited to, the following:

1. **Written Reprimand:** Written warning that a student's conduct does not meet College standards and that continuation of such misconduct may result in further disciplinary action.
2. **Disciplinary Probation:** Imposition of a probationary status, for which further violations may result in additional disciplinary action, including suspension. Disciplinary probation may be imposed for any length of time up to one calendar year. The terms of the probation and conditions for ending it will be specified in a letter to the student.

Disciplinary probation may include referral for intervention, screening, and treatment in cases where use of alcohol or other controlled substances have impaired safety and judgment.

3. **Personal Mental Health Referral:** A sanction which may be invoked in circumstances where the student's behavior poses a potential threat to the campus community.
4. **Bar Against Re-Enrollment:** May be imposed on a student who has a disciplinary case pending or who fails to pay a debt to the College.
5. **Restitution:** Reimbursement for costs of damage to a person or property or for a misappropriation of property. Restitution may take the form of appropriate services to repair or otherwise compensate for damages. Restitution may be imposed in combination with any other penalty.
6. **Withholding of an Official Transcript:** May be imposed upon a student who fails to pay a debt to the College.
7. **Suspension from Rights and Privileges:** Imposes specific limitations on, or restrictions to, the status of a student's enrollment at the College.
8. **Suspension of Eligibility for Co-curricular Activities:** Prohibited from joining a recognized student organization and participating in activities or attending its meetings and/or from participating in official athletic or other co-curricular activities for any length of time up to one calendar year.
9. **Faculty may assign a failing grade:** for paper, test or course as a disciplinary action where appropriate. Faculty may also require a student to leave the classroom at any time for violations of the Laker Code.

**Readmission after Suspension:** When a student is suspended, the conditions for reenrollment must be met. The student will be required to meet with the Dean of Students, Vice President of Student Services, or designee prior to reenrollment, and to request reenrollment in writing. The Dean of Students, Vice President of Student Services, or designee will be responsible for determining if the conditions for reenrollment have been met and will provide the student, in writing, with the decision regarding the student's reentry into the College and the reasons for the decision.

NOTE: The parents or guardian of any dependent student under age 18 years of age who is placed on disciplinary probation, suspended, or expelled shall be notified.

## Chapter 4 – Confidentiality

Confidentiality laws prohibit Southwestern Oregon Community College faculty and staff from discussing students' information with anyone, including parents and family members, without written consent.

### What is FERPA?

Students' privacy is protected under the federal Family Educational Rights and Privacy Act, 20 U.P.S.C. Section 1232g; 34 CFR Part 99 (2000) and related state laws. SWOCC has developed procedures in accordance with the law. | Legal References: ORS 166.065, 341.290 (2) (3) (17), 659.850, 659.865, OAR 166-450-0000 to 0125, 589-010-0100, 589-002-0200 (1) (e), 591-004-0100 to 0750, 591-004-0500.

### What does FERPA mean for college parents/advocates?

Generally, FERPA rules mean at the post-secondary level:

- Student academic information will be given to the student and not to the parents/advocates.
- College representatives are prohibited from discussing information about the student's academic record with parents/advocates.
- Parents and advocates do not have access to disability-related records unless the student provides express written consent.
- The only exception is in cases where a student is considered a threat to himself or others.

## Chapter 5 – Audio Recording

Recording of classes at SWOCC is prohibited without written permission of the instructor. No instructor will be required to permit classroom recordings except under requirements of law, as detailed below. Any such recording properly approved in advance can be used solely for the student's own private study and not for commercial purposes or distribution outside of the class. Permission to allow the recording is not a transfer of any copyrights in the recording. Under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, students with disabilities who are unable to take or read notes have the right to audio record class lectures for their personal study only. Classes recorded for this purpose may not be shared with other people without the consent of the instructor. Information contained in the recorded lecture is protected under federal copyright laws and may not be published or quoted without the expressed consent of the instructor and without giving proper identity and credit to the instructor. [APP 4022](#)

## Chapter 6 – Animals on Campus

(Refer to [APP 8040](#) for the full policy)

While on the Southwestern Oregon Community College campus an animal's handler is responsible for the animal's behavior and containment, and the removal of the animal's waste. If the animal's behavior is deemed disruptive by College Administration to College programs, activities, or services, poses a threat to the health and/or safety of others, or displays threatening behavior, the animal must be removed from College grounds.

### Service Animals

Service animals serving the disabled do not need prior permission to be on College property (leased or owned). Students with service animals must register their service animal with the Accessible Education office, or Executive Dean of Curry Campus.

### Emotional Support and/or Companion Animals

Other animals such as emotional support animals (ESA) and companion animals are permitted on campus grounds (leased or owned), only when confined to a vehicle, cage, or on a leash of six feet or less, and kept under the physical control of the individual at all times.

ESA and companion animals are not allowed in buildings with the exception of the animal being brought into a facility for instructional or college sanctioned activities. Permission to bring ESA/Companion or other animals into campus buildings must be obtained from the Accessible Education office, or Executive Dean of Curry Campus before the animals may be brought into campus buildings. Once approval is granted, animals must be adequately cared for and appropriately secured.

### Housing Students

Residents may not have animals live or visit them in their apartments without approval from the Accessible Education office. Animals include, but are not limited to, dogs, cats, birds, rodents, snakes, frogs, and lizards. Fish are permissible as pets, but the bowl or tank may not exceed five U.S. gallons. Housing typically fines residents \$50 for a Pets policy violation as well as the cost of additional cleaning, repair, furniture or carpet replacement, or extermination of pests. Housing will cite residents whom abuse, neglect, or abandon an animal in violation of Oregon Revised Statutes 167.310 to 167.390.

## Chapter 7 – RAVE Alert System

The RAVE Alert System is a system for notifying students and college employees of an emergency on campus in the quickest way possible. When you register to receive RAVE Alerts, you will be notified via email or text.

RAVE alerts will be sent out when:

- There is an unexpected campus closure
- Your class is cancelled due to instructor illness or emergency
- A campus emergency occurs
- To relay important campus-wide information

*You are strongly encouraged to register for this service.*

You can register to receive alerts on the "Home" tab of [myLakerLink](#) by clicking on the "register" link under "Rave for Emergency Contact".

## Chapter 8 - Acceptable Use of Technology

(Refer to [APP 5059](#) for the full policy)

The College community is encouraged to make use of Information Technologies in support of educational and administrative purposes. The College supports access to information with numerous views for the interest, information, and enlightenment of students, faculty, and staff.

### Prohibited Use

The following behaviors are prohibited while using College Integrated Technology resources, including computers and networks owned or operated by the College, or to which the College is connected:

1. Modifying system or network facilities, or attempting to crash systems or networks;
2. Using personal software on College computers;
3. Using network resources which inhibit or interfere with the use of the network by others.
4. Using, duplicating, or transmitting copyrighted material without first obtaining the owner's permission, in any way that may reasonably be expected to constitute an infringement, or that exceeds the scope of a license, or violates other contracts;
5. Tampering with software protections or restrictions placed on computer applications or files;
6. Using College Integrated Technology resources for personal for-profit purposes;
7. Subverting restrictions associated with computer accounts;
8. Using Integrated Technology resources to obtain unauthorized access to records, data, and other forms of information owned, used, possessed by, or pertaining to the College or individuals;
9. Accessing another person's computer account without permission. Users may not supply false or misleading data, or improperly obtain another's password in order to gain access to computers or network systems, data or information. Obtaining access to an account name or password through the negligence or naiveté of another is considered to be a specifically prohibited use;
10. Intentionally introducing computer viruses, worms, Trojan Horses, or other rogue programs into Integrated Technology resources that belong to, are licensed to, or are leased by the College or others;
11. Physically damaging Integrated Technology resources;
12. Using, or encouraging others to use, Integrated Technology resources in any manner that would violate this or other College policies or any applicable state or federal law; and
13. Falsely reporting or accusing another of conduct that violates these rules without a good faith basis for such an accusation;
14. Intentional transmission or display of unwanted messages, information, or graphic images which create a hostile school or work environment for the recipient are inappropriate uses of College computer resources;

15. Allowing non-approved users access to information on the College network that do not have a legitimate need and right to know specific information;
16. Sharing or allowing others to use your logon and password; and
17. Connecting networking equipment including, but not limited to servers, routers, hubs and switches, and wireless access points to the campus network without written authorization from the Office of Integrated Technology and Services.

## Chapter 9 – Campus Security

Campus Security officers are responsible for a wide range of services; protection of the campus peace and security, criminal activity suppression, crime report filing, criminal awareness counseling and presentation, preliminary fire and medical emergency inquiries and response, traffic accident investigation, drug and alcohol law violations, campus community patrols, and other public safety issues.

Time permitting, “courtesy assistance service” may be provided to members of the campus community in the form of vehicle battery charging and student and staff walkouts. To access this service, call the officers on duty at (541) 297-4200.

For crime prevention to be effective, the assistance of all campus members in the reporting of crimes or crimes in progress. If you see something suspicious or requiring a report call 9-1-1 and then Campus Security at (541) 297-4200 (duty officer’s cell phone) for further instructions.

### Campus Safety Crime Statistics

The Department of Campus Security’s officers are responsible for public safety issues. Local Law enforcement provides additional coverage. For the most current crime statistics refer to SWOCC’s Clery report at <https://www.socc.edu/campus-security>.

### Emergencies - Medical

For a medical emergency, contact 9-1-1 immediately. Once 9-1-1 has been called, contact Campus Security at (541) 297-4200. Adults have the right to refuse medical transport. Emergency transportation must be provided by a licensed medical ambulance, a taxi, or a private vehicle driven by a family member or friend. Campus Security and college personnel are not authorized to transport individuals.

### Parking

There are locations on campus that are designated as no parking, fire lane, and disabled parking; in these areas please adhere to the posted signs. Disabled students must display a valid DMV issued disabled parking placard.

#### Basic Rules for Parking and Safety

- Observe and obey all posted parking control signs.
- Park only in designated parking areas and marked spaces.
- Park only one vehicle per marked space.
- Do not block or obstruct other vehicles, campus roadways, thoroughfares or fire lanes; vehicles may be towed.

- Lock your vehicle doors and remove from sight any/all valuables: laptops, purses, cash, jewelry, backpacks, CDs, and books.
- Be responsible and respect the rights of others.

### Student Housing

All residents must have a parking permit for any vehicle they park in the Housing parking lot. Housing provides one optional parking permit to each resident who has a vehicle registered in their name or in their parent's or guardian's name. The permit expires when the Room and Board Agreement has ended. Residents may not transfer the permit to another person

(Learn more about security at SWOCC by visiting <https://www.socc.edu/campus-security>)

## **Chapter 10 – Student Housing**

Student Housing provides a safe academic environment for students living on campus. With capacity for more than 400 students, the apartment-style facility is ideal for personal growth and independence, social development, and academic progression.

Student Housing apartments are on campus, so residents can easily walk to classes and to the dining center in Empire Hall. Other conveniences on site include three laundry facilities, 24-hour computer lab, quiet study lounge, and clubhouse with a kitchen, large-screen TV, and recreational equipment. The apartments are within walking distance of supermarkets and restaurants.

One of the most valuable differences between Student Housing and off-campus housing are the nearly dozen Resident Assistants (RAs) who live with the residents. RAs are second-year (or greater) students who are trained to help students adapt to college life, mediate conflicts, enforce policies, and respond to emergencies. For more information, please visit the Student Housing website at <https://www.socc.edu/why-swocc/student-housing/>.

### **Housing Policies**

Living in a community requires each member of the community to take responsibility for their personal safety, the security of their belongings, and the safety and respect of others. Students residing in student housing and their guest(s) are expected to abide by all policies outlined in the Room and Board Agreement. Students are expected to make their guest(s) aware of and ensure they follow these policies.

### **Roommate Agreement**

Often roommates assume there is some kind of unwritten code that guides their behavior. It does not exist until the roommates create an actual roommate agreement that is unique to their living situation. Keep in mind that what works for one apartment may not work for another. In addition to spelling out how roommates will live with each other, an agreement provides an opportunity for residents to talk to each other. Finally, if you cannot resolve disagreements with your roommates or nobody wants to create a roommate agreement please contact a Resident Assistant or Student Housing. Resident Assistants will setup apartment meetings at the beginning of every term to establish apartment agreements.

## Chapter 11 – Student Success Center

Stensland Hall 1st floor; (541) 888-7405; [www.socc.edu/esps](http://www.socc.edu/esps)

The Student Success Center offers a variety of services to support students while attending Southwestern. Services include Academic Advising, Accessible Education office, Personal Counseling, Testing, Internships, and Career Advising.

- [Academic Advising](#)  
(541) 888-7405  
All degree-seeking students are assigned an academic advisor.
- [Counseling Services](#)  
(541) 888-7405  
Career planning and exploration, educational advising, individual counseling, Human Development classes.
- [Accessible Education office](#)  
(541) 888-7405  
The Accessible Education office provides services to students with documented disabilities (physical or learning) to help them be successful in college.
- [Internship & Cooperative Work Experience](#)  
(541) 888-7349  
Internships give students an opportunity to gain valuable work experience and earn college credit at the same time.
- [University Center](#)  
(541) 888-1518  
The University Center assists and supports students who want to further their education by obtaining a bachelor's or graduate degree.
- [Testing Services](#)  
Testing Services include placement tests and test proctoring.  
*Testing is available by appointment.*

## Chapter 12 – Laker Learning Commons

### [Tutoring and Writing Services](#)

Tioga Hall 3<sup>rd</sup> floor; (541) 888-7234

The Laker Learning Commons is a place designed to meet all of Southwestern students' academic needs. The space boasts comfortable working stations, computers, quiet study rooms, high-speed internet and WIFI, couches and lounge chairs, and our supportive and helpful staff.

### [Campus Tutoring Services](#)

If you're struggling with a class—don't give up! Our tutors are here to help you get through the quarter successfully. You can do this! We are here to help you.

### **Services for Students:**

- Tutoring staff are highly qualified in a range of subject areas.
- Drop-in tutoring. No appointment necessary.

- Tutoring services are free of charge!

### Campus Writing Services

Our goal is to support students in all facets of the writing process and to help students become confident, independent writers. We assist students with the following: How to understand a writing assignment, develop, focus, and organize ideas, create coherent paragraphs, integrate and document research, and find and fix grammatical errors.

#### **Services for Students:**

- One-on-one tutoring. Make an appointment here.
- Drop-in tutoring. No appointment necessary.
- Free Online Writing Assistance Form
- Writing services are free of charge!

## **Chapter 13 – TRIO Student Support Services**

Randolph Hall; (541) 888-7419;

Student Support Services (SSS) is one of the federally funded TRIO programs for education. The goals of SSS are to help students graduate from Southwestern, to encourage students to transfer to a four-year college or university, and to assist with the transfer process. To be eligible for SSS, students must apply to the program and meet at least one of the following criteria: neither parent has a four-year (bachelor's) degree, meet the federal low income requirements for TRIO programs, or have a documented disability (physical or learning). SSS services are free and include tutoring, counseling, advising, campus visits to Oregon's four-year schools, cultural enrichment activities, and supplemental grant aid for qualified students.

#### **Services for Students:**

- Connect-to-Campus Program for new students
- Designated tutoring and study areas
- Personal, career, and academic advising
- Peer mentoring and tutoring
- Transfer assistance
- Campus visits to Oregon's four-year schools
- Cultural enrichment activities

# Chapter 14 – Other Services and Support

## Bookstore

Stensland Hall 1<sup>st</sup> floor; (541) 888-7264;

The Southwestern Bookstore has all the books and supplies you need to start classes. The Bookstore website is the best source for current information. You may purchase textbooks online and have them shipped to you, or reserved for store pick-up. A fax machine is available for students to send or receive information (541) 888-4905. Charges are made according to the destination or origination of the fax.

## Returns

Returns meeting ALL of the following requirements are eligible for a full refund:

- The return is made during the first two weeks of the term for which the text was purchased.
- The text you are returning is for a class that you have dropped / changed or has been cancelled (you must provide proof of schedule change).
- The text is brought to the bookstore within one business day of the drop/change/cancellation.
- Text is brought to the bookstore with an original unaltered SWOCC Bookstore cash register receipt.
- Text MUST be in the original selling condition – New text must be in new condition, no highlighting, no writing, no damage to cover or pages, shrink-wrap/bundled/or packaged books cannot be opened or altered, access codes/CD/other materials cannot be used or opened – used text cannot be returned if damaged \*Sorry, NO EXCEPTIONS

Partial refund may be given if the text has been altered, this will be decided on a case-to-case basis. Returns made for other reasons must be completed within three business days of purchase, textbooks must be in the original selling condition and accompanied by an original unaltered SWOCC Bookstore cash register receipt. These returns will be charged a 15% restocking fee. Refunds can only be processed in the same tender as the purchase.

## Book Buy Back

Sell your used textbooks for instant cash! Book buy-back is held during finals week of each term. Check the Bookstore or term schedule for exact times and dates.

## Computer Labs

Tioga Hall 4<sup>th</sup> floor;

Southwestern has several instructional computer labs and one lab that is open for student use on a “drop in” basis. The open computer lab has IBM-compatible hardware and a variety of software. Computer labs are also available at the Southwestern facilities in Gold Beach and Brookings.

### [Dining Services](#)

Empire Hall; (541) 888-7638;

Southwestern Oregon Community College (SWOCC) brought all of its foodservice in-house in September 2009. At that point the program came under the purview of the Oregon Coast Culinary Institute (OCCI). It is a program that provides competitive externship positions for the students of OCCI. The entire community of SWOCC benefits from this program as they are brought healthful food made from scratch everyday by the newest members of the culinary industry.

The dining hall (Empire Cafe) is open for breakfast, lunch, and dinner Monday through Friday. On Saturday and Sunday the dining hall opens in the afternoon for brunch and in the evening for dinner. Hours vary during holidays and in the summer. It is open to all students, staff members, and members of the public. If you live in Student Housing you are required to have a meal plan; the cost for this is already included in your room rate. Non-Housing Students can purchase a commuter meal plan; speak with a Dining Services employee for more information. Southwestern Dining Services will do its best to accommodate the special dietary requirements of students. If you have special needs in this area, arrangements should be made with the Housing Office prior to your arrival at Southwestern.

### [Financial Aid](#)

Dellwood Hall Front Lobby; (541) 888-7324;

Various financial programs are available for students, including grants, scholarships, tuition waivers, student employment, and loans. Apply early; financial aid funds are often limited and awarded on a first-come, first-served basis. Refer to the College catalog and quarterly schedule for more information or visit the First Stop Center for policies, procedures and application processes.

### [First Stop Center](#)

Dellwood Hall Front Lobby; (541) 888-7352; [firststop@socc.edu](mailto:firststop@socc.edu)

The First Stop Center provides a variety of services to students: general campus information, student employment services, payments for tuition and fees, admissions and registration, transcripts, and financial aid to help with the cost of college.

### [Library](#)

Tioga Hall 2<sup>nd</sup> floor, (541) 888-7270;

The library provides resources to students, staff, and community members: COASTLINE (Coos County Library Network Online Catalog), reference materials, book collection, computer databases, periodicals, maps, videos, other audio-visual materials, Internet access, and other digital collections. A COASTLINE library card is required to check out materials. Items not available on COASTLINE can be borrowed from other libraries through interlibrary loans.

### [Student Recreation Center](#)

(541) 888-7714;

The Student Recreation Center is a fitness and recreational facility for students and community members. It offers a state-of-the-art fitness center with a wide range of cardio equipment, circuit weight machines, free weight machines, barbells, and dumbbells. The Rec Center is also home to a collegiate-sized basketball court, racquetball court, game room, climbing wall, day-use locker rooms, and more! Students can enjoy the facility for free; community guests can utilize the facility by purchasing a Community Pass at the Rec Center front desk.

### **Student Supply Closet**

Empire Hall 2<sup>nd</sup> floor (207)

The Student Supply Closet has free food, clothes, and other supplies for students. To access the closet see the Coordinator of Student life (Empire 205), or a member of Student Government (Empire 203).

### [Student Veteran's Center](#)

Coaledo room (5)

The Student Veteran's Center is a comfortable and safe area that supports our student veterans while they fulfill their educational goals. In addition to computers, furniture, appliances, and supplies, the center is very welcoming and is significant in its therapeutic offerings for veterans suffering from PTSD and other disorders. The center is also unique in that it offers a full view of the outdoor space, Henry Hansen Union Square (the quad) from inside a quiet building, creating a perfect environment for veterans to study, relax, and reconnect with fellow veterans.

## **Chapter 15 – Graduation**

Students earning an Associate's degree or a Certificate of Completion from Southwestern Oregon Community College must submit a [Graduation Application](#) for graduation. The application for degree or certificate is available in the lobby of Dellwood Hall or online. Official transcripts from accredited colleges and universities previously attended that apply toward a Southwestern degree or certificate must be on file with the Transcript Evaluator. All course work from other colleges will be included in the cumulative GPA regardless of applicability to current course work. The cumulative GPA, including transfer work, is used to determine eligibility for graduation honors. Final approval of the Application for a Degree or Certificate is given only after grades have been posted for the last term's work. Degrees or certificates are mailed to the students following this process and may take two to three months to receive.

Advisors are available to assist students in selecting course work that applies to the degree or certificate, but students have final responsibility for satisfying graduation requirements.

## Chapter 16 – Grade Appeals

The purpose of the grade appeal process is to address concerns regarding the final grade in a class and is utilized for only that purpose. Students may not appeal disagreements with items such as teaching methodologies, attendance policies, or grade weighting methods.

After receiving final grades at the end of a term, students may decide to formally appeal a final grade. Students may appeal final course grades for the following reasons:<sup>1</sup>

- Grade miscalculation
- Inconsistency between the grading policy written in the syllabus and what is practiced

If a student chooses to pursue a final grade appeal, then the process must be completed the following term. The grade appeal process will be conducted as follows **(0-6 weeks total)**:<sup>2</sup>

**Step 1.** The student must meet with the instructor to discuss the final grade in dispute. This meeting must occur **by the close of the business day on Friday of Week 2 of the subsequent term after the grade was posted**. The meeting must be in a manner that is consistent with the course syllabus (in-person, telephone, or email). Students are encouraged to attempt to communicate with the instructor using multiple means, including in person, via telephone, and via email. Students are encouraged to review the syllabus to determine how to contact the instructor.

- a. If the instructor cannot be reached, the student must contact the appropriate academic dean. It is the dean's responsibility to communicate the grade in dispute with the instructor, and set up a time to mediate a discussion between student and instructor.
- b. If the student misses the period of time for which to pursue a grade appeal, she/he can still meet with the instructor and see if the grade dispute can be resolved informally. However, if the deadline has passed to proceed with the formal grade appeal process, the committee will not make exceptions to hear the appeal.

**Step 2.** If Step 1 has been met (with the exception of 1b), and the dispute is not resolved, the student must complete the Grade Appeal Form to officially request a grade appeal hearing. This form must be completed and submitted to the appropriate academic dean **by the close of the business day on Friday of Week 3 of the subsequent term after the grade was posted**.

- a. The academic dean is responsible for informing the instructor and the Academic Standards Committee of the request for a grade appeal within one business day of receiving the Grade Appeal Form.
- b. The student must contact the Vice President of Enrollment and Student Services to seek an advocate for the grade appeal.
- c. The faculty member may request a meeting with the student to be completed **by the close of the business day on Friday of Week 4 of the subsequent term after the grade was posted**. The dean or designee shall facilitate this meeting. The Vice President of Enrollment and Student Services or designee may accompany the

student at the student's request. The instructor may have a representative present as well.

**Step 3.** The Academic Standards Committee will conduct a formal grade appeal hearing **by the close of the business day on Friday of Week 5 of the subsequent term after the grade was posted.**

- Prior to the grade appeal hearing, the student must meet with the Vice President of Enrollment and Student Services for support and meeting preparation. The student must provide appropriate documentation for review.
  - Prior to the grade appeal hearing, the instructor is encouraged to seek professional guidance for support and meeting preparation. The instructor must provide appropriate documentation to the Academic Standards Committee for review.
- a. Meeting participants include:
    - Student
    - Instructor
    - Dean
    - Vice President of Enrollment and Student Services
    - Academic Standards Committee members (quorum required)
  - b. Student presents her/his case. Instructor will not be present during student's presentation.
  - c. Instructor presents her/his case. Student will not be present during instructor's presentation.
  - d. After presentations, the Academic Standards Committee will deliberate.

**Step 4.** The Academic Standards Committee will reach a conclusion and provide written rationale to resolve the matter **by the close of the business day on Friday of Week 6 of the subsequent term after the grade was posted.** A completed Grade Appeal Form must be provided to the Office of Instruction and to the Registrar. The Office of Instruction must inform all parties of the decision.

Footnotes:

1. For issues outside of the reasons listed, refer to the student handbook or seek assistance from student services.
2. There is no current mechanism for handling spring term grade appeals during summer term. These grade appeals will be handled during fall term.

Grade Appeal Form

**Step 1: to be completed by Student by end of Week 2**

|  |  |                                    |                  |
|--|--|------------------------------------|------------------|
| <b>Student ID</b>  |  | <b>Student Name</b>                |                  |
| <b>Year &amp; Term</b>                                       |  | <b>Course Number &amp; Section</b> |                  |
| <b>Course Title</b>  |  |                                    |                  |
| <b>Instructor Name</b>                                       |  |                                    |                  |
| <b>Reason for Grade Appeal</b>                               | <input type="checkbox"/> Grade miscalculation<br><input type="checkbox"/> Inconsistency between the grading policy written in the syllabus and what is practiced |                                    |                  |
| <b>Communication Methods</b><br><i>Circle all that apply</i> | <b>Face-to-Face / Telephone / E-mail / Other _____</b><br>Attach copy of written communication   |                                    |                  |
| <b>Meeting Information</b>                                   | <b>Date:</b>   | <b>Time:</b>                       | <b>Location:</b> |
| <b>Meeting Outcome</b>                                       |  |                                    |                  |

**Step 2: to be completed by Student, Academic Dean, and Instructor by end of Week 3**

|  |  |              |
|--|--|--------------|
| <i>I am pursuing this grade appeal. I understand that I will present my case to the Academic Standards Committee, which is made up of College Faculty and Administrators. I will contact the Vice President of Enrollment and Student Services for help in preparing for the grade appeal hearing.</i> |  |              |
| <b>Student Signature</b>   |  | <b>Date:</b> |
| <b>Academic Dean Signature</b><br>Signature acknowledges student grade appeal.   |  | <b>Date:</b> |
| <b>Instructor Signature</b><br>Signature acknowledges student grade appeal.  |  | <b>Date:</b> |

**Step 3: to be completed by Academic Standards Committee by end of Week 5**

|                                     |  |              |
|-------------------------------------|--|--------------|
| <b>Grade Appeal Hearing Outcome</b> |  |              |
| <b>Committee Chair Signature</b>    |  | <b>Date:</b> |

**Step 4: to be completed by Office of Instruction by end of Week 6**

|                                  |                                     |  |   |                               |
|----------------------------------|-------------------------------------|--|---|-------------------------------|
| Communicate outcome with Student | Communicate outcome with Instructor | Communicate outcome with Academic Dean | File Paperwork with Office of Instruction | File Paperwork with Registrar |
| <b>Date:</b>                     | <b>Date:</b>                        | <b>Date:</b>                           | <b>Date:</b>                              | <b>Date:</b>                  |

## Chapter 17- Student Grievance Procedure

*(Refer to procedure 9.070 for the full policy)*

This grievance procedure is provided to insure that due process exists for those persons (students, staff or general public) who allege that their rights at Southwestern Oregon Community College have been denied, abused, or diminished. A grievance is a complaint, dispute, or misunderstanding that is alleged to have occurred when the College acted in a manner that denies, abuses or diminishes the person's rights and privileges, provided for in the written procedures of the College or guaranteed by State or Federal law. This includes, but is not limited to, allegations of discrimination (based on race, color, gender, sexual orientation, marital status, religion, national origin, age, disability status, gender identity, or protected veterans), harassment or unfair treatment. The single point of contact for persons who allege that their rights at Southwestern Oregon Community College have been denied, abused, or diminished is the Vice President of Administrative Services, AAO/EEO. After an initial meeting with the complainant, the Vice President of Administrative Services, AAO/EEO will contact the appropriate College personnel and initiate an informal resolution process.

Complaints may be submitted online through [Incident Reporting-Maxient](#). Employees receiving complaints must forward the complaint by entering it into the [Incident Reporting-Maxient](#).

**STAFF COMPLAINTS AND APPEALS**

Complaints arising out of a violation, interpretation or inappropriate application of College policies or procedures will be processed in accordance with the following procedures. However, this procedure does not apply to:

- Matters that are covered by a collective bargaining agreement (refer to the applicable collective bargaining agreement for the required procedure and time limits).
- Complaints or concerns regarding unlawful discrimination, harassment or retaliation (refer to the reporting procedure in the College's Discrimination/Harassment policy and AAO/EEO policy APP 7165).
- Disciplinary or other actions that have been approved by the President of the College.

**INFORMAL RESOLUTION**

The College encourages prompt resolution of all complaints, misunderstandings, or disputes. A reasonable effort by the complainant and other involved person(s) to arrive at an informal resolution of differences should occur before the formal complaint procedure is initiated. If the complaint is not resolved, the complainant may initiate the formal complaint procedure.

**FORMAL COMPLAINT PROCEDURE**

- Step I            After the complainant has made a good faith effort to resolve the situation with the other involved person(s), and has been unsuccessful in reaching a satisfactory resolution, the complainant, (within thirty [30] days of the occurrence of the complaint, dispute, or misunderstanding), must complete and submit a complaint form to the Vice President of Administrative Services, AAO/EEO. The Vice President of Administrative Services, AAO/EEO will refer the complaint to the appropriate staff member for investigation and notify the complainant by registered mail. The College official investigating the complaint will arrange meetings to discuss the issue with all concerned parties within ten (10) working days of receiving the complaint. Within an additional twenty (20) College working days, the complainant will receive written notification of the investigator's decision by certified mail. The investigation timeline may be extended if the investigation reveals the need for additional information. In no case will an investigation extend beyond three months from the date of initial filing of the formal complaint.
- Step II            If the complainant is not satisfied with the decision at Step I, he/she may submit a written appeal to the Vice President of Administrative Services, AAO/EEO. This must be done within ten (10) College working days of receipt of notification of the decision in Step I. A written decision regarding the appeal will be provided by the appropriate College Vice President within ten (10) College working days of receipt of the appeal.
- Step III            If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the President or designee. This appeal must be filed within ten (10) College working days of receipt of notification of the Step II decision. The President, upon reviewing the complaint, may request additional information at his/her discretion, or make a decision based solely on the information presented in the complaint and previous responses. The decision of the President shall be final.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs, or Oregon Bureau of Labor and Industries. Direct complaints related to educational programs or services may be made to the Regional Civil Rights Director, U.S. Department of Education, and Office for Civil Rights.

Adopted as Administrative Procedure:

Procedure # 6.2.070 July 28, 2003

Revised: February 7, 2005

Revised: May 2, 2012

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**STANDARDS OF EMPLOYEE CONDUCT**

Southwestern Oregon Community College has established standards of employee conduct. Employee violation of these standards may result in disciplinary action up to and including discharge from employment at Southwestern Oregon Community College. This procedure applies to all Southwestern Oregon Community College employees.

Employees are expected to maintain these Standards of Employee Conduct. Such standards of employee conduct include, but are not limited to, the following:

1. **Employee Conduct:** Employees must comply with all College Board Policies and Administrative Procedures and Policies. Employees must comply with the Tobacco Use Environment policy and smoke only in designated areas. Employees must comply with the Alcohol and Drug-Free Workplace policy and may not be under the influence of illegal drugs or alcohol during working hours. Employees may not possess a firearm, dangerous weapon, or destructive device on College property as defined in APP 5.014 . Violent, threatening, or destructive behavior on College premises or at a College-sponsored activity is prohibited.
2. **Attendance:** Employees are expected to be reliable and punctual in reporting for scheduled work. The College recognizes that illness, injury, and other unforeseen circumstances may occur, and has therefore established sick leave and other leave benefits plans to compensate eligible employees for certain time loss. When an employee cannot avoid being late to work or is unable to work as scheduled, the employee is expected to notify the supervisor at least one hour before your scheduled start time, or as soon as practical. This notice must be given on each day that you are late or absent, unless the College has received documentation authorizing you to be absent until a specific date.

When reporting an absence, employees must provide sufficient information for the College to determine if the absence qualifies for Family Medical Leave under state and/or federal laws, (e.g., hospitalization; under a doctor's care; illness of a family member, etc.). You must also follow the College's established procedures for this kind of leave.

Excessive absenteeism, tardiness, or extension of breaks will result in discipline. Examples of absenteeism or tardiness that may be considered excessive include, but are not limited to:

- Absences of more than 3 days in 3 months, or 6 days in 6 months.
- Tardiness more than 1 time in a week, or more than 2 times in a month. (Tardiness of more than 30 minutes shall be counted as an absence under this policy.)
- Any pattern of absenteeism, such as consistently missing days prior to or following a weekend or holiday.

If an employee fails to report to work without notifying his/her supervisor for three (3) consecutive days, the position may be deemed abandoned.

3. **Work Performance:** Employees are expected to be professional, reliable, and efficient in completing their assigned job duties. Employees must follow established procedures or work methods and meet performance standards in completing their duties. Employees must follow safe working practices and promptly report workplace accidents or injuries.

4. **Relationships with Others:** Employees will not use his/her position or influence to derive a financial benefit or otherwise profit from a relationship with a student. Each employee will conduct himself/herself so as to promote an atmosphere free from discrimination and harassment. Employees will be flexible and cooperative in working with others and will be professional in communications with other employees, students and College patrons. Insubordination, including a refusal to follow oral or written directions or instructions of a supervisor, is not tolerated. Fighting, discourteous and offensive behavior is prohibited.
5. **College Property:** Employees must use and maintain College property, equipment, and materials appropriately. Employees will not use the College's name, property, or resources for non-educational benefit or purpose, except as otherwise allowed by College policy or employment agreements. Unauthorized use of employment time or College resources for personal purposes is prohibited. Employees must comply with the College's *Acceptable Use of Information Technology Resources* procedure in using the College's computers, e-mail, and website.
6. **Employment Records:** Employees must present accurate employment records to the College, including accurate information of spouse, dependents, and/or immediate family for purposes of medical or other employee benefits. Employees are expected to be timely in completing necessary paper work, such as leave requests, travel reimbursements, payroll, grades, and class rosters. Falsification of any document or misrepresentation directly related to employment or professional duties is prohibited.
7. **Confidential Records:** Employees must use and maintain all student records and employee records, including electronically stored information, in a confidential manner as required by federal and state law and College Policies and Procedures.

Formerly Admin. Policy 6.2.001

Created as Administrative Policy & Procedure: April 4, 2012

Reviewed/revised: December 11, 2019

## APP 7035

### NEPOTISM

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In order to avoid both potential and actual conflicts of interests, College employees must abide by the following rules when an employee's relative or member of the household is seeking and/or holds a position with the College:

1. A College employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless he/she complies with the conflict of interest requirements of ORS Chapter 244. This rule does not apply to employment decisions regarding unpaid volunteer positions, unless it is a Board-related position. If an employee has a potential or actual conflict of interest, the employee must notify his/her supervisor in writing of the nature of the conflict and request that the supervisor resolve the conflict.
2. A College employee may not participate in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household.
3. More than one member of an employee's family may be hired as a regular College employee. In accordance with Oregon law, however, the College may refuse to hire individuals, or may transfer supervision of current employees in situations where an appointment would place one family member in a position of exercising direct supervisory, appointment or grievance adjustment authority over another member of the same family. Situations in which there may be an indirect supervisory, appointment or grievance adjustment authority, meaning there is at least one person occupying a position of authority between the individual exercising the authority and the individual subject to the authority, will be handled on a case by case basis. No employee may directly supervise another "member of the household" or "relative".
4. When more than one relative or member of the household is employed by the College, together they may not be involved with matters of financial controls and physical inventories of College property.

For purposes of this policy "member of the household" means any person who resides with the employee and "relative" means:

1. The employee's spouse or domestic partner;
2. Any children of the employee or his/her spouse/domestic partner; and
3. Brothers, sisters, half-brothers, half-sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, mothers-in-law, fathers-in-law, aunts, uncles, nieces, nephews, stepparents, stepchildren, or parents of the employee, or his/her spouse.

ORS 244.175-.179

Adopted as Administrative Procedure/Policy December 6, 2017

**Southwestern Oregon Community College****BP: 2020****BOARD ETHICS AND CONFLICTS OF INTEREST**

Board of Education members are public officials and are required to abide by all requirements of ORS Chapter 244, and the rules and opinions of the Oregon Government Ethics Commission.

**Conflicts of Interest**

No Board member shall use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or her, relatives, household members or for any business with which the Board member, household member, or a relative is associated. Relatives include spouse, domestic partner, children of the person, or spouse, or domestic partner, or the brothers, sisters or parents of the person, or the person's spouse or domestic partner and any individual to whom the person owes a duty of support.

**Definitions**

- Potential Conflict of Interest – When the Board’s action benefits a class of people – not the individual Board member or a business the Board member or their family is affiliated with.
  - Actual Conflict of Interest - When an individual Board member or their family could possibly benefit financially from the Board’s action.
1. For Potential Conflicts of Interest, the Board member may participate in discussion and is eligible to vote on the action item.
  2. For Actual Conflicts of Interest, the Board member must declare the actual conflict of interest and refrain from all discussion and voting on the action item.

**Gifts**

Board members may not solicit or accept a gift or gifts, including meals and entertainment, with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any issue over which the board has decision-making authority. All gift-related provisions apply to the Board member, their relatives, and members of their household.

**Honoraria**

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member or any member of the household of the Board member if the honoraria are solicited or received in connection with the official duties of the Board member. The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the Board member or candidate.

END OF POLICY

**Legal Reference(s):**

ORS 244.010 - .400

OAR 199-005-0005 to-199-020-0020

## Southwestern Oregon Community College

**BP: 3010**

### **CHIEF EXECUTIVE OFFICER**

The College President is the Chief Executive Officer of the College and is the Board of Education's official link to the operating organization. The President is accountable to the entire Board, and all Board authority delegated to the staff is delegated through the President. Decisions of the Board are binding upon the President.

1. The President shall not cause or allow any practice, activity, decision or organizational circumstance which is illegal, or in violation of commonly accepted business ethics, professional ethics or any applicable state or federal laws.
2. Dealings with students, staff and stakeholders from the community shall be done with honesty, integrity and professional behavior and shall be based on the College's Core Values, Mission and Vision statement.
3. The Board directs the President to achieve specific results through the development of a Strategic Plan and Presidential Goals.
4. The President is authorized by the Board of Education to establish procedures, make decisions, take action and develop activities that are consistent with Board policies and directives.

END OF POLICY

**Legal Reference(s):**  
ORS 341.290(1)

## Southwestern Oregon Community College

BP: 7145

### STAFF ETHICS

#### Conflicts of Interest

No College employee will use his/her College position to obtain personal financial benefit or avoidance of financial detriment or financial gain or avoidance of financial detriment for relatives, household members or for any business with which the employee, household member or relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by ORS 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the \$50 gift limit for one who has a legislative or administrative interest in the College.

College employees will not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as staff members. This means that:

1. Employees will not use their position to obtain financial gain or avoidance of financial detriment from students, parents or staff;
2. Any device, publication or any other item developed during the employee's paid time shall be College property;
3. Employees will not further personal gain through the use of confidential information gained in the course of or by reason of position or activities in any way;
4. No College employee may serve as a Board or budget committee member in the College;
5. An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time that he/she needs to fulfill the position's responsibilities; nor will an employee use any College facilities, equipment or materials in performing outside work.
6. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after leaving College employment.

If an employee has a potential or actual conflict of interest, the employee must notify his/her supervisor in writing of the nature of the conflict and request that the supervisor dispose of the matter giving rise to the conflict.

In order to avoid both potential and actual conflicts of interests, College employees must abide by the following rules when an employee's relative or member of the household is seeking and/or holds a position with the College:

1. College employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless he/she complies with the conflict of interest requirements of ORS Chapter 244. This rule does not apply to employment decisions regarding unpaid volunteer position, unless it is a Board-related position.
2. A College employee may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. An employee may still serve as a reference, provide a recommendation, or perform other acts that are part of the normal job functions of the employee.
3. More than one member of an employee's family may be hired as a regular College employee. In accordance with Oregon law, however, the College may refuse to hire individuals, or may transfer current employees, in situations where an appointment would place one family member in a position of exercising supervisory, appointment or grievance adjustment authority over another member of

the same family.

In the *conflict of interest context*, a “member of the household” means any person who resides with the employee and “relative” means:

1. The employee’s spouse or domestic partner;
2. Any children of the employee, or his/her spouse, or his/her domestic partner; and
3. Brothers, sisters, half-brothers, half-sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, mothers-in-law, fathers-in-law, aunts, uncles, nieces, nephews, stepparents, stepchildren, or parents of the employee, or his/her spouse, or his/her domestic partner.

### **Gifts**

College employees must comply with the following rules involving gifts:

Employees are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in the College. All gift related provisions apply to the employee, their relatives, and members of their household. The \$50 gift limit applies separately to the employee, and to the employee’s relatives or members of household, meaning that the employee and each member of their household and relative can accept up to \$50 each from the same source/gift giver.

1. “Gift” means something of economic value given to an employee without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.
2. “Relative” *in the gift context* means the spouse of the employee; the domestic partner of the employee; any children of the employee or of the employee's spouse; siblings, spouses of siblings or parents of the employee or of the employee's spouse; any individual for whom the employee has a legal support obligation; or any individual for whom the employee provides benefits arising from the employee's public employment or from whom the employee receives benefits arising from that individual's employment.
3. "Member of the household" means any person who resides with the employee.

### **Determining the Source of Gifts**

Employees should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the employee’s personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in the College. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the employee need not keep track of it, although they are advised to do so anyway in case of a later dispute.

### **Determining Legislative and Administrative Interest**

A legislative or administrative interest means an economic interest distinct from that of the general public, in any action subject to the official decision of an employee. For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative/administrative interest in the fire department that is distinct from the general public.

The College does not have a legislative or administrative interest in its employees, therefore the employee can accept meals and passes to College sporting events, for example, provided by the College.

### **Determining the Value of Gifts**

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value. “Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the employee does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the employee’s admission or

meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the employee is \$25. This example requires that the employee does not claim the charitable contribution on personal tax returns.

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the employee's meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
  - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
  - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
  - c. The source calculates the actual amount spent on the employee.
3. Upon request by the employee, the source will give notice of the value of the merchandise, goods, or services received.
4. Attendance at receptions that qualify as an exception to the gift definition is permitted without regard to the fair market value of the food and beverage provided.

#### **Value of Unsolicited Tokens or Awards: Resale Value**

Employees may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

#### **Entertainment**

Employees may not accept any gifts of entertainment from any single source in a calendar year that has a legislative or administrative interest in the College unless:

1. The entertainment is incidental to the main purpose of another event (i.e. a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The employee is acting in their official capacity for a ceremonial purpose. An employee appears at an entertainment event for a "ceremonial purpose" when the source of the entertainment requests the presence of the employee at a special occasion associated with the entertainment. Examples of an appearance by an employee at an entertainment event for a ceremonial purpose include: throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

#### **Exceptions**

The following are exceptions to the ethics rules on gifts that apply to employees.

1. Gifts from "relatives" and "members of the household" are permitted in an unlimited amount; they are not considered gifts under the ethics rules.
2. Informational material, publications, or subscriptions related to the recipient's performance of official duties.
3. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:

*Organized Planned Events.* Employees are permitted to accept payment for travel conducted in the employee's official capacity, for certain limited purposes:

  - a. Reasonable expenses (i.e. food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
    - (1) The employee is scheduled to deliver a speech, make a presentation, and participate on a panel, or represent the College; AND
    - a) The giver is a unit of a:
      - i) Federal, state, or local government;

- ii) An Oregon or federally recognized Native American Tribe; OR
- iii) Non-profit corporation that receives less than 5% of its funding from a for-profit entity.

(2) The employee is representing the College:

- a) On an officially sanctioned trade-promotion or fact-finding mission; OR
  - b) Officially designated negotiations or economic development activities where receipt of the expenses is approved in advance by the President.
- b. The purpose of this exception is to allow employees to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.
- 4. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the employee is at the event to give a speech or answer questions as part of a scheduled program. "Reception" means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal.
  - 5. Food or beverage consumed by employee acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(5)(b)(I)(I).
  - 6. Waiver or discount of registration expenses or materials provided to employee at a continuing education event that the employee may attend to satisfy a professional licensing requirement.

#### **Honoraria**

An employee may not solicit or receive, whether directly or indirectly, honoraria for the employee or any member of the household of the employee if the honoraria are solicited or received in connection with the official duties of the employee.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the employee.

END OF POLICY

#### **Legal Reference(s):**

ORS 244.010 to-244.400

ORS 260.005

ORS 294.311 and 294.336

ORS 341.275

ORS 659A.309

OAR 199-005-0005 to-199-020-0020

Southwestern Oregon Community College does not discriminate on the basis of race, color, gender, sexual orientation, marital status, religion, national origin, age, disability status, gender identity, or protected veterans in employment, education, or activities as set forth in compliance with federal and state statutes and regulations.

## **BOARD POLICY**

### **Southwestern Oregon Community College**

**BP: 6075**

#### **FUNDRAISING**

The College is committed to collaborating with the Foundation in an active program of fundraising such as grant writing, cash solicitation, and noncash gift solicitation. Fundraising efforts supplement the College's major revenue sources and allow for growth, innovation, and improved services.

The College will make every effort to work in coordination with the Foundation to provide a consistent message to current and potential donors; to ensure that software accounting/development technology co-shared with the Foundation avoids duplication of donor contacts, ensures appropriate acknowledgment of gifts, and complies with College policies and state and federal laws.

Short- and long-term implications of all fundraising activities should be carefully reviewed and approved by the President or designee, including donor restrictions, College matching requirements, and long-term funding after the external support ends.

END OF POLICY

**Legal Reference(s):**

ORS 341.290(2), (19)

## BOARD POLICY

### Southwestern Oregon Community College

**BP: 6030**

#### **COLLEGE AUDIT**

An audit of all College accounts will be made annually by an accounting firm selected by the Board of Education. The audit examination will be conducted in accordance with minimum auditing standards established by the Secretary of State. The auditor will review the 'draft' audit with Administration and the Board's Finance Audit Committee prior to presenting the completed audit report to the Board for approval no later than December 23.

The audit must be filed with the Secretary of State on or before December 31 of the year in which the audit is conducted. A copy of the audit will also be submitted to various other agencies as required.

END OF POLICY

#### **Legal Reference(s):**

ORS 297.425

ORS 341.709

OAR 589-002-0800 and 589-002-0900

#### **Board Policies:**

6031

#### **Administrative Policies and Procedures:**

3.028 (*retired on 12/05/12*)

## BOARD POLICY

### Southwestern Oregon Community College

**BP: 6010**

#### **FINANCIAL REPORTS AND STATEMENTS**

Appropriate staff member(s) will be available at any Board meeting, upon the Board's request, to respond to questions and to present current financial information for all relevant college funds (General and Enterprise Funds).

The President will notify the Board at any time of substantial deviations in the anticipated revenues and/or expenditures.

The Board will receive monthly financial reports that include revenues and expenditures in comparison to budget and the College's overall cash condition.

Supplementary reports on other funds or accounts will be furnished upon request of the Board or President.

END OF POLICY

#### **Legal Reference(s):**

ORS 294.155 and 294.311

ORS Chapter 297

ORS 341.290(9)

OAR 162-010-0000 to -0330

OAR 162-040-0000 to -0160

OAR 581-023-0037

#### **Administrative Policies and Procedures:**

3.016 (*retired on 12/05/12*)

DATE OF ADOPTION: 06/27/11

DATE(S) OF REVISION(S): 07/25/16

DATE OF LAST REVIEW:

## 2017 ORS 341.709<sup>1</sup>

### Annual audit required

- (1) The board of a community college district shall cause to have prepared an annual audit of the books and accounts of the district, including but not limited to student body funds, athletic funds, cafeteria funds, and other similar funds collected by the college. The audit statements must be filed with the administrative office for the district on or before December 31 of the year in which the audit is conducted.
- (2) Accountants employed under this section must be selected from the roster of authorized municipal accountants maintained by the Oregon Board of Accountancy under ORS 297.670 (Board of Accountancy to prepare and maintain roster). [1971 c.513 §51; 1987 c.159 §1]

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<sup>1</sup> Legislative Counsel Committee, *CHAPTER 341—Community Colleges*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors341.html](https://www.oregonlegislature.gov/bills_laws/ors/ors341.html) (2017) (last accessed Mar. 30, 2018).



# SOUTHWESTERN

AN OREGON COMMUNITY COLLEGE

December 5, 2019

CliftonLarsonAllen LLP  
10700 Northup Way, Suite 200  
Bellevue, WA 98004

This representation letter is provided in connection with your audit of the financial statements of Southwestern Oregon Community College, which comprise the respective financial position of the business-type activities and the aggregate discretely presented component unit as of June 30, 2019, and the respective changes in financial position and, where applicable, cash flows for the year then ended, and the related notes to the financial statements, for the purpose of expressing an opinion on whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, as of December 5, 2019, the following representations made to you during your audit.

## Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated March 7, 2019, for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP. The financial statements include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
2. We acknowledge and have fulfilled our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

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3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
4. We have identified all accounting estimates that could be material to the financial statements, including the key factors and significant assumptions used in making those estimates, and we believe the estimates (including those measured at fair value) and the significant assumptions used in making those accounting estimates are reasonable.
5. Related party relationships and transactions, including, but not limited to, revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
6. All events occurring subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
7. The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements for each opinion unit. A list of the uncorrected misstatements is attached to the representation letter.
8. The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.
9. Guarantees, whether written or oral, under which the entity is contingently liable, if any, have been properly recorded or disclosed in accordance with U.S. GAAP.
10. Receivables recorded in the financial statements represent valid claims against debtors for transactions arising on or before the financial statement date and have been reduced to their estimated net realizable value.
11. We have no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
12. We believe that the actuarial assumptions and methods used to measure pension and other postemployment benefits (OPEB) liabilities and costs for financial accounting purposes are appropriate in the circumstances.
13. We agree with the findings of specialists in evaluating the pensions and other postemployment benefits, and have adequately considered the qualifications of the specialist in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an impact on the independence or objectivity of the specialists.

## Information Provided

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1. We have provided you with:
  - a. Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters.
  - b. Additional information that you have requested from us for the purpose of the audit.
  - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
  - d. Complete minutes of the meetings of the governing board and related committees, or summaries of actions of recent meetings for which minutes have not yet been prepared.
  - e. All communications from regulatory agencies, grantors, lenders, and other funding sources concerning noncompliance with, or deficiencies in, financial reporting practices.
  - f. All communications from regulatory agencies, grantors, lenders, and other funding sources concerning noncompliance with the provisions of laws, regulations, contracts, and grant agreements.
  - g. Access to all audit or relevant monitoring reports, if any, received from funding sources.
2. All material transactions have been recorded in the accounting records and are reflected in the financial statements and the schedule of expenditures of federal awards.
3. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
4. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
  - a. Management;
  - b. Employees who have significant roles in internal control; or
  - c. Others when the fraud could have a material effect on the financial statements.
5. We have no knowledge of any allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, grantors, regulators, or others.

6. We have no knowledge of any instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse whose effects should be considered when preparing financial statements.
7. We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
8. There are no other material liabilities or gain or loss contingencies that are required to be accrued or disclosed in accordance with U.S. GAAP.
9. We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.
10. The entity has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets, nor has any asset been pledged as collateral, except as made known to you and disclosed in the financial statements.
11. We have taken timely and appropriate steps to remedy fraud, illegal acts, noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that you have reported to us.
12. We have a process to track the status of audit findings and recommendations.
13. We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
14. We have provided our views on reported findings, conclusions, and recommendations, as well as our planned corrective actions, for the report.
15. We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to Southwestern Oregon Community College, including tax or debt limits and debt contracts; and we have identified and disclosed to you all laws, regulations, and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
16. There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
17. The entity has complied with all aspects of contractual or grant agreements that would have a material effect on the financial statements in the event of noncompliance.

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18. We have complied with all restrictions on resources (including donor restrictions) and all aspects of contractual and grant agreements that would have a material effect on the financial statements in the event of noncompliance. This includes complying with donor requirements to maintain a specific asset composition necessary to satisfy their restrictions.
19. We have followed all applicable laws and regulations in adopting, approving, and amending budgets.
20. The financial statements include all component units as well as joint ventures with an equity interest, and properly disclose all other joint ventures, jointly governed organizations, and other related organizations.
21. The financial statements properly classify all funds and activities.
22. Components of net position (net investment in capital assets; restricted; and unrestricted) and equity amounts are properly classified and, if applicable, approved.
23. Investments, derivative instruments, and land and other real estate held by endowments are properly valued.
24. Provisions for uncollectible receivables have been properly identified and recorded.
25. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
26. Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
27. Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
28. Deposits and investment securities and derivative instruments are properly classified as to risk and are properly valued and disclosed.
29. Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated.
30. We have appropriately disclosed the entity's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.
31. We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of

measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.

32. We acknowledge our responsibility for presenting the Schedule of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual (Non-GAAP Budgetary Basis) (the supplementary information) in accordance with U.S. GAAP, and we believe the supplementary information, including its form and content, is fairly presented in accordance with U.S. GAAP. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information. If the supplementary information is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditors' report thereon.
33. As part of your audit, you prepared the draft financial statements and related notes and schedule of expenditures of federal awards. We have designated an individual who possesses suitable skill, knowledge, and/or experience to understand and oversee your services; have made all management judgments and decisions; and have assumed all management responsibilities. We have evaluated the adequacy and results of the service. We have reviewed, approved, and accepted responsibility for those financial statements and related notes and schedule of expenditures of federal awards.
34. In regards to the proposed audit adjustment services performed by you, we have:
  - a. Made all management judgments and decisions and assumed all management responsibilities.
  - b. Designated an individual who possesses suitable skill, knowledge, and/or experience to understand and oversee the services.
  - c. Evaluated the adequacy and results of the services performed.
  - d. Accepted responsibility for the results of the services.
35. Southwestern Oregon Community College is subject to, and responsible for, compliance with the laws, rules, and regulations relating to our operations and finances. Among such laws, rules and regulations are the requirements prescribed in Municipal Audit Law (ORS Chapter 297) and the Minimum Standard for review of Oregon Municipal Corporations (OAR 162, Division 40) including, but not limited to:
  - a. Deposit of funds with financial institutions (ORS Chapter 295)
  - b. Indebtedness limitations, restrictions and repayment

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- c. Budgets legally required (ORD Chapter 294)
- d. Insurance and fidelity bonds in force or required by law
- e. Programs funded from outside sources
- f. Public contracts for purchasing (ORS Chapters 279A, 279B, 279C)

We are aware of the requirements of Oregon laws and administrative rules concerning each of the above requirements and have complied, in all material respects, with such requirements. Further we are not aware of any violations or possible violations of laws, rules, or regulations, whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency, except as disclosed to you.

- 36. All information and records pertaining to compliance with Minimum Standards of Oregon Municipalities have been made available.
- 37. All information and records pertaining to the preparation, adoption and execution of the budget have been made available.
- 38. The College has not been notified by the U.S. Department of Education of the loss of eligibility for one or all of the Title IV programs due to high default rates.
- 39. The College has reported to the U.S. Department of Education for investigations all known criminal misconduct, if any, involving Title IV funds by any student, employee, third-party servicer, or other agent of the institution involved in the administration of the University's Title IV programs.
- 40. The College or its employees have not received any direct or indirect benefits from lenders related to the University's Title IV loan programs.
- 41. The College, members of governance, or its President are not responsible for a crime involving federal student audit program funds, have not pled guilty to, or pled nolo contendere to, or been found guilty of, a crime involving Title IV funds or been judicially determined to have committed frauds involving Title IV funds.
- 42. The College's campuses have not filed for bankruptcy and are in compliance with the Department of Education financial responsibility requirements.
- 43. The College is not participating in the Zone Alternative.
- 44. With respect to federal award programs:
  - a. We are responsible for understanding and complying with, and have complied with the requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for*

*Federal Awards (Uniform Guidance)* including requirements relating to preparation of the schedule of expenditures of federal awards.

- b. We acknowledge our responsibility for presenting the schedule of expenditures of federal awards (SEFA) and related notes in accordance with the requirements of the Uniform Guidance, and we believe the SEFA, including its form and content, is fairly presented in accordance with the Uniform Guidance. The methods of measurement and presentation of the SEFA have not changed from those used in the prior period, and we have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the SEFA.
- c. If the SEFA is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the SEFA no later than the date we issued the SEFA and the auditors' report thereon.
- d. We have identified and disclosed to you all of our government programs and related activities subject to the Uniform Guidance compliance audit, and included in the SEFA expenditures made during the audit period for all awards provided by federal agencies in the form of federal awards, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.
- e. We are responsible for understanding and complying with, and have complied with, the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the requirements of federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major program.
- f. We are responsible for establishing and maintaining, and have established and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended.
- g. We have made available to you all federal awards (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities.
- h. We have received no requests from a federal agency to audit one or more specific programs as a major program.

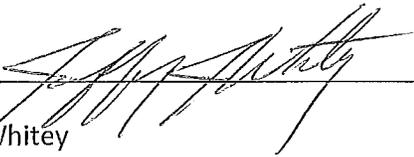
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- i. We have complied with the direct and material compliance requirements (except for noncompliance disclosed to you), including when applicable, those set forth in the *OMB Compliance Supplement*, relating to federal awards and have identified and disclosed to you all amounts questioned and all known noncompliance with the direct and material compliance requirements of federal awards.
- j. We have disclosed to you any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditors' report.
- k. We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditors' report.
- l. Amounts claimed or used for matching were determined in accordance with relevant guidelines in OMB's Uniform Guidance (2 CFR part 200, subpart E).
- m. We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.
- n. We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.
- o. We have disclosed to you the nature of any subsequent events that provide additional evidence about conditions that existed at the end of the reporting period affecting noncompliance during the reporting period.
- p. There are no known instances of noncompliance with direct and material compliance requirements that occurred subsequent to the period covered by the auditors' report.
- q. We have disclosed to you whether any changes in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies and/or material weaknesses in internal control over compliance, have occurred subsequent to the period covered by the auditors' report.
- r. Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the basic financial statements have been prepared.

- s. The copies of federal program financial reports provided to you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.
- t. We have charged costs to federal awards in accordance with applicable cost principles.
- u. We have monitored subrecipients, as necessary, to determine that they have expended subawards in compliance with federal statutes, regulations, and the terms and conditions of the subaward and have met the other pass-through entity requirements of the Uniform Guidance.
- v. We have issued management decisions for audit findings that relate to federal awards made to subrecipients and such management decisions have been issued within six months of acceptance of the audit report by the Federal Audit Clearinghouse. Additionally, we have followed-up ensuring that the subrecipient has taken timely and appropriate action on all deficiencies detected through audits, on-site reviews, and other means that pertain to the federal award provided to the subrecipient.
- w. We have considered the results of subrecipient audits and have made any necessary adjustments to our books and records.
- x. We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.
- y. We are responsible for and have ensured the reporting package does not contain protected personally identifiable information.
- z. We are responsible for and have accurately prepared the auditee section of the Data Collection Form as required by the Uniform Guidance.
- aa. We are responsible for taking corrective action on each audit finding of the compliance audit and have developed a corrective action plan that meets the requirements of the Uniform Guidance.
- bb. We have disclosed to you all contracts or other agreements with service organizations, and we have disclosed to you all communications from the service organizations relating to noncompliance at the service organizations.

Signature:  Title: 12/6/19  
Jeffrey J. Whitey Vice President of Administrative Services

Signature:  Title: \_\_\_\_\_  
Kathy Dixon Executive Director of Finance and Budget



**Southwestern Oregon Community College**  
**Summary of Uncorrected Misstatements**  
**Year Ended June 30, 2019**

Effect of misstatements on:

| Description   | Assets &<br>Deferred Outflows | Liabilities &<br>Deferred Inflows | Fund<br>Balance/Net<br>Position | Net Expense/<br>Revenue and Change<br>in Net Position/Fund<br>Balance |
|---|-------------------------------|-----------------------------------|---------------------------------|---|
| In the prior year, deferred outflows were recorded for subsequent contributions and should not have been recorded related to the College's OEBC Plan. | -                             | -                                 | -                               | -   |
| Subtotals   | -                             | -                                 | -                               | (129,081)   |
| Net prior year misstatements  | -                             | -                                 | -                               | 120,101   |
| Total misstatements   | -                             | -                                 | -                               | (8,980)   |
| Financial statement totals  | \$ 78,876,019                 | \$ 83,123,859                     | \$ (4,247,840)                  | \$ (7,340,815)  |

NOTE: The amounts above are either listed as debits or (credits).



## **Southwestern Oregon Community College**

**BP: 6050**

### **FISCAL MANAGEMENT**

The Board of Education shall review the fiscal needs of the College annually through the adoption of the Budget and review of the Strategic Plan, considering needs including instruction, capital outlay, building improvements and adjustments to accommodate any growth or decline of student enrollment.

END OF POLICY

**Legal Reference(s):**

ORS 341.290(2)

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**CONTROL OF DISTRICT FUNDS**

It is the Administrative procedure of the Southwestern Oregon Community College District that the receipt and disbursement of all district funds shall reside with the Business Office.

BP 6085

Adopted by Board of Education:

Procedure # 8.014 January 24, 1994

Changed to Administrative Procedure January 22, 1996

Changed to APP 2085 December 5, 2012 (Formerly Admin. Policy 3.030)

## BOARD POLICY

### Southwestern Oregon Community College

**BP: 6085**

#### **FISCAL ACCOUNTING AND REPORTING**

The College President shall be the lawful custodial officer of all College funds. All bonds, mortgages, notes, moneys, effects, books and papers belonging to the district shall be safeguarded according to law. Funds may be co-mingled in the depository, except as required by law or contract, so long as they are budgeted and accounted for separately.

Detailed and meaningful analysis of both receipts and expenditures will serve as a basis to make fiscal decisions and achieve educational objectives, to facilitate strategic planning, to safeguard public funds, to ensure adequate financial accountability, and should be adequate for study and evaluation by the Board of Education and administration.

Fiscal reports indicating the current financial condition of the College will be presented to the Board on a regular basis.

Expenditure of College funds shall be according to the approved budget and established accounting procedures. All cash received is to be properly receipted and recorded. Funds received shall be placed in deposit.

END OF POLICY

#### **Legal Reference(s):**

ORS 294.305-.565

OAR 589-002-0900

#### **Board Policies:**

6010

#### **Administrative Policies and Procedures:**

6085 *(formerly numbered 3.030)*

## **Southwestern Oregon Community College**

**BP: 6055**

### **BUDGET**

The budget shall serve as the financial plan of operation for the College and shall include estimates of resources, revenues, expenditures, and requirements for a fiscal period and purpose.

The budget shall be prepared in full compliance with Oregon Local Budget Law and board policies.

END OF POLICY

#### **Legal Reference(s):**

ORS 294.305 - 294.565

ORS 310.060

ORS 328.542 - 328.565

ORS 341.305 and .308

OAR 150-310.060-(A)

# BOARD POLICY

## Southwestern Oregon Community College

**BP: 9020**

### **FACILITIES PLANNING**

The Board will analyze appropriate data to evaluate the College's facilities needs on a long-range basis. Such data shall include, but not be limited to, enrollment projections, anticipated changes in the instructional program, analysis of community building plans, analysis of sites and evaluation of present facilities.

The Board shall analyze a five-year master plan documenting new construction, remodeling, maintenance, equipment and projects needed to meet the Americans with Disabilities Act, including requirements of the projects costs of meeting these needs.

END OF POLICY

**Legal Reference(s):**

See Oregon Administrative Rules (OAR's)

See Oregon Revised Statutes (ORS)

DATE OF ADOPTION: 06/27/11

DATE(S) OF REVISION(S): 01/27/2020

DATE OF LAST REVIEW:

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**RESERVE FUND**

It is the Administrative policy of Southwestern Oregon Community College to establish, as needed, reserve funds under the authorization of ORS 341.321 and Oregon Budget Law (ORS 294.346).

A resolution authorizing the establishment of a Reserve Fund must first occur prior to creating the fund. The resolution must indicate the purpose of the fund and identify the resource(s) used to establish it. Transfers and insurance proceeds qualify as resources. After the establishment of the fund, the beginning fund balance qualifies as a resource. The fund may be used for insurance, equipment purchases, property, and any specified service or supplies.

Resolutions authorizing transfers to and from the Reserve Fund and expenditures from the Reserve Fund shall be in accordance with Board Policy and State of Oregon Budget law.

Expenditures must be appropriated prior to spending on property, insurance, equipment, and any services or materials. All expenditures shall be spent only on the purpose of the Reserve Fund. Transfers from the Reserve Fund to the General Fund or any other fund must be expended on the purpose for which the Reserve Fund was established.

In accordance with ORS 294.525 the Board should review, approximately every 10 years, each Reserve Fund to determine if it should continue or be abolished. If abolished, transfer to the General Fund or any other fund remaining unexpended moneys.

Adopted by Board of Education:

Procedure #8.025 October 20, 1986

Revised: October 19, 1992

Changed to Administrative Procedure January 22, 1996

Revised: January 9, 2019 (Formerly Admin. Policy 3.022)

**APP 6062**

**BOOKSTORE**

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It is the procedure of the Southwestern Oregon Community College District that the fiscal operations of the College bookstore shall be directed by the Vice President of Administrative Services.

Adopted by Board of Education:

Procedure #8.038 February 4, 1963

Changed to Administrative Procedure January 22, 1996

Reviewed March 14, 2013 (Formerly Admin. Policy 3.024)

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**VOTER BOND FOR CAPITAL CONSTRUCTION**

Bonded indebtedness may be approved for such purposes as:

1. Acquiring, construction, reconstruction, improving, repairing, equipping or furnishing (as allowed by Oregon law) a building(s) or addition(s);
2. Funding or refunding the removal or containment of asbestos in buildings and for repairs made necessary for removal or containment;
3. Acquiring or improving College property;
4. Funding or refunding outstanding indebtedness; and
5. Providing for the payment of debt.

Specific needs will be communicated to the public. College funds may be used to provide pertinent informational material to the public concerning the proposed bond election. Materials may include, but not be limited to, estimated costs to the taxpayer to retire proposed bonds, current bonded indebtedness and the proposed use of funds. Informational material shall not be used to advocate for votes on bond issues. Following voter approval, bonds will be advertised appropriately. The date of issue will be coordinated with tax collection dates, payment on bonds already outstanding and favorable market conditions.

Disposition of bonds may be accomplished by public sale on a competitive bid or negotiated basis, as determined by the Administration. Specific structuring options will be based on the advice of financial counsel and applicable statutes.

The Administration will provide periodic reports on expenditures made from the capital projects fund as compared with original appropriations. Interest generated from the investment of bond proceeds in excess of the anticipated project costs may be used for additional capital project expenditures as approved by the Board of Education.

BP 9025

Adopted/Created: October 3, 2018

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**DEDICATED FUTURE USE OF UNDEVELOPED COLLEGE PROPERTY**

It is the Administrative procedure of the Southwestern Oregon Community College District to dedicate the future use of undeveloped College property to activities that directly support the educational services, programs and students attending the College.

Adopted by Board of Education:

Procedure #1.076 November 16, 1992

Changed to Administrative Procedure January 22, 1996

Reviewed January 29, 2014 (Formerly Admin. Policy 5.016)

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**LONG RANGE PLANNING**

It is the Administrative procedure of the Southwestern Oregon Community College District that the College community shall develop a procedure that will involve the College community in an annual evaluation and revision of the College district's strategic long-range educational plan.

Adopted by Board of Education:

Procedure #1.012 December 20, 1976

Revised January 24, 1994

Changed to Administrative Procedure January 22, 1996

Reviewed January 23, 2014

ORS 341.930

Repealed

**Southwestern Oregon Community College**

**BP: 6050**

**FISCAL MANAGEMENT**

The Board of Education shall review the fiscal needs of the College annually through the adoption of the Budget and review of the Strategic Plan, considering needs including instruction, capital outlay, building improvements and adjustments to accommodate any growth or decline of student enrollment.

END OF POLICY

**Legal Reference(s):**

ORS 341.290(2)

**Southwestern Oregon Community College**

**BP: 6055**

**BUDGET**

The budget shall serve as the financial plan of operation for the College and shall include estimates of resources, revenues, expenditures, and requirements for a fiscal period and purpose.

The budget shall be prepared in full compliance with Oregon Local Budget Law and board policies.

END OF POLICY

**Legal Reference(s):**

ORS 294.305 - 294.565

ORS 310.060

ORS 328.542 - 328.565

ORS 341.305 and .308

OAR 150-310.060-(A)

**Southwestern Oregon Community College**

**BP: 6085**

**FISCAL ACCOUNTING AND REPORTING**

The College President shall be the lawful custodial officer of all College funds. All bonds, mortgages, notes, moneys, effects, books and papers belonging to the district shall be safeguarded according to law. Funds may be co-mingled in the depository, except as required by law or contract, so long as they are budgeted and accounted for separately.

Detailed and meaningful analysis of both receipts and expenditures will serve as a basis to make fiscal decisions and achieve educational objectives, to facilitate strategic planning, to safeguard public funds, to ensure adequate financial accountability, and should be adequate for study and evaluation by the Board of Education and administration.

Fiscal reports indicating the current financial condition of the College will be presented to the Board on a regular basis.

Expenditure of College funds shall be according to the approved budget and established accounting procedures. All cash received is to be properly receipted and recorded. Funds received shall be placed in deposit.

END OF POLICY

**Legal Reference(s):**

ORS 294.305-.565

OAR 589-002-0900

**Board Policies:**

6010

**Administrative Policies and Procedures:**

6085 *(formerly numbered 3.030)*

# BOARD POLICY

## Southwestern Oregon Community College

**BP: 9020**

### **FACILITIES PLANNING**

The Board will analyze appropriate data to evaluate the College's facilities needs on a long-range basis. Such data shall include, but not be limited to, enrollment projections, anticipated changes in the instructional program, analysis of community building plans, analysis of sites and evaluation of present facilities.

The Board shall analyze a five-year master plan documenting new construction, remodeling, maintenance, equipment and projects needed to meet the Americans with Disabilities Act, including requirements of the projects costs of meeting these needs.

END OF POLICY

**Legal Reference(s):**

See Oregon Administrative Rules (OAR's)

See Oregon Revised Statutes (ORS)

DATE OF ADOPTION: 06/27/11

DATE(S) OF REVISION(S): 01/27/2020

DATE OF LAST REVIEW:

## BOARD POLICY

### Southwestern Oregon Community College

**BP: 9025**

#### **VOTER BOND FOR CAPITAL CONSTRUCTION**

The Board of Education may submit to voters the question of contracting bonded indebtedness. If so, the Board will adopt a resolution authorizing the election and the ballot title.

The College will comply with all Oregon Revised Statutes and Oregon Administrative Rules regarding bonded indebtedness. The President will develop additional procedures as necessary to meet the requirements of this policy.

END OF POLICY

#### **Legal Reference(s):**

ORS 195.110

ORS 197.295 - 197.314

ORS Chapter 255

ORS Chapter 294

ORS 341.290

OAR 589-003-0100

#### **Administrative Policies and Procedures:**

9025 (underdevelopment)

**Southwestern Oregon Community College**

**BP: 6030**

**COLLEGE AUDIT**

An audit of all College accounts will be made annually by an accounting firm selected by the Board of Education. The audit examination will be conducted in accordance with minimum auditing standards established by the Secretary of State. The auditor will review the 'draft' audit with Administration and the Board's Finance Audit Committee prior to presenting the completed audit report to the Board for approval no later than December 23.

The audit must be filed with the Secretary of State on or before December 31 of the year in which the audit is conducted. A copy of the audit will also be submitted to various other agencies as required.

END OF POLICY

**Legal Reference(s):**

ORS 297.425

ORS 341.709

OAR 589-002-0800 and 589-002-0900

**Board Policies:**

6031

**Administrative Policies and Procedures:**

3.028 (*retired on 12/05/12*)

## **Southwestern Oregon Community College**

**BP: 6060**

### **GENERAL OPERATING BUDGETED CONTINGENCIES**

The College Budget Committee or Board of Education may choose to set up a budgeted contingency fund within the General Fund which is distinctly separate from the 'Ending Fund Balance.' The amount of the General Operating Contingency may vary from year to year based on the current economic conditions and/or upon the recommendation of the President. The President may recommend transfers from this fund to other funds throughout the year and these transfers must be approved by the Board of Education prior to the transfer.

END OF POLICY

#### **Legal Reference(s):**

ORS 294.305 - 294.565

OAR 150-294.352(8)

## **Southwestern Oregon Community College**

**BP: 6065**

### **BUDGET COMMITTEE**

Following Oregon Local Budget Law, the College shall have a Board of Education budget committee. The budget committee shall have the responsibility for reviewing the financial program of the College, reviewing the proposed budget as presented by the President, and approving an annual budget in keeping with the provisions of applicable state laws.

The budget committee consists of seven members from the community at-large appointed by the Board plus the elected Board members. In January of each year, the Board shall identify vacant budget committee positions which must be filled by appointment of the Board for next fiscal year's budget planning. The Board shall announce the vacancies and receive applications from interested persons during the months thereafter. Such applications will include a signed statement that the applicant is willing to serve as a member of the budget committee and to adhere to the policies of the College.

At a regular Board meeting, the Board shall review the names of persons filing applications and names of those persons who have served previously that are interested in reappointment. Also during a regular meeting, the Board shall interview candidates, where appropriate, and appoint persons to fill the vacant positions. The appointive committee members of a budget committee in a district that prepares an annual budget will be appointed for three-year terms. The terms will be staggered so that, as near as practicable, one-third of the appointive members' terms end each year. If any appointive member is unable to complete the term for which he/she was appointed, the Board shall announce the vacancy at the first regular Board meeting following the committee member's resignation or removal. An appointment to fill the vacant position for the remaining unexpired term will be made at the next regular Board meeting, when possible. If, however, less than seven community budget committee members are appointed at the time that the budget committee's meetings commence, that set number will remain until the next fiscal year's process.

At its first meeting of the year in May, the budget committee shall elect a presiding officer from among its members. It may also establish such other ground rules as necessary for successful operation of the committee. A majority of the constituted committee is required for passing an action item. The budget committee shall hold one or more meetings to receive the budget message, receive the budget document, and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. All meetings of the budget committee are open to the public.

The budget committee may request from the President any information used in the preparation of or for revising the budget document. The committee may request the attendance of any College employee at its meetings. The budget committee approves the recommended budget document as submitted by the President or as subsequently revised by the committee for adoption by the Board. After approval of the recommended or revised budget document, the budget committee's duties cease, but may be reactivated at any time during the fiscal year for budget changes as specified by law. The hearing on the adopted budget is held by the Board prior to June 30 of each year.

END OF POLICY

#### **Legal Reference(s):**

ORS 174.130

ORS 192.610 - 192.710

ORS 294.305 - 294.565

ORS 341.357

## **Southwestern Oregon Community College**

**BP: 6070**

### **FUNDING PROPOSALS AND APPLICATION**

The College shall pursue federal, state or private grants and partnerships that will assist the College in meeting adopted goals and objectives of the curriculum, in creating facilities, or in purchasing equipment.

Grants requiring a local match must be reviewed by the President before the application is prepared. The Board of Education shall, before an acceptance of a grant, consider the College's obligations, expectations or encumbrances when the grant ceases.

The Board must approve all grants over \$50,000 or lesser amounts if budget capacity is not sufficient to cover its expenditures.

Notification of all grant activity will be provided to the Board in the administrative reports.

END OF POLICY

**Legal Reference(s):**

ORS 294.100 and .326

ORS 341.290(2), (15)

OAR 581-040-0000

**Southwestern Oregon Community College**

**BP: 6075**

**FUNDRAISING**

The College is committed to collaborating with the Foundation in an active program of fundraising such as grant writing, cash solicitation, and noncash gift solicitation. Fundraising efforts supplement the College's major revenue sources and allow for growth, innovation, and improved services.

The College will make every effort to work in coordination with the Foundation to provide a consistent message to current and potential donors; to ensure that software accounting/development technology co-shared with the Foundation avoids duplication of donor contacts, ensures appropriate acknowledgment of gifts, and complies with College policies and state and federal laws.

Short- and long-term implications of all fundraising activities should be carefully reviewed and approved by the President or designee, including donor restrictions, College matching requirements, and long-term funding after the external support ends.

END OF POLICY

**Legal Reference(s):**

ORS 341.290(2), (19)

**Southwestern Oregon Community College**

**BP: 6080**

**INSURED EMPLOYEES AND OFFICERS**

All College employees responsible for funds, fees, cash collections or inventory control will be insured for at least \$100,000 to protect the College against loss. The College will pay the cost of such insurance.

END OF POLICY

**Legal Reference(s):**

ORS 341.290(2)

**Administrative Policies and Procedures:**

3.010 *(retired on 12/05/12)*

**Southwestern Oregon Community College**

**BP: 9010**

**COLLEGE FOUNDATION**

The College Foundation is an independent, nonprofit 501(c)(3) tax exempt charitable organization, the purpose of which is to connect community members with and raise funds for the College. The Foundation acts as a separate organization from the College, with policies set forth by the Foundation board of directors.

END OF POLICY

**Legal Reference(s):**

ORS 65.036

ORS 341.290(2)

**Board Policies:**

2025

# Administrative Services



## Section 3 Fiscal Management



| Title   | Description | File type |
|---|-------------|-----------|
| <a href="#"><u>APP 6020 Banking and Investment Services</u></a>                                   |             | .pdf      |
| <a href="#"><u>APP 6034 Capital Outlay</u></a>  |             | .pdf      |
| <a href="#"><u>APP 6036 Purchasing</u></a>  |             | .pdf      |
| <a href="#"><u>APP 6036A Rules and Procedures for Purchasing and Public Contracting 3.003</u></a> |             | .pdf      |
| <a href="#"><u>APP 6040 Independent Contractors</u></a>   |             | .pdf      |
| <a href="#"><u>APP 6061 Proceeds from Vending Machines</u></a>                                    |             | .pdf      |
| <a href="#"><u>APP 6062 Bookstore</u></a>   |             | .pdf      |
| <a href="#"><u>APP 6070 External Funding Grants and Contracts</u></a>                             |             | .pdf      |
| <a href="#"><u>APP 6085 Control of District Funds</u></a>   |             | .pdf      |
| <a href="#"><u>APP 10005 Fees for Community Access of College Public Records</u></a>              |             | .pdf      |
| <a href="#"><u>APP 10018 Gifts of Art, Memorials, Signs, Landscaping and Memorabilia</u></a>      |             | .pdf      |
| <a href="#"><u>APP 10019 Gifts, Donations and Solicitation of Funds</u></a>                       |             | .pdf      |

| <b>Title</b>  | <b>↕ Description</b> | <b>File type</b> <b>↕</b> |
|---|----------------------|---------------------------|
| <u>APP 6095 Disposal of College Property.</u>       |                      | .pdf                      |
| <u>APP 6051 Payment Card Acceptance</u>             |                      | .pdf                      |
| <u>APP 9025 Voter Bond for Capital Construction</u> |                      | .pdf                      |
| <u>APP 6028 Reserve Fund</u>                        |                      | .pdf                      |
| <u>APP 6041 Furniture Purchasing</u>                |                      | .pdf                      |
| <u>APP 6021 Petty Cash Accounts</u>                 |                      | .pdf                      |

**Bylaws of the  
Southwestern Oregon Community College Foundation  
Adopted May 11, 2010  
Revised 09/24/13**

**Article I  
Name, Registered Office and Agent**

**Section 1**

This organization is an Oregon non-profit corporation. The name of the Corporation is the Southwestern Oregon Community College Foundation, hereinafter referred to as the "Foundation", an organization exempt under Section 501(c)(3) of the Internal Revenue Code, or acts amendatory thereof or supplemental thereto, and by Oregon Revised Statutes, as now or hereafter amended.

**Section 2**

The Foundation shall maintain its principal office in Coos Bay, Oregon. The Foundation Secretary shall be the Registered Agent, and shall have an address identical to the Foundation's principal office. The Foundation may also have offices at such other places as the Board of Trustees may appoint.

**Article II  
Relationship to Southwestern Oregon Community College**

**Section 1**

The Foundation is an independent corporation separate from Southwestern Oregon Community College.

**Section 2**

An Executive Director shall be appointed by the Board of Trustees of the Foundation. The Executive Director shall attend to the day-to-day operation of the Foundation, shall carry out such duties as are assigned by the Board of Trustees, and be fully advised about the business of the Foundation.

**Section 3**

The Foundation shall not interfere with the administrative or instructional procedures and programs of the Southwestern Oregon Community College or with the activities of the Southwestern Oregon College Board of Education. The Foundation shall act to supplement programs and projects which have been mutually prioritized by the Southwestern Oregon Community College Board of Education.

**Article III  
Statement of Purpose**

The primary purpose of the Foundation is to function as a charitable, educational, not-for-profit foundation for the sole benefit of the Southwestern Oregon Community College, Coos Bay, Oregon; to assist and strengthen in every useful way the mission, work and services of the college, and to develop, enhance and utilize the ties and interests existing between the College and its alumni and friends throughout the state and nation. Such purposes include but are not limited to the following:

1. To receive and administer funds for charitable, scientific, and educational activities for the benefit of students, staff, and faculty of Southwestern Oregon Community College;
2. To conduct fundraising campaigns and to supervise and assist in fundraising programs for Southwestern Oregon Community College;
3. To provide scholarships to students for study at Southwestern Oregon Community College;
4. To provide funds for lectures, speeches, seminars, conferences, research, scientific and education programs, surveys, investigations and other activities for the education, enjoyment and benefit of Southwestern Oregon Community College, its students and faculty, and the general public of the College District;
5. To provide funds for facility construction and improvements; and
6. To provide funds or other incentives that will promote faculty and staff development.

## **Article IV Board of Trustees**

### **Section 1**

#### **Duties and Responsibilities**

The business and affairs of the Foundation shall be managed and controlled by its Board of Trustees. Subject to the provisions of the Oregon Nonprofit Corporations Law and the Articles of Incorporation and Bylaws of the Foundation, the Board of Trustees shall do everything whatsoever which it shall deem expedient to carry out the purposes of this Foundation.

Board responsibilities are these:

1. To determine the mission of the Foundation and carry it out;
2. To select, nurture, and evaluate the Executive Director;
3. To terminate the Executive Director, if that becomes necessary;
4. To ensure financial solvency and integrity;
5. To require periodic external audits;
6. To help represent the college externally;
7. To evaluate and improve itself; and
8. To fill vacancies in, to change the size of membership of, and to discharge the Executive Committee and any other committee.

The duties and responsibilities of each Foundation Board Member follow:

1. To demonstrate commitment to the work of the Board by generously sharing personal time and abilities;
2. To serve as an emissary for the Foundation by communicating the College and Foundation message to the community;
3. To regularly attend scheduled Board meetings;

4. To participate in one or more regular or special committees of the Foundation;
5. To attend and/or volunteer at Foundation and College activities and events; and

## **Section 2**

**Membership:** The Board of Trustees shall consist of not less than five (5) or more than thirty (30) members (trustees and officers included). The Board of Trustees shall always include two (2) Board of Education members from Southwestern Oregon Community College, who shall be elected by that Board to serve in an ex-officio capacity such terms as that Board shall determine. The Board of Trustees shall also always include the President of the College and the Vice President of Administrative Services of the College, who shall serve on the Foundation Board of Trustees in a non-voting ex-officio capacity.

The Board of Trustees shall always include one member of the Southwestern Oregon Community College faculty, selected by the Faculty Senate; who shall serve as a Trustee for a one-year term in a non-voting ex-officio capacity. The Board of Trustees shall also include one member of the Southwestern Oregon Community College classified staff, selected by the classified staff and appointed by the College President, who shall serve as a Trustee for a one-year term in a non-voting ex-officio capacity. The Alumni Association of Southwestern Oregon Community College will be represented on the Board of Trustees in a non-voting ex-officio capacity.

## **Section 3**

**Term of Office:** Except as provided above, all Trustees shall be elected by the Board of Trustees to a four-year term, and shall serve until a successor is elected. Trustees shall be eligible for re-election.

## **Section 4**

**Nominations:** Any member of the Board of Trustees of the Foundation may nominate a Trustee. All nominations shall be presented to the Board of Trustees for consideration and vote.

## **Section 5**

**Policy and Resolutions:** The Board of Trustees may establish written, standing policies, which may be amended, waived, supplemented or revoked at any time by the Board of Trustees. Standing policies shall be reviewed annually by the Board of Trustees.

## **Section 6**

**Vacancy:** In case of a vacancy on the elected Board of Trustees, the remaining Trustees may elect a successor to hold office for the unexpired portion of the term of the Trustee whose place has become vacant.

## **Section 7**

**Resignations:** Any member of the Board of Trustees may resign at any time by delivering written notice to the Secretary of the Foundation. Such resignation shall specify the date to be effective.

## **Section 8**

**Removal of a Trustee:** A Trustee may be removed with or without cause at any regular meeting, or at a meeting called expressly for that purpose, provided that one month's prior notice has been

given to the Trustee in question for conduct inimical to the Foundation, that a quorum is present and by the affirmative secret ballot vote of two-thirds of the Trustees.

### **Section 9**

**Compensation:** No Trustee shall receive a salary or other compensation for service to this Foundation, but Trustees shall be allowed actual and necessary expenses incurred in the performance of their duties.

### **Section 10**

#### **Honorary Trustees - Appointment, Tenure and Powers**

The Foundation shall have such honorary trustees as the Board of Trustees or Executive Committee shall determine and appoint. Honorary trustees shall be chosen based on distinction, achievement, special services or outstanding interest in Southwestern Oregon Community College. Such honorary trustees shall serve in an advisory capacity, only, to the Board of Trustees and the Executive Committee. Honorary trustees shall not be entitled to vote at a meeting of the Board of Trustees, nor shall they be counted in determining whether a quorum is present at any meeting of the Board of Trustees.

### **Section 11**

#### **Trustees Emeritus- Appointment and Tenure, Duties and Responsibilities**

The Board of Trustees may grant emeritus status to former Trustees who have faithfully discharged their duties in an exceptional way. Length of service, contributions, and distinguished or unusual service may be among the determining factors.

Trustees Emeritus shall be named in a formal Board resolution. They shall receive notice of all meetings of the Board, and be invited to attend meetings as a non-voting member. They shall be invited to college activities and special events, and given special recognition when deemed appropriate.

## **Article V Meetings**

### **Section 1**

**Annual Meeting:** An annual meeting of the Foundation shall be held each year. The date, time and place shall be determined by the Executive Committee and sent to all Trustees at least thirty (30) days prior to the annual meeting.

### **Section 2**

**Other Meetings:** Other regular meetings of the Board of Trustees shall be held as necessary during the fiscal year. The date, time, and place of the meeting shall be determined by the Executive Committee and sent to all Trustees at least ten (10) days prior to the meeting.

### **Section 3**

**Special Meetings:** Special meetings of the Board of Trustees may be called at any time or place upon the call of the Chairperson and/or two (2) other members of the Board of Trustees. Notice of the time, place, and purpose of special meetings shall be sent to all Trustees at least three (3)

days in advance of the meeting.

#### **Section 4**

**Attendance:** Any Trustee who misses more than two (2) consecutive meetings of the Board of Trustees without sufficient cause as determined by the Board may forfeit membership on the Board of Trustees.

#### **Section 5**

**Quorum:** In order to conduct business at a Board meeting a quorum must be present. A quorum is defined as one more than half of the sitting Board members. Members participating by telephone may be counted in determining a quorum.

#### **Section 6**

**Business by Mail:** Business may be conducted by mail if the deadline for receipt of a response is at least fourteen days later than the postmark on the mailing calling for the vote. Business may also be conducted by electronic media, when necessary. Responses from a majority of the voting members of the Board of Trustees shall constitute a quorum. A majority vote of that quorum is required to transact any business.

### **Article VI Officers**

#### **Section 1**

**Officers of the Foundation:** The Officers of the Foundation shall be a Chairperson, Vice-Chairperson, Secretary, Treasurer, and such other officers as may be deemed necessary by the Board of Trustees.

#### **Section 2**

**Election of Officers:** Officers shall be elected from and by the Board of Trustees at an annual meeting of the Board of Trustees for a two (2) year term. Officers shall serve until their successors have been elected. Incumbents may stand for successive elections at the pleasure of the Board.

#### **Section 3**

**Vacancy in Office:** In case of any vacancy in an officer's position, the Board of Trustees shall elect a Trustee to fill the vacancy for the balance of the term of the officer whose place became vacant.

#### **Section 4**

**Powers:** The officers of this Foundation shall have powers and perform such duties as stated in these Bylaws or as authorized by the Board of Trustees and confirmed in writing.

#### **Section 5**

##### **Duties**

**Chairperson:** The Chairperson shall preside at all meetings of the Board of Trustees and have general charge and supervision over the property, activities, and affairs of this Foundation. The Chairperson shall co-sign with the Secretary all documents authorized by the Board of Trustees

as a condition of their being legally binding.

**Vice-Chairperson:** In the absence of the Chairperson, the Vice-Chairperson shall have all of the duties and responsibilities of the Chairperson.

**Secretary:** The Secretary shall sign the minutes of all meetings of the Board of Trustees, and, when requested by the Chairperson to do so, co-sign and execute with the Chairperson all deeds, bonds, contracts, and other obligations or instruments in the name of the Foundation as authorized by the Board of Trustees. The Secretary shall delegate to the Executive Director the delivery of all notices on behalf of the Foundation.

**Treasurer:** Subject to the direction and control of the Board of Trustees, the Treasurer shall supervise the custody, control, and disposition of the funds and securities of the Foundation, and shall account for the same. At the expiration of his/her term of office, he/she shall turn over to his/her successor all property of the Foundation under such Treasurer's control and supervision.

## **Article VII Committees of the Board**

### **Section 1**

**Appointment:** The Board of Trustees, the Executive Committee, and, when authorized, Chairperson of the Foundation may appoint such committees as are deemed appropriate.

### **Section 2**

**Duties and Responsibilities:** Each committee shall have and may exercise such power as is set forth in these Bylaws or as may be conferred or authorized by the resolution appointing it; provided, however that such committee shall not have the authority to do the following:

1. Amend, alter, or repeal these Bylaws or the Articles of Incorporation;
2. Elect, appoint, or remove any member of the Executive Committee or any Trustee or Officer of the Foundation;
3. Adopt a plan of merger or adopt a plan of consolidation with another foundation;
4. Authorize the sale, lease, exchange or mortgage of all or substantially all the property and assets of the Foundation;
5. Authorize the voluntary dissolution of the Foundation or revoke proceedings thereof; nor
6. Adopt a plan for the distribution of the assets of the Foundation; or amend, alter, or repeal any resolution of the Board of Trustees.

The designation and appointment of any committees and the delegation thereto of the authority shall not operate to relieve the Board of Trustees or any individual trustees of the responsibility

imposed upon it or him/her by law.

### **Section 3**

**Quorum:** A majority of the members of a committee shall constitute a quorum; any transaction of a committee shall require a majority vote of the quorum present at any meeting. Each member of a committee including the person presiding at the meetings shall be entitled to one (1) vote.

### **Section 4**

**Removal of a Member:** The committee chairperson and the Executive Committee may remove at any time, with or without consent, a member or members of that committee.

### **Section 5**

**Meetings:** Committees shall meet at the call of the chairperson at such place, as he or she shall designate after reasonable notice has been given to each committee member. Each committee shall make a report to the Board of Trustees of its action within reasonable time subsequent thereto.

### **Section 6**

**Standing Committees:** The Board of Trustees shall establish standing committees and may specify purposes and responsibilities of the committees, and grant authority for the Board Chairperson to name the committee chairperson and members of the committees. Each standing committee shall be chaired by a Foundation Board Trustee.

### **Section 7**

**Executive Committee:** The Executive Committee shall consist of the officers of the Board of Trustees and include the College President and Executive Director, each of whom shall serve in a non-voting, ex-officio capacity. The Executive Committee shall be delegated the authority to establish organizational procedures for the Board of Trustees and to act on emergency matters required of the Foundation between meetings of the Board of Trustees. All Executive Committee actions in the name of the Foundation must be ratified by the Board of Trustees. The Executive Committee and, when authorized, the Chairperson of the Foundation shall have the power to fill vacancies in, to change the size or membership of, and to discharge committees other than the Executive Committee.

#### **A. Fundraising Committee**

The Foundation Board as a whole serves as the Fundraising Committee in collaboration with the Executive Director. It shall be each Board Trustee's responsibility to identify potential donors in the community and to assist in the education of those individuals to the strengths and needs of the College and programs. They will also identify those individuals and companies who can make major gifts, match those individuals and company leaders with the programs and projects in which they have an interest and assist in creating opportunities for them to be donors.

#### **B. Planned Gifts Committee**

This committee will be made up of the Executive Director, at least one Foundation Board Trustee and professionals knowledgeable in charitable aspects of estate planning and asset management. They will approve the planned giving policies, and serve as advisors when a planned gift is under consideration, either as individuals, or as a body. They will also develop and implement strategies to cultivate potential donors and their advisors.

#### **C. Finance/Investment Committee**

The role of the finance committee is to supervise the management of funds to include investments and disbursements. Disbursements will be in accordance with predetermined needs and goals and approved by the Board of Trustees. The finance committee also provides advice and guidance in the management of properties, which may from time to time be gifted to the Foundation. They analyze budgets as proposed by the Executive Director and approved by the Board of Trustees.

#### **D. Audit Committee**

The role of the Audit Committee is the recommendation of an audit firm to the full Board for selection. The Committee shall meet with the auditor prior to their conducting the annual audit to review expectations and discuss services and costs. When the audit is completed, the Committee shall arrange for the presentation of the findings to the full Board of Trustees.

#### **E. Nominating Committee**

The Chair shall annually appoint a nominating committee consisting of three or more trustees to select a slate of officers for election at the annual meeting. They will also serve as a board development committee to receive nominations from the entire board, evaluate the qualifications of the candidate in terms of ability to give, sphere of influence, geographic representation, professional skill or knowledge. Once the board has voted their approval of the nominations, committee representatives, Board Chairperson or Executive Director may invite the selected nominee to join.

#### **F. Scholarship and Grants Committee**

After the committee determines how much is available for distribution for scholarships and various projects throughout the College District, this Committee will make recommendations as to the allocation of funds. The projects for the committee to consider will be those which have been identified by the College's administration and either discussed during the Foundation's strategic planning, or presented to the Committee in the form of a grant request following that event. Either the College President or his/her designee shall sit on the Committee.

#### **G. Marketing and Special Events Committee**

The Marketing and Special Events Committee will raise public awareness of the need and solicit support from the public and develop materials and events to accomplish their goals using reasonable resources. The Foundation will, however, also seek events to co-sponsor that are managed by other entities in the effort to gain community visibility.

#### **Section 5:**

**Other Committees:** All other committees shall consist of at least one (1) trustee and may include such non-trustees as may be appointed thereto by the committee chairperson, the Executive

Committee, or the Chairperson of the foundation.

### **Article VIII Fiscal Year**

For the purposes of the requirements of the Internal Revenue Code relating to non-profit corporations, the business of this Corporation shall be conducted on a fiscal year basis and such fiscal year shall expire on June 30 of the calendar year.

### **Article IX Prohibition Against Sharing in Foundation Earnings**

No Foundation trustee, officer, employee or committee member shall receive at any time any of the net earnings or pecuniary profits from the operations of the Foundation; provided that this shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the Foundation in effecting any of its purposes as shall be fixed by the Board of Trustees.

### **Article X Investments**

Except as is otherwise provided in the Articles of Incorporation or in these By-Laws, the Foundation shall have the right to retain all or any part of any securities or property acquired by it in whatever manner, and to invest and reinvest any funds held by it, according to the judgment of the Board of Trustees. Investment practices shall be in accordance with the investment policy.

### **Article XI Exempt Activities**

#### **Section 1**

Notwithstanding any other provision of these Bylaws, no member, trustee, officer, employee or representative of the Foundation shall take any action or carry on any activity by or on behalf of the Foundation not permitted to be taken or carried on without penalty by an organization exempt from taxation, or by an organization to which contributions are deductible under federal income tax laws as they exist or as they may hereafter be amended.

#### **Section 2**

Other Exempt Activities: Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on by (a) corporations exempt from federal income tax under section 501 (c )(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by corporations contributions to which are deductible under section 170 (c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

### **Article XII Finances**

### **Section 1**

**Bank Deposits:** All funds of the Foundation shall be deposited to its credit in such bank or banks as the Board of Trustees may designate. All checks drawn upon such funds shall be signed and countersigned by such officers of the corporation or other persons that may be authorized by the Board of Trustees.

### **Section 2**

**Monthly Financial Report:** The Board of Trustees shall review at each regular meeting a financial report and supporting documents presented.

### **Section 3**

**Audit:** The accounts of this Foundation shall be audited annually at the termination of the Foundation's fiscal year. The results of the annual audit shall be presented at the annual meeting of the Board of Trustees or as soon thereafter as available with an informational copy to the Southwestern Oregon Community College Board of Education. Following review of the audit, the Board of Trustees may convene in Executive Session with auditors for final review, questions and comments.

## **Article XIII Dissolution of Corporation**

Upon the dissolution of this Corporation, after paying or adequately providing for the debts and obligations of the Corporation, the remaining assets shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable, educational, religious and/or scientific purposes, and which has established its tax exempt status under section 501(c)(3) of the Internal Revenue Code.

## **Article XIV Indemnification**

Any trustee or officer, or former trustee or officer, of this Foundation and their heirs, executors and administrators, shall be indemnified by this Foundation, against expenses and liabilities actually or necessarily incurred by reason of being or having been a trustee or officer, except that there shall be no indemnification for the expenses or liabilities imposed as a result of intentional misconduct.

## **Article XV Rules of Order and Parliamentary Authority**

The rules contained in the most recent edition of Robert's Rules of Order, Revised, shall govern all meetings of the Board of Trustees where such rules are not consistent with the Articles of Incorporation, Bylaws, or special rules of order adopted by the Board of Trustees of this Foundation.

**Article XVI**  
**Amendment of Bylaws**

These Bylaws may be amended, altered, or replaced only by the affirmative vote of a majority of the Board of Trustees at any regular meeting or special meeting of the Board of Trustees if notice of the proposed alteration or amendment is contained in the notice of the meeting.

lib: 2/10/89- cas  
REV: 8/89- cas  
REV: 4/90- cas  
REV: 3/91- cas  
REV: 4/91- cas  
REV: 5/3/91- cas

REV: 10/4/91- cas  
REV: 1/15/92-jeh  
REV: 8/93-jeh  
REV: 10/16/06-mcs  
REV: 11/28/06-mcs  
REV: 3/13/07-mcs

REV: 10/30/07-mcs  
REV: 5/11/10-dn  
REV. 9/24/13 - cac

Newmark Property Loan Repayment Agreement

Between Southwestern Oregon Community College Foundation and  
Southwestern Oregon Community College

June 11, 2015

(Revised from the revision dated May 1, 2013; from revision dated Jan. 29, 2009;  
and original note Oct. 8, 2007)

The Southwestern Oregon Community College Foundation Board of Trustees (Foundation) voted unanimously on March 17, 2015, to modify the terms and conditions for repayment of a note receivable (Note) that the Foundation entered into with Southwestern Oregon Community College (College) on October 8, 2007.

Subject to College Board and Foundation Board of Trustees approval, the Foundation and the College herein agree to the following:

- As of July 1, 2015, the value of the Note including accrued interest is \$237,000.
- As a form of payment, in lieu of directly paying off the Note, the College will assume 100% of the base salary and 100% of the benefits for the Executive Director position effective July 1, 2015. (See attached estimated repayment schedule).
- Once the note, plus accrued interest, has been repaid in full, the College will continue to fully fund the Executive Director salary and benefits indefinitely or until such time both parties mutually agree to renegotiate.

  
\_\_\_\_\_  
Mark Wall, Chairperson,  
Southwestern Oregon Community  
College Foundation

6/22/15  
Date

  
\_\_\_\_\_  
Elise Hamner, Exec. Director  
Southwestern Oregon Community  
College Foundation

6/22/15  
Date

  
\_\_\_\_\_  
Dr. Patty Scott, President  
Southwestern Oregon Community College

6/22/15  
Date

  
\_\_\_\_\_  
Marcia Jensen, Chairperson  
Southwestern Oregon Community College

6/22/15  
Date

**Memorandum of Understanding  
between  
Southwestern Oregon Community College  
and the  
Southwestern Oregon Community College Foundation**

This Memorandum of Understanding (MOU) is made this 7 day of July <sup>2013</sup>~~2012~~ by and between Southwestern Oregon Community College (College) and the Southwestern Oregon Community College Foundation Board of Trustees (Foundation). The College is a public institution and the Foundation is a 501(c)(3) non-profit corporation. The College and the Foundation are separate entities, each with its own independent Board of Directors.

THE PURPOSE of this MOU is to provide a framework within which decisions may be made between the two entities, particularly related to the College personnel who will assist the Foundation. The goal of the Foundation is to support the efforts of the College to provide superior educational opportunities to its students. This MOU reflects this goal.

IT IS AGREED AS FOLLOWS:

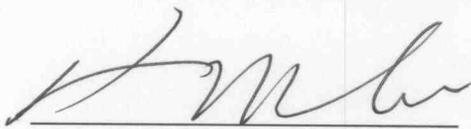
- I. The College agrees to:
  - a. Provide the Foundation with personnel for which the Foundation will reimburse the College for 50% of the base salary and 50% of fringe benefits.
    - i. The personnel will include an Executive Director and clerical employee.
    - ii. All Foundation employees will be considered employees of the College, will be subject to the rights and responsibility of all College employees and will adhere to College policies and procedures.
    - iii. The Foundation Executive Director will be supervised directly by the College President. The College President will ensure that the duties of the Foundation Executive Director are primarily limited to those duties contained in the attached job description.
    - iv. The College President will complete the Foundation Executive Director's annual evaluation, giving consideration to the information provided by the Foundation. The final evaluation will be provided to the Foundation Board.
    - v. The Foundation Executive Director will be included in meetings necessary for the performance of his or her duties to the extent possible.
    - vi. The Foundation clerical employee will be supervised directly and evaluated by the Foundation Executive Director.

- b. Draft the contract, including compensation terms, for the Foundation Executive Director, in consultation with the Foundation;
- c. Provide an appropriate office space, including utilities, reasonable office equipment and technology support services, for the Foundation Executive Director and the clerical employee on its main campus.

II. The Foundation agrees to:

- a. Collaborate with the College President to design appropriate annual goals for the Foundation Executive Director within the scope of the Director's job description at the Foundation;
- b. Collaborate with the College President to design an annual contract that includes among other things language giving to the Foundation discretion to provide a stipend for work performed by the Foundation's Executive Director that is above and beyond that which is contained in the Director's job description for the Foundation;
- c. On or before April 30 of each year, provide to the College President feedback related to the Foundation Executive Director's performance, which will be included in the Foundation Executive Director's evaluation. ;
- d. Reimburse the College for fifty percent (50%) of the Foundation Executive Director's and clerical employee's base salary and 50% of fringe benefits.

IT BEING FURTHER UNDERSTOOD that this MOU may be modified in writing by the mutual consent of both parties.



Foundation Chair of Board



College President