

Assurances

POLICY OF NON-DISCRIMINATION

As per Board of Trustees policy updated August 15, 2019, applications for admission and employment, students, parents, employees, sources of referral of applications for admission and employment are hereby notified that this institution does not discriminate on the basis of race, color, national origin, gender identity, disability, age, religion, creed, sexual orientation, genetic and family medical history as defined by GINA, or marital or parental status, in admission/access to, or treatment/employment in its programs and activities.

Any person having inquiries concerning Mineral Area College's compliance with the regulations implementing Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, and Americans with Disabilities Act (ADA) of 1990 is directed to contact the Human Resources Director, Title VI and VII, Title IX, Section 504 and ADA Coordinator, Mineral Area College, P.O. Box 1000, Park Hills, MO 63601-1000, (573) 518-2378 who has been designated to coordinate the College's efforts to comply with the regulations implementing Title VI and VII, Title IX, Section 504, the Americans with Disabilities Act, and the ADA Amendments Act.

Any person may also contact the Assistant Secretary for Civil Rights, U.S. Department of Education, regarding the institution's compliance with regulations implementing Title VI and VII, Title IX, Section 504, the Americans with Disabilities Act, or the ADA Amendments Act.

Revised & adopted by Board of Trustees August 15, 2019

SEXUAL HARASSMENT POLICY

Mineral Area College is committed to a work setting and academic environment free from sexual harassment. This policy applies to all members of the college community, including employees, students, and visitors. Sexual harassment of employees is prohibited by Title VI and VII of the Civil Rights Act of 1964, by Title IX of the Education Amendments of 1972, and by other state and federal discrimination laws. Violators of this policy shall be subject to disciplinary actions up to and including termination of employment and/or expulsion from the college.

DEFINITIONS

Sexual harassment is unwelcome sexual advances, requests for sexual favors, or verbal, written, or physical contact of a sexual nature when:

- a. submission to such conduct is either implied or stated to be a term or condition of an individual's education or employment or a factor in the evaluation of an employee's performance, promotability, or any other component of employment, or academic standing.
- b. such conduct interferes, either directly or indirectly, with an individual's welfare, academic or work performance by creating a hostile, offensive, intimidating, or demanding education or work environment.

Verbal harassment is sexually vulgar language, remarks about an individual's physical anatomy, derogatory comments about gender, distribution of written or graphic sexual material, sexually oriented magazines/posters, display of nude pictures, other words or depictions of a sexual nature.

Physical harassment is touching in a sexual manner or invading personal privacy, especially the intentional touching of breasts and genital areas or buttocks or threats to take such actions.

Occasional compliments of a socially acceptable manner or statements or acts that are acceptable to all elements of society are not sexual harassment. What may constitute sexual harassment may differ from person to person.

Responsibility

Individuals who are aware of or have experienced an incident of sexual harassment should promptly report the matter to the Human Resources Director.

Non-Reprisal

No faculty member, administrator or staff person, applicant for employment, student, or member of the public shall be subject to reprisal for action taken in good faith to seek advice concerning a sexual harassment matter, filing a sexual harassment report or complaint, or participating as a witness or panel member in the investigation of a sexual harassment complaint.

Malicious, False Accusations

A complainant whose allegations are found to be both false and malicious complaints shall be subject to appropriate disciplinary action.

PROCEDURES

Any employee who feels he or she is harassed by an employee, student, visitor, or other person should tell the offending individual(s) the conduct is unwelcome and must stop. State your objection to the action and the specific behavior to which you object. Have a witness present if possible. Note the time and date of the discussion and write a summary of what you said and how the offender responded. In any sexual harassment case, extensive documentation will help support contentions of harassment.

In some circumstances, this course of action may not be feasible, may be unsuccessful, or the individual may be uncomfortable dealing with the matter in this manner. In this case, Mineral Area College provides both informal and formal complaint resolution procedures.

The Human Resources Director is the Sexual Harassment Officer for Mineral Area College.

Informal Resolution

Anyone may seek advice, information, or counseling on matters related to sexual harassment without having to lodge a formal complaint. Such individuals are encouraged to talk with a supervisor with whom they feel comfortable. Such informal discussions can be handled by department chairs, deans, the Manager of Business Division, the Human Resources Director, or the President of the College. Any such supervisor contacted shall inform the Human Resources Director.

At this stage of the informal process, the person seeking information and advice will be counseled as to the options available under this policy. Information regarding complaints of sexual harassment is confidential and will be revealed only to those directly involved with the investigation and/or resolution of the complaint. Breaches of confidentiality may result in disciplinary action. The purpose of informal complaint resolution is to ensure that the alleged offending behavior ceases and that the matter is resolved promptly at the lowest possible level. No disciplinary action is normally taken in resolving informal complaints.

Formal Complaint Resolution

The filing of a written complaint is required for the matter to be formally investigated and a determination made as to whether a violation of college policy prohibiting sexual harassment has occurred.

A formal complaint should be filed with the Human Resources Director. If the Human Resources Director is the alleged violator, complaints should be made to the President of the College. Those wishing to bring a formal complaint of sexual harassment against a student should inform the Dean of Student Personnel Division who shall refer the case to the Human Resources Director.

The Human Resources Director, as Sexual Harassment Officer, shall conduct a formal investigation. The complaint and details of the investigation will be treated as confidential information. Only those involved in the investigation, witnesses to the harassment, and the alleged harasser will be contacted. The complainant's identity, as far as possible, will be withheld from all involved parties. The College will do the utmost to protect the privacy of the complainant.

The investigator(s), upon a full and thorough investigation, will make determinations of the validity of the complaint and recommend any disciplinary (or other) action, if appropriate, to the President of the College or President of the Board of Trustees. Both the victim and the alleged harasser will receive copies of the investigator's findings. The investigation shall take no longer than ten (10) business days, unless extraordinary circumstances warrant otherwise.

Appeals of the investigator's findings shall be made to a three-member committee made up of disinterested employees appointed by the President of the College. Any person involved in the harassment process is excluded from the appeal decision-making process.

Only the victim and the accused harasser shall be told the final disposition of the complaint. Details of the investigation shall be released only in the event of a court proceeding.

CIVIL RIGHTS GRIEVANCE PROCEDURES **(Title VI and VII, Title IX, Age Discrimination Act, Section 504, and Americans with Disabilities Act)**

Mineral Area College is committed to the concept of equal opportunity in the hiring of new employees, the training, promotion, and retention of those employed, in wage and salary determinations, seniority, and retirement practices.

Students, employees, and the public have the right to file a formal complaint alleging noncompliance with regulations outlined in Title VI and VII of the 1964 Civil Rights Act, Title IX of the Educational Amendments of 1972, Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008.

Retaliation of any kind against anyone making an allegation of discrimination, against anyone involved in the investigation, or against anyone involved in the decision regarding corrective and/or disciplinary action is prohibited, and shall result in disciplinary action against the retaliator. False charges will be treated as serious offenses and may result in disciplinary action.

LEVEL ONE – Immediate Supervisor / Dean / Access Office

(Informal and Optional – May be bypassed by the grievant.)

Employees with a grievance of discrimination on the basis of gender, race, national origin or disability may first discuss their concern with their immediate supervisor, the Dean of Academic Division, the Dean of Vocational-Technical Division, the Dean of Students, or the Access Office with the objective of resolving the matter informally.

Students with a complaint of discrimination on the basis of gender, race, national origin or disability may discuss the area of concern with the instructor or employee involved, the Dean of Student Personnel Division, or the Access Office.

Other individuals from the **public** may discuss a grievance with the coordinator of the event or the Access Office.

LEVEL TWO – Title VI and VII, Title IX and Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act Coordinator

If the grievance is not resolved at level one and the grievant wishes to pursue the grievance, they may formalize it by filing a written complaint on a Compliance Violation Form, which may be obtained from the Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504, and Americans with Disabilities Act Coordinator. The Dean of Students shall act as Coordinator for student issues. The Human Resources Director shall act as Coordinator for employee issues.

Dean of Students
AS 119
(573) 518-2262

Human Resources Director
FA 104
(573) 518-2378

The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at level two must be within fifteen (15) working days from the date of the event giving rise to the grievance(s) or from the date the grievant(s) could reasonably become aware of such occurrence. The grievant(s) may request that a meeting concerning the complaint be held with the Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504 and Americans with Disabilities Coordinator. A minor student may be accompanied at the meeting by a parent or guardian. The Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504 and Americans with Disabilities Act Coordinator shall investigate the complaint and attempt to solve it. A written report from the Compliance Office regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

LEVEL THREE – President of the College

If the complaint is not resolved at level two, the grievants may proceed to level three by presenting a written appeal to the President of the College within ten (10) working days after the grievant(s) received the report from the Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504 and Americans with Disabilities Coordinator. The grievant(s) may request a meeting with the President or his/her designee within ten (10) working days after receiving the written appeal.

LEVEL FOUR – Board of Trustees

If the complaint is not resolved at level three, the grievants may proceed to level four by presenting a written appeal to the President of the Board of Trustees within ten (10) working days after the grievants receive the report from the President of the College. The grievants may request a meeting with the Board of Trustees at their next regularly scheduled meeting. The Board may hear the appeal or affirm the decision of the president without a meeting with the grievant(s). The grievant(s) will be notified in writing of the Board's decision within ten (10) working days after the Board of Trustees action.

This procedure in no way denies the grievant(s) the right to file formal complaints with the Missouri Civil Rights Commission, the U.S. Office for Civil Rights, the Equal Employment Opportunity Commission, the U.S. Department of Justice, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination.

Policy on Compliance with the Americans with Disabilities Act

The Board of Trustees is committed to ensuring equal opportunity and access to all members of the campus community in accordance with Section 503/504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008.

The College will provide reasonable and appropriate accommodations to enable participation in campus programs, services and activities. Individuals with disabilities must self-identify and are responsible for reporting and supplying documentation verifying their disability. Requests for accommodations must be initiated through the Access Office in AS103. (573-518-2152)

The Board of Trustees of Mineral Area College is committed to the continuous evaluation of all programs and activities of the institution to ensure compliance with all state and federal legislation. The Administration will involve the community and individuals with disabilities in the continuous improvement process.

The Dean of Students shall act as ADA Coordinator for the college to oversee compliance in the area of student accommodations. The Human Resources Director shall act as the ADA Coordinator in overseeing compliance in the area of employment practices.

ADA Coordinators

Dean of Students
AS 119
573-518-2262

Human Resources Director
FA 104
573-518-2378

The college prohibits retaliation or reprisals against any individual because she/he has filed a complaint or report, participated in an investigation, or otherwise opposed unlawful discrimination.

The Administration will take other steps deemed necessary to assure compliance with the Americans with Disabilities Act, unless these pose an undue burden or would result in fundamental alteration of programs of the institution.

Mineral Area College Identity Theft Prevention Program

Program

Mineral Area College (“College”) developed this Identity Theft Prevention Program (“Program”) pursuant to the Federal Trade Commission’s Red Flag Rule (“Rule”), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed with consideration of the size of the College’s operations and accounts systems, and the nature and scope of the College’s activities.

Purpose

An Identity Theft Prevention Program is designed to detect, prevent and mitigate identity in connection with the opening of a Covered Account or an existing Covered Account and to provide for continued administration of the Program. The Program shall include reasonable policies and procedures to:

1. Identify relevant Red Flags for Covered Accounts it offers or maintains and incorporate those Red Flags into the Program.
2. Detect Red Flags that have been incorporated into the Program.
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate identity theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to students and to the safety and soundness of the credit from identity theft.

The program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

Definitions

Identity Theft means fraud committed or attempted using the identifying information of another person without authority.

A **Covered Account** means an account that a creditor offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions.

A **Red Flag** means a pattern, practice or specific activity that indicates the possible existence of identity theft.

Covered Accounts

Mineral Area College had identified four types of accounts of which are Covered Accounts administered by the College.

College Covered Accounts:

1. Refund of credit balances involving PLUS loans.
2. Refund of credit balances without PLUS loans.
3. Installment payment plans for tuition and fees managed by the College.
4. Emergency loans generated by the College from the student emergency loan fund.

Identification of Relevant Red Flags

The Program considers the following risk factors in identifying relevant Red Flags for Covered Accounts:

1. The types of Covered Accounts as noted above.
2. The methods provided to open Covered Accounts—acceptance to the College and enrollment in classes requires all, or part of the following information:
 - a. Application for Admission with personally identifying information
 - b. High School Transcript, high school diploma or GED certificate
 - c. Official COMPASS or ACT scores
3. The methods provided to access Covered Accounts:
 - a. Disbursement obtained in person requires picture identification
 - b. Disbursement by mail can only be mailed to an address on file

The Program identifies the following Red Flags:

1. Documents provided for identification appear to have been altered or forged.
2. The photograph or physical description on the identification is not consistent with the appearance of the student presenting the identification.
3. A request made from a non-College issued E-mail account.

4. A request to mail something to an address not listed on file.
5. Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with Covered Accounts.

Detection of Red Flags

The program will detect Red Flags relevant to each type of covered account as follows:

1. Refund of a credit balance involving a PLUS loan
 - a. As directed by federal regulations (U.S. Department of Education) these balances are required to be refunded in the parent's name and mailed to their address on file within the time period specified.
 - b. No request is required.
 - c. Red Flag – none as this is initiated by the College.
2. Refund of credit balance without PLUS loan
 - a. Requests from current students must be made in person by presenting a picture ID or in writing.
 - b. The refund check can only be mailed to the address on file or picked up in person by showing picture ID.
 - c. Red Flag – Picture ID not appearing to be authentic or not matching the appearance of the student presenting it.

Response

The Program shall provide for appropriate responses to detected Red Flags to prevent and mitigate identity theft. The appropriate responses to the relevant Red Flags are as follows:

1. Deny access to the covered account until other information is available to eliminate the Red Flag.
2. Contact the student.
3. Change any passwords, security codes or other security devices that permit access to a Covered Account.
4. Notify law enforcement.

5. Determine no response is warranted under the particular circumstances.

Oversight of the Program

Responsibility for developing, implementing and updating this Program lies with the Assistant Controller. The Assistant Controller will be responsible for the Program administration, for ensuring appropriate training of College's staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

Updating the Program

This Program will be periodically reviewed and updated to reflect changes in risks to students and the College. At least once per year, while conducting the College's SAS 112 review, the Assistant Controller will consider the College's experiences with identity theft, changes in identity theft methods, changes in identity theft detection and prevention methods, changes in types of accounts the College maintains and changes in the College's business arrangements with other entities. After considering these factors, the Assistant Controller will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Program will be updated.

Staff Training

College staff with responsibility for implementing the Program shall be trained either by or under the direction of the Assistant Controller in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected.