



## **(LOCAL) Policy Comparisons**

These documents are generated by an automated process that compares the updated policy to the current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; not shown in Word)

Annotations are shown as follows:

- Deletions are in a red strike-through font: ~~deleted text~~.
- Additions are in a blue font: **new text**.
- Blocks of text that were moved without changes are shown in green, with double underline and double strike-through formatting to distinguish the text's new placement from its original location: ~~moved text~~ becomes **moved text**.
- Revision bars appear in the right margin to show sections with changes.

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**Note:** While the annotation software competently identifies simple changes, large or complicated changes — as in an extensive rewrite — may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes make formatting changes appear tracked, even though the text remains the same.

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For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

### **Contact us:**

School Districts and Education Service Centers, call 800-580-7529 or email [policy.service@tasb.org](mailto:policy.service@tasb.org).

Community Colleges, call 800-580-1488 or email [colleges@tasb.org](mailto:colleges@tasb.org).

~~The official title of the governing body of the College District shall be the Grayson College Board of Trustees, herein referred to as "the Board."~~

The official title of the governing body of the College District shall be the Grayson College Board of Trustees, herein referred to as "the Board."

**Board Authority**

The Board has final authority to determine and interpret the policies that govern the College District and, within the limits imposed by other legal authorities, has complete and full control of the College District.

**Transacting  
Business**

Official Board action shall be taken only in meetings that comply with the Open Meetings Act. When a proposal is presented to the Board, the Board shall hold a discussion and reach a decision. The affirmative vote of a majority of all Board members shall be required to transact business. [See BD] Although there may be dissenting votes, which are a matter of public record, each action of the Board supported by the majority is binding on the whole Board.

**Individual Authority  
for Committing the  
Board**

Board members as individuals shall not exercise authority over the College District, its property, or its employees. Except for appropriate duties and functions of the Board Chair, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BCAB]

**Individual Access to  
Information**

An individual Board member, acting in the member's official capacity, shall have the right to seek information pertaining to College District fiscal affairs, business transactions, governance, [operations](#), and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information Act. [See GCA]

Limitations

If a Board member is not acting in the member's official capacity, the Board member has no greater right to College District records than a member of the public.

An individual member shall not have access to [information subject to attorney-client privilege unless the attorney-client relationship upon which the privilege is based applies to the member.](#)

[An individual member shall not have access to](#) confidential student records unless the member is acting in the member's official capacity and has a legitimate educational interest in the records in accordance with ~~policies FJ(LEGAL) and law and policy FJ(LOCAL).~~

Requests for  
Records

Individual members shall seek access to records or request copies of records from the ~~College President~~ [College President](#) or other designated custodian of records. When a custodian of records other than the ~~College President~~ [College President](#) provides access to records or copies of records to individual Board members, the provider shall inform the ~~College President~~ [College President](#) of the records provided.

A Board member who is denied access to a record under this policy may ask the Board to determine whether the record should be provided or may file a request under the Public Information Act. [See GCA]

Requests for  
Reports

No individual Board member shall direct or require College District employees to prepare reports derived from an analysis of information in existing College District records or to create a new record compiled from information in existing College District records.

Directives to the ~~College President~~College President or other College District staff regarding the preparation of reports that will, in the opinion of the ~~College President~~College President, require excessive staff time or expense shall be authorized by action of the Board.

Confidentiality

*Request to  
Redact*

If requested by the Board member, information that is confidential under law shall be redacted from records provided to the Board member.

*Confidentiality  
Agreement*

At the time Board members are provided access to confidential records or to reports compiled from such records, the ~~College President~~College President or other College District employee shall advise them of their responsibility to comply with confidentiality requirements and the College District's information security controls.

The Board member shall sign a confidentiality agreement requiring that the confidential information remain undisclosed, be labeled as confidential, and be kept securely. The agreement must also require that any copies of the information or related notes be appropriately disposed of or retained as confidential consistent with the agreement.

Referring  
Complaints

If employees, students, or citizens bring a concern or complaint to an individual Board member, the Board member shall refer them to the ~~College President~~College President or designee, who shall proceed according to appropriate Board policy. [See DGBA, FLD, and GB]

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.

Staff Authority

Except as authorized by these policies, no employee or agent shall have the authority to bind the College District contractually.

BOARD MEETINGS

BD  
(LOCAL)

**Meeting Place  
and Time**

The notice for a Board meeting shall reflect the date, time, and location of the meeting.

Regular Meetings

Regular meetings of the Board shall typically be held on the ~~fourth Tuesday~~ ~~fourth Tuesday~~ of each month at ~~3:45 p.m.~~ ~~3:45 p.m.~~. When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a regular meeting with proper notice.

Special or  
Emergency  
Meetings

The Board President shall call a special meeting at the Board President's discretion or on request by ~~three~~ ~~three~~ members of the Board.

The Board President shall call an emergency meeting when it is determined by the Board President or ~~three~~ ~~three~~ members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.

**Agenda**

Submission of  
Topics

A Board member may request that a subject be included on the agenda for a meeting. The deadline for submitting items for inclusion on the agenda is the seventh calendar day before regular meetings and the third calendar day before special meetings.

Preparation

The College President shall compile for review by the Board President all topics timely submitted by Board members, topics requested by the Board, and topics suggested by the College President.

The Board President and the College President shall confer regarding the proposed topics, and the Board President shall determine the topics for the official meeting agenda. The Board President shall ensure that any topic the Board or individual Board members have requested be addressed are either on the meeting agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not refuse to assign a topic requested by a Board member to an agenda and, once assigned, shall not have the authority to remove the topic from the agenda without that Board member's specific authorization.

Consent Agenda

When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

<b>Notice to Members</b>	Members of the Board shall be given notice of regular and special meetings at least <del>72-hour</del> <b>three business days</b> prior to the scheduled <del>time</del> <b>date</b> of the meeting and at least one hour prior to the time of an emergency meeting.
<b>Closed Meeting</b>	Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, as provided by law. The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BDA]
<b>Order of Business</b>	The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members present.
<b>Rules of Order</b>	The Board shall observe the parliamentary procedures as found in <i>Robert's Rules of Order, Newly Revised</i> , except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.
Voting	Voting shall be by voice vote or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request.
<b>Minutes</b>	<p>Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.</p> <p>The official minutes of the Board shall be retained on file in the office of the College President and shall be available for examination during regular office hours.</p>
<b>Discussions and Limitation</b>	<p>Discussions shall be addressed to the Board President and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board President shall halt discussion that does not apply to the business before the Board.</p> <p>The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Board President shall not interfere with debate so long as members wish to address themselves to an item under consideration.</p>

<b>Purpose</b>	The purpose of establishing Board-recognized councils, committees, groups, associations, task forces, and teams is to define the formalized way in which the College District communicates internally on key decisions. The College District may, from time to time, create other committees, councils, groups, teams, associations, and task forces as needed. Those will be widely communicated within the College District.
<b>Definitions</b>	
Council	The purpose of a council shall be to review policies and procedures and make recommendations to the College President and/or the Board. Representatives shall be appointed and are typically tasked with broad initiatives that affect the whole College District.
Committee	The purpose of a College District committee is to study, review policies or procedures, and make recommendations to a specific council for a specific purpose affecting the ongoing operation of the College District. Members shall typically be appointed or elected annually.
Group	The primary purpose of a group shall be to facilitate engagement and share information. Groups do not typically review policies or make recommendations, although suggestions may arise. Their role is consultative or advisory in nature, usually with a liaison connected to a specific standing committee or council.
Task Forces	Task forces are considered ad hoc and can be convened at any time for the duration of the assigned task. Recommendations arising from a task force discussion shall be confined to the assigned task and are usually made to the College President. Members shall typically be appointed.
Other Organized Bodies	Other organized bodies shall serve the College District and include associations, review boards, and teams.
<b>Councils</b>	
College Success Council	The purpose of the College Success Council (CSC) shall be to emphasize student success through the use of data, planning, and effectiveness to integrate continuous campus-wide improvement into all programs and services. Specifically, the group is responsible for the strategic plan, including recommending strategic priorities for the year and crafting the annual strategic planning report. Further, the CSC shall serve as the steering committee for the Achieving the Dream work. The CSC shall think globally about the strategic realignment of the College District through systemic change. This group is charged with the ongoing engagement of the entire College District community in the journey to institutional transformation. Members of the CSC shall be appointed annually, usually each August, by the College President or designee.

ADMINISTRATIVE ORGANIZATION  
COUNCILS AND FACULTY SENATES

BGC  
(LOCAL)

Communications Council	<p>The purpose of the Communications Council shall be to serve as an information-sharing venue. Updates from Board meetings, various College District committees, the executive-level administration, or any administrative departments shall be shared during a monthly meeting, usually following regularly scheduled Board meetings. Membership shall include all administrators at the College District. Additional members shall be appointed, usually each August, by the College President or designee. Additional members shall include representatives from the Employee Engagement and Wellness group and the faculty association president.</p>
E-Learning Advisory Council	<p>The E-Learning Advisory Council (ELAC) shall be responsible for advising the vice president of instruction on matters pertaining to the functions, policies, and requirements of the areas involved in instructional technology and distance learning. The focus of ELAC is on instructional aspects related to distance learning, including hybrid delivery methods, faculty and student support, assessment, technology resources, best practices for distance learning courses and programs, and other matters relevant to distance education.</p> <p>Membership shall consist of the director of teaching and learning, faculty representation from each instructional unit, the faculty association president, and others at the discretion of the College President. Members of ELAC shall be appointed by the College President or designee on an annual basis, usually in August.</p>
G1 Council	<p>The general purpose of the G1 Council shall be to have instructional services, business services, information technology, marketing, student services, and community engagement execute, monitor, and improve the College District's collective actions to help students succeed. This group may make recommendations to the Executive Leadership Council. Members shall be appointed annually, usually in August, by the College President or designee. Membership shall include a faculty association representative. Others may attend at the request of the College President from time to time or may be asked to attend regularly.</p>
Instructional Council	<p>The purpose of the Instructional Council shall be to make recommendations to the Executive Leadership Council on important instructional issues that contribute to strategic planning within instructional areas for improving curriculum quality and effectiveness.</p> <p>Membership shall be composed of the vice president of instruction (chairperson), deans and directors reporting to the vice president of instruction, and others invited by the vice president of instruction.</p>

ADMINISTRATIVE ORGANIZATION  
COUNCILS AND FACULTY SENATES

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(LOCAL)

Executive  
Leadership Council

The Executive Leadership Council is charged with providing leadership for the College District in each area in order to execute the College District's plans for student success. The Council shall function to coordinate work of the executive team in order to effectively integrate the functions of instruction, business, maintenance, student services, information technology, human resources, and community engagement. Each member shall have wide latitude in performing job-related tasks, but the council shall work together to resolve the issues when functions overlap or conflict.

The Executive Leadership Council shall also consider general recommendations to be made to the Board and general policies and procedures for the College District. When policy recommendations are made, the Executive Leadership Council shall also consult with the faculty association president for input.

The Council shall be composed of the College President, who shall serve as chairperson, and those appointed by the College President. Others may attend at the request of the College President from time to time or may be asked to attend regularly.

Student Services  
Council

The general purpose of the student services council shall be to meet and review student services policies and procedures and to determine the best operations of the College District.

Membership shall include the vice president of student services (chair), directors of student services, the administrative assistant to the vice president of student services (ex officio), and others invited by the vice president of student services.

**Committees**

Campus  
Beautification  
Committee

The purpose of the Campus Beautification Committee is to seek input on ways to maintain and enhance the appearance of buildings and green spaces on campus. The committee may consider ways to develop energetic and interactive features including plazas, courtyards, outdoor spaces, seasonal displays, public art, and landscaping at the College District. The committee shall be appointed annually, usually in August, by the College President or designee.

Campus Carry  
Committee

The purpose of the Campus Carry Committee shall be to investigate requests for exclusions to allowing concealed weapons on campus and to make a recommendation to the College President concerning the request. The chair and members of this committee shall be appointed by the College President and will include representatives from:

- The office of the vice president of business services;
- The office of the vice president of instruction;

- The faculty association;
- The staff advisory group;
- The student government association;
- The office of the vice president of student services;
- The office of the vice president of community engagement;
- The office of human resources; and
- The office of public safety and emergency management.

Curriculum  
Committee

The purpose of the Curriculum Committee shall be to review curriculum change requests and to make appropriate recommendations to the vice president of instruction. The committee shall seek consensus on curriculum changes that best serve student interests in accordance with the College District's mission statement and that meet the requirements of relevant accrediting bodies. The Curriculum Committee is a College District standing committee composed of faculty and administrative representatives.

The membership shall consist of the following:

- Vice president of instruction;
- Ten faculty members (to include department chairs, health science program directors, and the faculty association president);
- Instructional deans;
- An academic advising representative;
- A financial aid representative;
- An admissions/registrar representative; and
- The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) liaison.

Members of the Curriculum Committee shall be appointed annually, usually in August, by the College President or designee. The committee shall be chaired by the vice president of instruction or designee. A quorum of 50 percent plus one member is required.

Employee  
Recognition  
Committee

The purpose of the Employee Recognition Committee shall be to recognize employees who have excelled in their endeavors at the College District. The committee shall be appointed annually, usually in August, by the College President or designee.

ADMINISTRATIVE ORGANIZATION  
COUNCILS AND FACULTY SENATES

BGC  
(LOCAL)

Faculty Professional Development Fund Committee	The purpose of the Faculty Professional Development Fund Committee (FPDFC) shall be to review requests for faculty development funds and make appropriate decisions on funding. The FPDFC shall be composed of six faculty members representing academic, workforce, and health sciences with one from each division. Appointments shall be made by the College President or designee on an annual basis, usually in August.
Financial Aid Appeals Committee	<p>The Financial Aid Appeals Committee shall review financial aid appeals, as needed.</p> <p>Membership shall include a cross-representation of staff and faculty. Members shall be appointed annually, usually in August, by the College President or designee.</p>
Grayson Cares Committee	The Grayson Cares Committee provides oversight for enhanced program performance, changes in procedures, and coordination across departments with the purpose of closing the gap on student basic needs. The Grayson Cares Committee includes representation from the Grayson College Foundation, financial aid, business office, veteran services, Baptist Student Ministries, student-support services, faculty, staff, and the vice president of student services. The director of counseling and social services shall chair the Grayson Cares Committee.
Instructional Services Assessment Committee	<p>The purpose of the Instructional Services Assessment Committee shall be to assist with and review academic assessment procedures and to process assessment artifacts and identified improvements. The membership shall consist of:</p> <ol style="list-style-type: none"><li>1. The director of strategic planning and assessment;</li><li>2. The dean/associate dean of academic and workforce instruction and the dean/associate dean of health science;</li><li>3. The institutional effectiveness coordinator;</li><li>4. The director of success initiatives; and</li><li>5. Faculty members, ensuring representation from all College District instructional divisions.</li></ol> <p>Members shall be appointed annually, usually in August, by the College President or designee.</p>
Safety and Security Committee	The general purpose of the Safety and Security Committee is to seek input from various members of the campus community on emergency management and public safety concerns. The committee shall be appointed annually, usually in August, by the College President or designee.

ADMINISTRATIVE ORGANIZATION  
COUNCILS AND FACULTY SENATES

BGC  
(LOCAL)

**Strategic Priorities Committee** The purpose of the Strategic Priorities Committee shall be to annually provide the CSC with input on the strategic priorities for the institution. Membership shall consist of the Executive Leadership Council, CSC, Student Services Council, Instructional Council, and G1 Council. The College President may invite others to attend.

**Student Discipline Committee** The Student Discipline Committee shall hear and shall be the first level of student appeals to nonacademic disciplinary hearings. The council shall be composed of the following:

1. Two students in good standing;
2. Two faculty members from instructional services; and
3. One director from student services, who will serve as chairperson.

Membership for the council shall be filled by the vice president of student services as needed.

**Student Honors and Awards Committee** The purpose of the Student Honors and Awards Committee shall be to honor students who have excelled in their endeavors at the College District. The committee shall be composed of the staff, faculty, and administrators appointed annually, usually in August, by the College President or designee.

**Strategic Communications Committee** The Strategic Communications Committee is a cross-functional team charged with developing, executing, and monitoring communication strategies across the life cycle of the student experience, from prospect to graduation and beyond, including email, mobile, advertising, website, direct mail, and support services.

Membership shall consist of the following:

- Director of marketing and communications;
- Director of strategic enrollment and retention;
- Web design coordinator;
- Marketing coordinator; and
- Statistician.

**Faculty Association**

**Purpose**

The Board recognizes the value of faculty input in institutional governance and academic affairs. A faculty council, senate, or association, serving in an advisory capacity, provides a structured mechanism for faculty participation in matters related to curriculum, academic standards, and institutional and faculty welfare.

The faculty association is the assembly of representatives of the full-time faculty at the College District. The faculty association shall serve ~~as a formal~~ only in an advisory ~~body to~~ capacity.

Membership

Each academic pathway of the College District ~~administration, consistent with state law, including Education Code 51.3522 and subsequent amendments under Senate Bill 37 (2025)~~ shall be represented by three members. One member shall be appointed by the College President, and the remaining members shall be elected by a vote of the faculty of the member's respective academic pathway, in accordance with procedures established by the College President or designee.

Authority and Oversight

~~Only the Board may authorize the establishment or continuation of a faculty council, senate, or association.~~

Administrative Procedures

~~The College President shall establish and maintain administrative procedures governing the faculty association.~~

*Membership*

~~The faculty council, senate, or association must adequately represent each pathway of the institution and:~~

- ~~1. Require the members to be faculty who have a full-time instructor position contract at Grayson College; and~~
- ~~2. Limit the number of members to no more than 60, with at least two representatives from each pathway, including:
  - ~~a. One member from each pathway appointed by the chief executive officer of the college; and~~
  - ~~b. The remaining members elected by a vote of the faculty of the member's respective pathway.~~~~

*Terms of Service and Officer Appointments*

~~A member of the faculty council or senate elected by a vote of the faculty of the member's respective college or school serves a two-year term, staggered in a manner that allows approximately one-half of the elected members to be elected each year, and may only be reelected after the second anniversary of the last day of the member's most recent term.~~

~~The presiding officer of the senate, council, or association shall conduct meetings at which a quorum is present in a manner that is open to the public in compliance with established College District procedures. Compliance with applicable state laws, including live-streaming, public notice, and recordkeeping requirements are the responsibility of the officers.~~

<del>Operation Term</del> <del>Limits</del>	A member of the faculty association appointed by the College President may serve up to six consecutive one-year terms and then may only be reappointed after the second anniversary of the last day of the member's most recent term.
Appointed Faculty Members Elected Faculty Members	An elected member of the faculty association shall serve a two-year term, staggered in a manner that allows approximately one-half of the elected members to be elected each year, and may only be reelected after the second anniversary of the last day of the member's most recent term.
<i>Removal</i>	<p>A member of the faculty association may be immediately removed from the faculty association for:</p> <ul style="list-style-type: none"><li>• Violating applicable law, College District policy or regulations, or the faculty association governing documents;</li><li>• Failing to attend meetings; or</li><li>• Engaging in other similar misconduct.</li></ul> <p>A member may be removed on recommendation of the vice president of instruction and approval by the College President.</p>
Officers	The College President shall appoint a presiding officer from the members of the faculty association to preside over faculty association meetings and represent the faculty association in communications with the College District administration. The College President shall also appoint an associate presiding officer and secretary from the membership.
Compensation	A faculty member shall not be compensated for service on the faculty association.
Expense Reimbursement	A member of the faculty association may be reimbursed for reasonable expenses made on behalf of the College District and approved by the College President or designee in accordance with administrative regulations.
Governing Documents	The faculty association shall adopt a constitution, bylaws, or other governing documents consistent with law, this policy, and associated regulations, including the rules for establishing a quorum.
Faculty Association Meetings	The College President shall develop regulations addressing faculty association meeting procedures, in accordance with law.
<i>Notice</i>	<p>No more than seven days before a meeting, the faculty association shall post on the College District's website:</p> <ul style="list-style-type: none"><li>• An agenda for the meeting indicating the items that will be discussed or subject to a vote; and</li></ul>

- Any curriculum proposals that will be discussed or voted on at the meeting.

<i>Open Meetings</i>	Meetings at which a quorum is present shall be open to the public.
<i>Meeting Broadcast</i>	The faculty <del>council or senate is advisory only and may not be delegated the final decision-making authority on any matter</del> association shall broadcast a meeting online in accordance with law if more than 50 percent of the faculty association members are in attendance.
<i>Recording Attendance</i>	The faculty <del>council, senate, or</del> association shall <del>represent</del> record the <del>entire faculty of the College District and advise the College District administration and any system administration regarding matters related to the general welfare of the College District</del> names of members in attendance at a meeting in which the faculty association conducts business related to a vote of no confidence regarding a College District administrator or policies related to curriculum and academic standards.
<i>Communications</i>	The faculty <del>council, senate, or</del> association <del>may</del> shall not issue any statement or publish a report using the College District's official seal, trademark, or resources funded by the College District on any matter not directly related to the faculty <del>council or senate's duties to advise the College District's administration.</del> association's advisory duties.
<i>Harmony with Law</i>	Nothing in this policy or associated regulations may be construed to limit a faculty member from exercising the faculty member's right to freedom of association protected by the U.S. Constitution or Texas Constitution.
<b>Groups</b>	
Employee Engagement and Wellness Group	The purpose of the Employee Engagement and Wellness group is to facilitate positive and productive employee engagement, enhance professional development, and promote employee wellness initiatives. Members shall be appointed annually, usually in August, by the College President or designee.
Caring Vikings	The purpose of the Caring Vikings group is to make recommendations to the Executive Leadership Council to enhance student success and staff and faculty engagement in that success. The group will bring forward suggestions for necessary changes and enhancements to strategies that focus on building a caring and inclusive culture for the campus as a whole. The group will consist of volunteer members and will be appointed annually by the College President or designee.

**Other Organized  
Bodies**

Institutional Review  
Board

The purpose of the Institutional Review Board (IRB) shall be to ensure that all research using the College District as a source is approved by the Institutional Review Board Committee prior to conducting the research. Researchers shall submit the IRB application packet directly to the office of the vice president of instruction for approval by the IRB. Membership for the IRB Committee shall consist of the following members:

1. The vice president of instruction; and
2. Four members (three faculty and one staff).

Appointment shall be made by the College President or designee on an annual basis, usually in August.

Behavioral  
Intervention Team

The College District is committed to student success and maintaining a safe campus environment for students, faculty, and staff. The purpose of the Behavioral Intervention Team (BIT) is to provide timely intervention for students who may display early warning signs of disruptive and/or violent behavior towards self and/or others. The BIT will investigate and assess every referral and determine the level of intervention needed in order to assist the student of concern. Members shall be appointed annually, usually in August, by the College President or designee.

**Capitalization  
Threshold**

The capitalization threshold for purposes of classifying individual capital assets shall be ~~\$5,000~~\$5,000.

The College President or designee shall determine the capitalization threshold for a group of assets, the individual cost of which does not exceed the capitalization threshold above but for which the cost in the aggregate is significant.

**Designation and Use  
of Private Spaces**

The Board shall ensure that the College President, or appropriate staff as determined by the College President, designates private spaces in accordance with law. [See FG for student housing]

The College President shall develop administrative regulations to ensure compliance with law and policy regarding the use of private spaces in College District facilities.

FACILITIES CONSTRUCTION

CM  
(LOCAL)

**Compliance with Law**

The College President or designee shall establish procedures ensuring that all facilities within the College District comply with applicable laws and local building codes.

**Construction Contracts**

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above ~~\$50~~\$100,000. To assist the Board, the College President shall recommend the project delivery/contract award method that the College President determines provides the best value to the College District. [See CM series]

For construction contracts valued at or above \$50,000, the College President shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the College President and consistent with law and policy. [See also CF]

Emergency Exception

In the event of a catastrophe, emergency, or natural disaster affecting the College District, the Board delegates to the ~~College President~~College President the authority to contract for the replacement, construction, or repair of College District equipment or facilities in accordance with law if emergency replacement, construction, or repair is necessary for the health and safety of College District students and staff. The ~~College President~~College President shall report to the Board at the next regular meeting any contract made under this authority.

**Change Orders**

Change orders permitted by law shall be approved by the College President or designee prior to executing any changes in the approved plans or in the actual construction of the facility.

**Project Administration**

All construction projects shall be administered by the College President or designee.

The College President or designee shall keep the Board informed concerning construction projects and also shall provide information to the general public.

**Final Payment**

The College District shall not make final payments for the construction or the supervision of construction until the work has been completed, and the College District has accepted the work.

**AI Use by Employees  
and Students**

Employees and students shall be permitted to explore artificial intelligence (AI) and implement its use in and out of the classroom in accordance with policy and administrative regulations. The use of AI shall only be as a support tool to enhance student outcomes or as necessary to engage in research and shall never take the place of faculty, staff, and student decision-making. Any use of AI must comply with law, policy, and administrative regulations relating to student and employee privacy and data security.

A student shall only use AI tools with faculty permission and shall be expected to produce original work and properly credit sources, including AI tools used in creating the work.

Employees or students who use AI tools to deceptively harm, bully, or harass others shall be disciplined in accordance with policy.  
[See DH, DIA series, FFD series, FFE, FLB, and the FM series]

The College President is responsible for the security of the College District's information resources. The College President or designee shall develop procedures for ensuring the College District's compliance with applicable law.

**Information Security Officer**

The College President or designee shall designate an information security officer (ISO) who is authorized to administer the information security requirements under law. The College President or designee must notify the Department of Information Resources (DIR) of the individual designated to serve as the ISO.

**Information Security Program**

The College President or designee shall annually review and approve an information security program designed in accordance with law by the ISO to address the security of the information and information resources owned, leased, or under the custodianship of the College District against unauthorized or accidental modification, destruction, or disclosure. The program shall include procedures for risk assessment and for information security awareness education for employees when hired and an ongoing program for all users.

The information security program must be submitted biennially for review by an individual designated by the College President and who is independent of the program to determine if the program complies with the mandatory security controls defined by DIR and any controls developed by the College District in accordance with law.

**College District Website and Mobile Application Security**

The College President or designee shall adopt procedures addressing the privacy and security of the College District's website and mobile applications and submit the procedures to DIR for review.

The procedures must require the developer of a website or application for the College District that processes confidential information to submit information regarding the preservation of the confidentiality of the information. The College District must subject the website or application to a vulnerability and penetration test before deployment.

**Covered Social Media Applications**

The College President or designee shall adopt procedures prohibiting the installation or use of a covered application, as defined by law, on a device owned or leased by the College District and requiring the removal of any covered applications from the device.

Exception

The procedures shall permit the installation and use of a covered application for purposes of law enforcement and the development and implementation of information security measures. The procedures must address risk mitigation measures during the permitted

use of the covered application and the documentation of those measures.

**Reports**

Effectiveness of  
Policies,  
Procedures, and  
Practices

The ISO shall report annually to the College President on the effectiveness of the College District's information security policies, procedures, and practices in accordance with law and administrative procedures.

Biennial Information  
Security Plan

The College District shall submit a biennial information security plan to DIR in accordance with law.

Information Security  
Assessment

In accordance with law, at least every two years, the College District shall submit the results of its information security assessment to DIR and, if requested, the office of the governor, lieutenant governor, and speaker of the house of representatives.

Security Incidents  
*By the College  
District*

The College District shall assess the significance of a security incident and report it to DIR and law enforcement in accordance with law and, if applicable, DIR requirements.

Generally

Security Breach  
and  
Cybersecurity  
Incident  
Notification

Upon discovering or receiving notification of a breach of system security or a ~~security~~cybersecurity incident, as defined by law, the College District shall disclose the breach or incident to affected persons or entities in accordance with the time frames established by law.

The College District shall give notice by using one or more of the following methods:

1. Written notice.
2. Electronic mail, if the College District has electronic mail addresses for the affected persons.
3. Conspicuous posting on the College District's website.
4. Publication through broadcast media.

*By Vendors and  
Third Parties*

The College District shall include in any vendor or third-party contract the requirement that the vendor or third party report information security incidents to the College District in accordance with law and administrative procedures.

**Scope** This policy shall apply to all full-time, permanent positions and shall allow for expanded procedures for executive administrators. The policy also provides modified procedures for temporary and part-time positions.

**Authority for Employment of All Personnel** The Board delegates to the College President the final authority for employment of contractual personnel, as well as the final authority to employ ~~and dismiss~~ noncontractual employees on an at-will basis. [See DCA, DCB, and DCC as appropriate]

**Exceptions** The Board retains final authority for employment of personnel serving as vice president of instruction.  
The Board may overturn any decision made by the College President to employ personnel serving as vice president, dean, or a similar position.

**Employment of Certain Law Enforcement Personnel** The College President or designee and the College District police department shall develop regulations, in accordance with law, for the employment of peace officers and telecommunicators. The regulations shall address:

1. The investigation of the applicant's background;
2. Medical and psychological examination and drug screening of the applicant;
3. The applicant's qualification to carry a firearm, if applicable;
4. A provisional hiring period applicable upon employment; and
5. The submission of any required forms to the Texas Commission on Law Enforcement (TCOLE).

**Commitment to Affirmative Action** Associated with the obligation to secure the best qualified personnel is an equally strong pledge to eliminate discrimination in recruitment and employment by assertively recruiting qualified minorities, women, and persons with disabilities (underrepresented groups). The College District shall make explicit its commitment to equal opportunity in all recruiting announcements and/or advertisements, specifying that the College District is an equal opportunity/affirmative action employer.

**General Recruitment Practices for Full-Time Personnel** To develop a broad applicant pool, all full-time personnel positions shall be advertised, except when the College District is reducing the workforce or when transferring, promoting, or reemploying personnel.

**Fair Treatment** The interview process must ensure fair treatment of each applicant without regard to political affiliation, race, color, national origin, gender, age, handicap, or religious creed. The process must also

demonstrate proper regard for each applicant's privacy and constitutional rights.

**General Employment Procedures**

When a full-time job vacancy occurs or when a new position is created, the hiring supervisor shall:

1. With the assistance of human resources, develop or revise the job description, determine the appropriate salary range, and submit the position for required approval; and
2. Prepare written questions to be used in each interview, relating to the job description.

Search

The human resources coordinator, upon receipt of position approval, shall begin the search in the following manner:

1. Announce the position on the College District's website for a minimum of five working days. Applications from internal and external candidates shall be considered simultaneously unless waived by the College President in order to advertise exclusively to internal candidates.
2. Advertise and/or announce the opening in an external recruiting source.
3. Monitor receipt of applications and forward them to the hiring supervisor.

The hiring supervisor shall decide which type of committee to form (selection or screening).

Committees

A selection committee shall identify a candidate to recommend to the College President. The hiring supervisor shall participate fully as a voting member of the selection committee. The hiring supervisor's evaluation shall be weighted as one-fourth of the total rating with the other committee members having a combined value of three-fourths.

A screening committee shall select the top applicants to recommend to the hiring supervisor. At least two applicants shall be provided to the hiring supervisor. The hiring supervisor may attend all, some, or none of the screening committee's interview; however, the hiring supervisor may not vote on the committee's recommendation. Using objective criteria, the hiring supervisor shall select a candidate to recommend to the College President from among the applicants forwarded from the screening committee.

A selection or screening committee shall be composed of a minimum of four members.

**Procedures**

Only an individual who has submitted an application through the human resources office may be considered for an open position. Each applicant who is selected for an interview must undergo the same process as every other applicant. If an informal meeting or meal is offered to any interviewee, it must be offered to all interviewees.

The interview process for full-time faculty members may include teaching and/or skill demonstrations.

The interview process for professional or support positions may include a demonstration of skills if such skills are included in the job descriptions.

The hiring supervisor shall consider references before recommending a candidate to the College President.

**References**

At minimum, the hiring supervisor shall obtain two recommendations from among the candidate's last three places of employment, when three are available. Both written and telephone recommendations are desirable.

In the event that information obtained through the reference checks reveals a reason to disqualify a candidate, the hiring supervisor shall check the references of the applicant obtaining the next highest rating through the committee process.

**Criminal Background Check**

The candidate who has obtained the highest rating from the committee and who has received acceptable references shall be selected as the finalist. The College District shall review the criminal background check on the finalist prior to scheduling a final interview with the College President.

In the event that a background check reveals information that disqualifies the finalist, that finalist shall be eliminated from consideration, and the next highest-rated applicant with acceptable references shall be named as the new finalist.

**Meeting with College President**

Upon receipt of an acceptable criminal background check, the hiring supervisor or HR generalist shall arrange for the finalist to meet with the College President. The requirement to meet with the College President may be waived.

**Offer of Employment**

No offer of employment shall be made until:

1. Acceptable references have been obtained;
2. An acceptable criminal background check has been obtained;
3. The finalist has met with the College President; and

4. All appropriate administrators and the College President have signed the offer approval form.

**Contracts**

Employment contracts shall be offered for some positions. If a contract is to be offered, the hiring supervisor shall provide the necessary information to the human resources coordinator, who will prepare the contract.

**Executive Administrators and College President**

The College President may expand the process to hire deans or vice presidents as he or she deems appropriate. ~~Members of the Board may participate in this process if invited by the College President.~~

The Board shall determine the process and procedures to select the College President.

**Temporary, Part-Time, and Adjunct Positions**

Temporary, part-time, and adjunct positions shall generally be advertised by posting on the College District's website. The requirement to advertise may be waived by the College President.

The hiring supervisor shall be responsible for preparing the job description, completing a personnel requisition form, obtaining the required approvals, and screening and selecting temporary, part-time, and adjunct positions. Screening or selection committees are not required.

A criminal background check shall be obtained and deemed acceptable before any offer of employment is made.

**Other Provisions**

Upon acceptance of an offer of employment, the new employee shall complete all necessary personnel forms no later than the third day of employment.

When an opening is filled, the human resources office shall notify all other applicants of that fact.

<b>Guiding Principles</b>	<p>The Board encourages employees to discuss their concerns with their supervisor or other appropriate administrator who has the authority to address the concerns.</p> <p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>
Informal Process	
Formal Process	<p>An employee may initiate the formal process described below by timely filing a written complaint form describing his or her complaint regarding wages, hours of work, or conditions of work protected under this policy.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.</p>
<b>Complaints Against Supervisors</b>	<p>Complaints alleging a violation of law by a supervisor may be made to the College President, human resources director, or designee. Complaint forms alleging a violation of law by the College President may be submitted directly to the Board or designee.</p>
<b>Notice to Employees</b>	<p>The College District shall inform employees of this policy through appropriate College District publications.</p>
<b>Freedom from Retaliation</b>	<p>Neither the Board nor any College District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.</p>
<b>Whistleblower Complaints</b>	<p>Whistleblower complaints shall be filed within the time specified by law. Such complaints shall first be filed in accordance with Level Three, below. Timelines for the employee and the College District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint. [See DG]</p>
<b>Complaints</b>	<p>In this policy, the terms "complaint" and "grievance" shall have the same meaning.</p>
Other Complaint Processes	<p>Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:</p>

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability). [See DIAA and DIAB]
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII. [See DIAA and DIAB]
3. Complaints concerning retaliation relating to discrimination and harassment. [See DIAA and DIAB]
4. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CHACGF]
5. Complaints concerning an employment preference for former foster children. [See DC]
6. Complaints arising from the dismissal of term contract faculty members. [See DMAA]
7. Complaints concerning the nonrenewal of term contract employees and those arising from the nonrenewal of term contract faculty members. [See DMAB]
8. Complaints concerning the withdrawal of consent to remain on campus. [See GDA]

**Notice to Employees**

The College District shall inform employees of this policy through appropriate College District publications and on the College District's website.

**Informal Process**

The Board encourages employees to discuss their concerns with their supervisor or other appropriate administrator who has the authority to address the concerns.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

**Formal Process**

An employee may initiate the formal process described below by filing a written complaint form describing his or her complaint regarding wages, hours of work, or conditions of work protected under this policy within 15 business days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.

The complaint form shall be filed with the human resources director or designee, who shall determine the lowest level administrator who has the authority to remedy the alleged problem.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the College President, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

**Option to Continue Informal Process**

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

**Freedom from Retaliation**

Neither the Board nor any College District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

**Whistleblower Complaints**

Whistleblower complaints shall be filed within the time specified by law. Such complaints shall first be filed in accordance with Level Three, below. Timelines for the employee and the College District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint. [See DG]

**Complaints Against Supervisors**

Complaints alleging a violation of law by a supervisor may be made to the College President, human resources director, or designee. Complaint forms alleging a violation of law by the College President may be submitted directly to the Board or designee.

**General Provisions**  
Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator, human resources director, or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

Scheduling Conferences	The College District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the College District may hold the conference and issue a decision in the employee's absence.
Response	At Levels One, Two, and Three, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's email address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
Representative	"Representative" <del>means</del> shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent <del>him or her</del> the employee in the complaint process.  The employee may designate a representative through written notice to the College District at any level of this process. If the employee designates a representative with fewer than three days' notice to the College District before a scheduled conference or hearing, the College District may reschedule the conference or hearing to a later date, if desired, in order to include the College District's counsel. The College District may be represented by counsel at any level of the process.
Consolidating Complaints	Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.  When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the College District may consolidate the complaints.
Untimely Filings	All time limits shall be strictly followed unless modified by mutual written consent.  If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within <del>ten</del> 10 days from the date of the written dismissal notice, starting at the level at which

the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and  
Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the College District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, ~~they~~copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing.

**Level One**

~~Complaint forms must be filed:~~

~~9. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and~~

~~10. With the human resources director or designee, who shall determine the lowest level administrator who has the authority to remedy the alleged problem.~~

~~In most circumstances, employees shall file Level One complaints with their immediate supervisor. If the only administrator who has authority to remedy the alleged problem is the Level Two or Level Three administrator, the complaint may begin at Level Two or Level Three, respectively, following the procedure, including deadlines, for filing the complaint form at Level One.~~

~~If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the human resources director or designee.~~

~~The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten~~  
Remand  
Record

A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the employee who filed the complaint, documents determined relevant by College District personnel, and the decision.

A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.

If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.

### Investigation

The College District may conduct an investigation at any level in the complaint process. If the College District and the employee mutually agree, all deadlines shall be suspended during an investigation.

### Audio Recording

As provided by law, an employee shall be permitted to make an audio recording of a hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

### Complaint Levels

#### Level One

The appropriate administrator shall schedule a conference with the employee within 10 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within ~~ten~~10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

#### Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may appeal the Level One decision through the human resources director or designee.

The appeal notice must be filed in writing, on a form provided by the College District, within ~~ten~~10 days of the date of the written Level One response or, if no response was received, within ~~ten~~10 days of the Level One response deadline.

After receiving notice of the appeal, the human resources director or designee shall prepare and forward a record of the Level One

complaint to the Level Two administrator, typically the executive administrator. The employee may request a copy of the Level One record. If the employee requests a copy of the Level One record, the human resources director or designee shall provide a copy of the record within five days of receipt of the request.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Level Two administrator shall schedule a conference within ~~ten~~10 days after the appeal notice is filed. The conference shall be limited to the issues and documents ~~presented by the employee~~considered at Level One and identified in the Level Two appeal notice. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.

The Level Two administrator shall provide the employee a written response within ~~ten~~10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

### Level Three

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the Level Two decision by submitting a written request to the human resources director or designee that a conference be scheduled with the College President, human resources director, or designee.

The appeal notice must be filed in writing, on a form provided by the College District, within ~~ten~~10 days ~~after receipt of a~~of the date of the written Level Two response or, if no response was received, within ~~ten~~10 days of the ~~response deadline at~~Level Two response deadline.

After receiving notice of the appeal, the human resources director shall prepare and forward a record of the Level Two complaint to the College President or designee. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The written response issued at Level Two and any attachments.
3. All other documents relied upon by the Level Two administrator in reaching the Level Two decision.

The College President, human resources director, or designee shall schedule a conference within ~~ten~~10 days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level Two. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level Two decision. The College President, human resources director, or designee may set reasonable time limits for the conference.

The College President, human resources director, or designee shall provide the employee a written response within ~~ten~~10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the College President, human resources director, or designee may consider the Level One and Level Two records, information provided at the Level Three conference, and any other relevant documents or information the College President, human resources director, or designee believes will help resolve the complaint.

Recordings of the Level One, Level Two, and Level Three conferences, if any, shall be maintained with the Level One, Level Two, and Level Three records in the human resources office.

#### Level Four

If the employee did not receive the relief requested at Level Three or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the College District, within ~~ten~~10 days after receipt of ~~a~~the written Level Three response or, if no response was received, within ~~ten~~10 days of the Level Three response deadline.

The College President, human resources director, or designee shall inform the employee of the date, time, and place of the Board

meeting at which the complaint will be on the agenda for presentation to the Board.

The human resources director or designee shall provide the Board with the record of the Level Three complaint. The employee may request a copy of the Level Three record.

The Level Three record shall include:

1. The Level One record.
2. The Level Two record.
3. The written response issued at Level Three and any attachments.
4. All other documents relied upon by the Level Three administrator in reaching the Level Three decision.

The appeal shall be limited to the issues and documents considered at Level Three, except that if at the Level Four hearing the administration intends to rely on evidence not included in the Level Three record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing. The employee and the College District must identify and notify each other of any witnesses they plan to call at the closed hearing at least three days before the date of the hearing.

The College District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Four presentation. The Level Four presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board does not make fails to reach a decision regarding the com-

plaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Three.

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**Note:** For expression and use of College District facilities and grounds by students and registered student organizations, see FLA. For expression and use of College District facilities and grounds by the community, including by nonstudents and organizations that are not registered student organizations, see GD. For use of the College District's internal mail system, see CHE.

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**Definitions**

For purposes of this policy, "antisemitism" shall have the meaning prescribed by Texas Government Code Section 448.001(2). [See DGC(LEGAL)]

**Academic Freedom**

American institutions of higher education have long been considered as bastions of freedom. As such, these institutions have been conducted under the premise that it is essential to promote the free search for truth and the concomitant of free expression.

It is essential to this philosophy that a faculty member of the College District be free to pursue scholarly inquiry without undue restriction and to voice and publish conclusions concerning the significance of evidence considered relevant. Faculty must be free from the corrosive fear that the community may do irreparable damage to one's professional career because scholarly conclusions differ from the standard view.

Each faculty member of the College District is entitled to full freedom in the classroom in discussing the subject. Each faculty member is also a citizen of the nation, state, and community and when speaking, writing, or acting, and, as such, must be free from institutional censorship or discipline.

The concept of academic freedom in the College District is accompanied by an equally demanding concept of faculty responsibility as follows:

1. The fundamental responsibilities of a faculty member as a teacher and a scholar include a maintenance and exhibition of competence in one's field of specialization.
2. The faculty member should exercise professional integrity by including the realization that the community shall judge the profession and the College District by statements. Therefore, one should strive to be accurate in statements, to exercise appropriate restraint, to show respect for the opinions of others, and to avoid creating the impression that one speaks or acts for the College District when speaking or acting as a private citizen.

3. A faculty member should be judicious in the use of controversial material in the classroom and should introduce such material only as it has been assigned to teach. It is a teacher's mastery of the subject and one's own scholarship that entitles one to the classroom and to freedom in the presentation of the subject. It is improper for a professor to introduce material that has no relation to the subject.
4. The faculty member should be free to participate in professional organizations.
5. The faculty member should not, during the contractual period, undertake for pay extensive activities outside the instructional assignments that would interfere with the fulfillment of the task assigned by the institution. One should not exploit the position with the institution to secure outside income or favor in competition with nonacademic colleagues.
6. Because academic freedom has traditionally included the professor's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience on the one hand, and the claims and expectations of their students, colleagues, and institution, on the other. If such conflicts become acute, and the professor's attention to one's obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, one cannot escape the responsibility of that choice, but should either request a leave of absence or resign the academic position.
7. Nothing in this statement on academic freedom is intended to protect an incompetent or negligent faculty member or to prevent the institution from making proper efforts to evaluate the work of each professor.

Complaints regarding alleged violations of the right to academic freedom shall be filed in accordance with DGBA(LOCAL).

### **Expressive Activities**

Employees and employee organizations may engage in expressive activities in accordance with this policy. "Expressive activities" means any speech or expressive conduct protected by the First Amendment to the U.S. Constitution or by Texas Constitution Article I, Section 8, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions.

Prohibited Speech  
and Conduct

The term “expressive activities” does not include the following speech and conduct, which is prohibited on College District facilities and grounds and through the use of College District technology and networks:

1. Defamatory statements about public figures or others;
1. Prohibited harassment or antisemitism [see DIAA, DIAB, FFDA, and FFDB];
2. Incitement to imminent lawless or disruptive activity;
3. Obscenity; or
4. Threats to engage in unlawful activity.

The following conduct is also prohibited:

1. Engaging in unlawful conduct.
2. Engaging in expressive activities that materially and substantially disrupt College District operations at any time, including from 10:00 p.m. to 8:00 a.m. and during the last two weeks of each semester or term.
3. Engaging in expressive activities that materially and substantially disrupt College District operations by inviting speakers to speak on campus or by using drums or other percussive instruments during the last two weeks of a semester or term.
4. Using a sound amplification device while engaging in expressive activities during class hours, between 10:00 p.m. to 8:00 a.m., and during the last two weeks of each semester or term to intimidate others, interfere with campus operations, or interfere with a College District employee’s or a peace officer’s lawful performance of a duty.
2. Camping or erecting tents or other living accommodations, with the exception of reasonable use and modifications of assigned College District housing consistent with administrative regulations. This prohibition applies to shelters that are erected for the purpose of residing within the shelter. It does not apply to other shelters that are erected on a temporary basis to provide protection from the weather or, with approval granted by the executive administrator in accordance with administrative procedures, for special events.
3. Wearing a disguise or other means of concealing a person's identity while engaging in expressive activities with the intent, as determined by the executive administrator or a law enforcement officer to:

- a. Obstruct the enforcement of law or College District policies and regulations by avoiding identification;
  - b. Intimidate others; or
  - c. Interfere with a College District employee's or a peace officer's lawful performance of a duty.
4. Lowering the College District's U.S. or Texas flag with the intent to raise another nation's flag or the flag representing an organization or group of people.
  5. Engaging in expressive activities in a manner that would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts.
  6. Damaging or defacing property.

**Distribution of Literature**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any employee or employee organization, except in accordance with this policy.

The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by an employee or employee organization.

Materials distributed by faculty and other instructional personnel as a part of instruction or other authorized classroom activities shall not be governed by this section.

**Limitations on Content**

Materials shall not be distributed by an employee or employee organization on College District property if:

- ~~1.—The materials are obscene;~~
- ~~2.—The materials contain defamatory statements about public figures or others;~~
- ~~3.—The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action;~~
1. The materials are, or contain expressions that are, unlawful or disruptive to the operations of the College District, including, but not limited to, materials or expressions that are considered prohibited harassment (to include discriminatory harassment) or antisemitism; constitute prohibited speech, described above;

2. The materials constitute impermissible solicitation [see DHC];  
or
3. The materials infringe upon intellectual property rights of the College District [see CT].

**Time, Place, and  
Manner Restrictions**

Distribution of materials shall be conducted in a manner that:

1. Is not **materially and substantially** disruptive to College District operations;
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not interfere with the rights of others; and
5. Does not violate local, state, or federal laws or College District policies and procedures.

The distributor shall clean the area around which the literature was distributed of any materials that were discarded or leftover.

The executive administrator shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by employees or employee organizations to employees or others in College District facilities and areas that are not considered common outdoor areas.

**Use of Facilities and  
Grounds**

The facilities and grounds of the College District shall be made available to employees or employee organizations when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting employees or employee organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Board.

An “employee organization” is an organization composed only of College District faculty and staff or an employee professional organization.

Requests

**to Use Facilities**

To request permission to meet or host a speaker in College District facilities, interested employees or employee organizations shall file a written request with the executive administrator in accordance with administrative procedures.

The employees or the employee organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.

*Approval*

The executive administrator shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint, or other content of the speech likely to be associated with the employees' or employee organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that ~~the use would be prohibited conduct, described above, or that:~~

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes impermissible solicitation [see DHC];
- ~~4.—The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~
- ~~5.4.—The applicant owes a monetary debt to the College District, and the debt is considered delinquent;~~
- ~~6.—The proposed activity would disrupt or disturb the regular academic program;~~
- ~~7.5.—The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or~~
- ~~8.—The proposed activity would constitute an unauthorized joint sponsorship with an outside group; or~~
- ~~9.6.—The proposed use would constitute expression that is unlawful or disruptive to the operations of the College District, including but not limited to, expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism.~~

The executive administrator shall provide the applicant a written statement of the grounds for rejection if a request is denied.

Common Outdoor  
Area  
Exception Areas

~~Common outdoor areas are traditional public forums and are not subject to the approval procedures.~~ Employees and employee or-

gанизations may engage in expressive activities in common outdoor areas, ~~unless:~~

~~10.—The person’s conduct is unlawful, including but not limited to, expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism;~~

~~11.—The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~

~~12.—The use would materially or substantially disrupt or disturb the regular academic program; or~~

~~The use would result in damage to or defacement of property without prior approval, unless the activities constituted prohibited speech or conduct described above.~~

Announcements  
and Publicity

In accordance with administrative procedures, all employees and employee organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.

**Identification**

Employees and employee organizations [distributing materials on campus](#) or using College District facilities must provide identification when requested to do so by a College District representative [engaging in official duties](#).

**Violations**

Failure to comply with [law](#) or this policy and associated procedures shall result in appropriate administrative action, including but not limited to, suspension of an employee’s or employee organization’s use of College District facilities and/or other disciplinary action up to and including termination of employment.

Interference with  
Expression

Faculty, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District’s discipline policies and procedures. [See DH, FM, and FMA]

**Appeals**

Decisions made by the administration under this policy may be appealed in accordance with DGBA(LOCAL) and FLD(LOCAL) as applicable.

**Publication**

This policy and associated procedures must be posted on the College District’s website and distributed in the employee and student handbooks and other appropriate publications.

All College District employees shall perform their duties in accordance with state and federal law, College District policy, and ethical standards.

All College District personnel shall recognize and respect the rights of students, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the College District.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

### **Violations**

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as College District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCC, DIAA, and DM series]

Unless required by law, engagement in any following action prohibited by Chapter 51 of the Texas Education Code and related to diversity, equity, and inclusion (DEI) programs and activities, is prohibited:

1. Establishing and maintaining a DEI office or hiring an employee or contractor to perform such duties;
2. Compelling or otherwise soliciting a DEI statement from any person or giving preferential treatment or consideration based on a DEI statement;
3. Giving preference on the basis of race, sex, color, ethnicity, or national origin to any employee, applicant, or participant in any collegeCollege District function; and
4. Mandating DEI training as a condition of enrolling or performing any institutional function, unless the training is otherwise permitted by applicable law.

In addition, expression that is considered unlawful or disruptive to the operations of the College District, including, but not limited to, expression that is considered harassment (to include discriminatory harassment) or antisemitism is prohibited. [See DGC(LOCAL)]

### **Misconduct by Certain Law Enforcement Personnel**

The College President or designee and the College District police department shall develop regulations, in accordance with law, addressing the investigation of allegations of misconduct by peace officers and telecommunicators.

<b>Electronic Media</b>	Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.
Record Retention	An employee shall comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA and GCB]
Personal Use	Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or College District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.
<b>Safety Requirements</b>	All employees shall adhere to College District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.
<b>Tobacco and E-cigarettes</b>	<p>An employee shall not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities, unless authorized by the College President or designee. [See FLBD]</p> <p>An employee shall not give or sell tobacco products or e-cigarettes to a person in violation of law.</p>
<b>Alcohol and Drugs</b>	<p>A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.</p> <p><del>The use, possession, and/or distribution of controlled substances that are not medically necessary and prescribed by a licensed physician shall be prohibited on campus. Furthermore, it is the policy of the College District that employees shall be prohibited from using, possessing, controlling</del> Employees shall be prohibited from using, possessing, controlling, storing, manufacturing, transmitting, distributing, dispensing, selling, or being under the influence of any of the following substances while conducting College District business or while on College District property, in College District vehicles, or at College District-related activities, whether during or outside of usual working hours:</p> <ol style="list-style-type: none"><li>1. Any controlled substance, illegal drug, or dangerous drug as defined by law, or this policy, including but not limited to mari-</li></ol>

juana, hashish, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, cocaine, PCP, LSD, heroin, dilaudid, quaaludes, or methamphetamines.

2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any performance-enhancing substance, including steroids.
5. Any designer drug.
6. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances shall also be prohibited under this policy.

An employee need not be legally intoxicated to be considered "under the influence" of alcohol, a controlled substance, or an illegal drug.

The College District recognizes that alcoholism and drug and/or controlled substance dependency are illnesses and disorders. The College District shall seek to provide channels of referrals for help, but it shall be the student's or employee's responsibility to seek help.

An employee shall be prohibited from reporting to work under the influence of alcohol, illegal drugs, or controlled substances.

#### Exceptions

~~An employee who manufactures, possesses, controls, sells, transmits, distributes, or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.~~

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, controls, stores, sells, transmits, distributes, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses, possesses, or stores a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use;
3. Possesses or stores a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian;

- ~~1.4.~~ Cultivates, possesses, transports, or sells hemp as authorized by law; or
- ~~2.5.~~ Possesses, sells, or distributes Dextromethorphan.

With the prior consent of the Board or the College President, the alcohol provisions may be waived with respect to a specific location on College District property or a specific event that is sponsored by the College District. The use of College District facilities for this purpose shall require the completion of an application, as well as written approval from the College President prior to the event.

The Board designates the T.V. Munson Viticulture and Enology Center and other facilities as locations where, in conjunction with instructional purposes associated with the Viticulture/Enology/Distillation curriculum, possession and consumption of alcoholic beverages is approved only in the form of partially fermented grape juice, distilled spirits, and wine in accordance with state and federal laws.

State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

Paraphernalia

The use, possession, control, **storage**, manufacture, transmission, distribution, dispensation, or sale of paraphernalia related to any prohibited substance is prohibited.

Notice

Each employee shall be given a copy of the College District's notice regarding a drug-free workplace. [See DI(EXHIBIT)]

**Arrests, Indictments, Convictions, and Other Adjudications**

An employee shall notify the employee's immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or offense involving moral turpitude.

Moral Turpitude

Moral turpitude includes but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;

5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
6. Acts constituting abuse under the Texas Family Code.

**Consensual Relationships**

Policy Statement

Consensual relationships between staff members in positions of authority and their subordinates or between faculty members and their students shall not be permitted by the College District.

Any employee in a position of authority and any faculty member need to be sensitive to the potential for sexual harassment, as well as conflicts of interest in personal relationships with subordinate faculty and staff members or with students.

Consensual Relationships That Result in Sexual Harassment

The type of relationship addressed in this policy is one of an amorous or sexual nature. When disparities in authority are present between two individuals involved in a consensual relationship, questions about professional responsibility and sexual harassment may arise. What might appear to be consensual, even to one of the parties involved, may in fact not be so. A faculty member exercises power over students, and an individual in a management/supervisory position exercises power over subordinates and students through praise or criticism, performance evaluations or grades, recommendations for further studies or future employment, or conferral of other benefits; therefore, diminishing the student's or subordinate's actual freedom of choice.

Examples of consensual relationships that might be construed as sexual harassment may include, but are not limited to, situations where:

1. The subordinate party or student in the consensual relationship feels unwanted pressure to become involved in and/or to continue the relationship;
2. The subordinate party or student in the consensual relationship feels compelled to change behavior and/or job duties because of the consensual relationship; and
3. The consensual relationship has the purpose or effect of creating a work or academic environment in which others are negatively affected by the existence of that relationship.

In each of the above instances, the consensual relationships may be deemed sexual harassment. Consensual relationships that involve allegations of sexual harassment shall be handled according to the provisions of the sexual harassment policy. [See DIA series for employees and FFD series for students]

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

**Other Inappropriate  
Consensual  
Relationships**

A consensual relationship between a faculty member or staff member in a position of authority and subordinates or students is inappropriate and shall be considered a violation of College District policy, whether or not such relationships result in sexual harassment. Such consensual relationships may not contain clear elements of sexual harassment. Nonetheless, such relationships can create problems including conflicts of interest, favoritism, and low morale. These relationships often carry the potential for sexual harassment. Such relationships shall be considered sanctionable behavior. Sanctions for inappropriate consensual relationships that do not contain clear elements of sexual harassment may include:

1. Instruction to the parties to terminate the relationship;
2. Transfer of one of the parties to a new department or job responsibility; or
3. Other disciplinary actions, including demotion or termination in severe cases.

Reports of inappropriate consensual relationships that do not contain clear elements of sexual harassment shall follow College District policies and procedures normally used in dealing with misconduct of faculty and staff.

**Dress Code**

The personal appearance and hygiene of each employee affects student success. By presenting a professional appearance, an employee provides a positive model to students, minimizes disruptions, avoids safety hazards, and earns respect for the employee's role at the College District. Employee dress shall be in good taste and shall be modest. It must also be appropriate for the employee's duties and responsibilities. Casual dress may only be worn on days designated for special activities or as designated by the College President. Employees shall avoid extremes of dress, dress that is a distraction to others, and dress that may cause any disruption of work.

**Administration of  
Dress Code**

Each supervisor has the primary responsibility for employees under the supervisor's authority. Questions of consistency may be addressed to the department of human resources. The College President or designee shall have final authority regarding a dispute of this provision.

**Carrying of  
Concealed  
Handguns**

In accordance with law, employees who possess a license to carry a concealed handgun may do so on College District property. The College District expects employees to practice safe gun handling procedures at all times and to report any incidents involving accidental discharges or other incidents involving a concealed handgun.

College District employees are required to keep their handgun concealed at all times unless a situation arises that would cause an employee to justify the use of deadly force. All reports of failure to conceal a handgun shall be investigated. Failure to conceal may result in disciplinary action, which may include termination of employment and/or criminal penalties in accordance with law.

In the event a firearm is discharged by an employee, law enforcement shall be asked to conduct a thorough investigation to determine the cause of the discharge. In conjunction with the police investigation, the human resources office shall work with subject matter experts to review the circumstances of the incident. In the event the discharge was the result of reckless behavior or other negligent action by the employee, disciplinary action may be taken, up to and including termination of employment. Criminal prosecution may be sought, depending on the nature and severity of the event.

College District employees are required to follow all College District policies with respect to locations where weapons are prohibited [see CHF]. Violation may result in disciplinary action, which may include termination of employment, as well as criminal charges in accordance with law.

### **Code of Conduct**

The following code of conduct shall apply to all faculty, staff, employees, and volunteers while they are on the premises of the College District or when they are away representing the College District or attending a College District function.

An employee shall not:

1. Solicit, accept, or agree to accept any benefit, gift, favor, or service that might reasonably tend to influence the employee in the discharge of official duties, or that the employee knows or should know is being offered with the intent to influence official conduct.
2. Intentionally or knowingly solicit, accept, or agree to accept any benefit for exercising the employee's official powers or performing official duties in favor of another.
3. Disclose confidential information, information that is excluded from public disclosure under the Texas Public Information Act (PIA) or the Family Educational Rights and Privacy Act (FERPA) or disclose information that has been ordered sealed by a court and was acquired because of the employee's official position. Additionally, the employee shall not accept other employment, including self-employment, or engage in a business, charity, nonprofit organization, or profes-

sional activity that he or she might reasonably expect would require or induce the employee to disclose confidential information, information that is excluded from public disclosure under the Texas PIA, FERPA, or information that has been ordered sealed by a court that was acquired because of the employee's official position.

4. Accept employment, including self-employment or compensation or engage in a business, charity, nonprofit organization, or professional activity that could reasonably be expected to impair the employee's independence of judgment in performing official duties.
5. Utilize College District time, property, facilities, or equipment for any purpose other than official College District business, unless such use is reasonable and does not result in any direct cost to the College District, interfere with official duties, or interfere with College District functions.
6. Engage in the theft of federal or state funding (including loans or grants), College District property, another employee's property, or a student's property.
7. Influence hiring or employment practices with respect to race, sex, color, or ethnicity, other than the neutral hiring process.
8. Provide or promote differential treatment or special benefits based on race, color, or ethnicity.
9. Mandate trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, sexual orientation, unless developed by an attorney and approved in writing by general counsel and the Coordinating Board for the sole purpose of ensuring compliance with a court order, state, or federal law. Exceptions may be during academic instruction, scholarly research, or creative works and when led by student groups or organizations.
10. Knowingly make misleading statements, either oral or written, or provide false information during official College District business or falsification of College District records, including, but not limited to, timesheets or timecards, leave forms, expense reports, and employment records. This shall also include "punching out" on another employee's timecard or completing another employee's timesheet without a supervisor's permission.

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

11. Engage in any criminal act, except a traffic offense, on College District property or property controlled by the College District.
12. Engage in any political activity while on College District time or utilize College District resources for any political activity.
13. Engage in any act or threat of an act that would place at risk the health or safety of the students, employees, guests, or other individuals on campus and during off-campus activities.

An employee shall:

1. Perform the employee's official duties in a lawful, professional, and ethical manner benefiting the College District;
2. Report any conduct or activity that the employee believes to be in violation of this policy to the College District's human resources department or legal counsel;
3. Maintain a positive and professional work atmosphere by acting and communicating in a manner where the employee respects the rights of guests, students, faculty, and staff while on campus or at any time the employee is representing the College District; and
4. Follow and comply with all College District policies, regulations, or rules.

## Reporting

Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a responsibility under state law to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.

A professional who has reasonable cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child has an additional legal obligation to submit a written or oral report within ~~48~~24 hours after the professional first has reasonable cause to believe the abuse or neglect has occurred or may be occurring. A "professional" is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

A person is required to make a report if the person has reasonable cause to believe that an adult was a victim of abuse or neglect as a child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

### Oral Reports

As required by law, an oral report made to the Texas Department of Family and Protective Services (DFPS) is recorded.

### Making a Report

Reports may be made to any of the following:

1. A ~~state or local~~ law enforcement agency, [as defined by law](#);
2. The Child Protective Services (CPS) division of DFPS at (800) 252-5400 or the [Texas Abuse Hotline Website](#)<sup>1</sup>;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

An individual does not fulfill the person's responsibilities under the law by only reporting suspicion of abuse or neglect to the College

EMPLOYEE STANDARDS OF CONDUCT  
CHILD ABUSE AND NEGLECT REPORTING

DHB  
(LOCAL)

President or another College District staff member. The College District shall not require an employee to first report the employee's suspicion to a College District or campus administrator. An individual may consult with another College District staff member after the report or if the individual is unsure whether to report.

In accordance with law, an individual must provide the individual's name and telephone number. If the individual making the report is a professional, as defined by law, the individual must also provide the individual's business address and profession.

**Confidentiality** The identity of a person making a report of suspected child abuse or neglect shall be kept confidential and shall be disclosed only in accordance with law and the rules of the investigating agency.

**Immunity** A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

**Failure to Report** By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report; and
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

**Responsibilities Regarding Investigations** In accordance with law, College District officials shall be prohibited from:

1. Denying an investigator's request to interview a child on campus in connection with an investigation of child abuse or neglect;
2. Requiring a parent or College District employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

College District personnel shall cooperate fully and without parental consent with an investigation of reported child abuse or neglect.

EMPLOYEE STANDARDS OF CONDUCT  
CHILD ABUSE AND NEGLECT REPORTING

DHB  
(LOCAL)

**Adverse  
Employment Action  
Prohibited**

The College District prohibits any adverse employment action, including termination or discrimination, against any employee who in good faith reports child abuse or neglect or participates in a related investigation.

**Training**

The College District shall provide training to employees as required by law. Training shall address reporting requirements and techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children.

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<sup>1</sup> Texas Abuse Hotline Website: <https://www.txabusehotline.org>

ASSIGNMENT, WORK LOAD, AND SCHEDULES  
TELEWORK

DJA  
(LOCAL)

Eligible employees may be permitted to telework in accordance with procedures developed by the College President.

TERMINATION OF EMPLOYMENT

DM  
(LOCAL)

**At-Will Employees**

The Board delegates to the College President final authority to dismiss noncontractual employees on an at-will basis. At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the College District.

At-will employees who are dismissed may request review of that decision through DGBA(LOCAL) and shall receive pay through the end of the last day worked.

**Core Course  
Substitution**

~~All degrees awarded by the College District shall require the completion of a general education core as prescribed by the Texas Education Code and established as a result of Senate Bill 148.~~ **Core Curriculum**

The College District is responsible for the development of its core curriculum, subject to the approval of the College President and the Board.

All degrees awarded by the College District shall require the completion of a general education core as prescribed by the Education Code.

To ensure that students experience the breadth of knowledge required by the ~~Texas Higher Education~~ Coordinating Board (THECB), the College District shall not approve course substitutes for core requirements. However, if a student took a course that met an area of core at a non-public Texas institution or any out-of-state institution, the College District shall accept that course as having met that same area of the College District core, even if the course is not listed among the College District's approved core, provided that the course meets the exemplary objective set for that core area.

**General Education  
Curriculum Review**

Comprehensive  
Review

"General education curriculum" means a core curriculum and any other curriculum or competency all undergraduate students of the College District are required to complete before receiving an undergraduate degree.

The Board shall comprehensively review the College District's general education curriculum every five years but may review it more frequently at the Board's discretion. The Board shall consider the potential costs the curriculum may impose on students and ensure courses in the curriculum:

1. Are foundational and fundamental to a sound postsecondary education;
2. Are necessary to prepare students for civic and professional life;
3. Equip students for participation in the workforce and in the betterment of society;
4. Ensure a breadth of knowledge in compliance with applicable accreditation standards; and
5. Meet any other relevant criteria, as determined by the Board.

Review of  
Curriculum  
Changes

The College President or designee shall annually submit an update regarding any changes to the College District's general education curriculum to the Board 45 days before submitting changes to the Coordinating Board, or July 15, whichever is earlier. The Board may overturn any decision regarding changes to the general education curriculum.

**Advisory Committee** The Board may appoint a committee to assist in its review of the general education curriculum. Members of the committee may include full-time faculty, College District administrators, community leaders, industry representatives, and other individuals selected by the Board.

The Board shall determine the types of degrees and certificates to be awarded by the College District. The degrees and certificates offered by the College District and the associated recommended course sequences developed by the College District administration shall be described in the College District catalog and on the College District website.

**Low-Enrollment  
Certificate Program  
Review**

The College President shall develop procedures for reviewing certificate programs with low enrollment that may require consolidation or elimination. The criteria for review must require that certificate programs have specific industry data to substantiate workforce demand to avoid consideration for consolidation or elimination. The College President shall conduct a review once every five years.

The Board shall approve or deny any decision made by the College President to consolidate or eliminate a certificate program as a result of the review.

### Admissions Generally

The College District has an open admissions policy that ensures that all persons who can benefit from postsecondary education have an opportunity to enroll. The College District shall not discriminate on the basis of race, color, sex, national origin, religion, disability, age, or military status in admissions.

Admission to the College District does not guarantee admittance to a particular course or program of study. A student may be required to satisfy certain requirements before enrolling in particular courses of study.

The Board, in collaboration with the ~~College President~~ College President, shall develop procedures for student admissions, including any additional course admission requirements. The procedures shall be published in the College District catalog and other relevant College District publications.

### Academic Fresh Start

A resident of Texas may apply for admission and enroll as a student under the Academic Fresh Start program pursuant to the admissions procedures.

If an applicant elects to seek admission under the Academic Fresh Start program, the College District, in considering an applicant for admission, shall not consider academic course credits or grades earned by the applicant 10 or more years prior to the starting date of the semester in which the applicant seeks to enroll. The College District shall disregard all course credits or grades earned during the 10 years prior to the student's enrollment and may not award any credit for those courses. [See EGA]

REGISTRATION AND ATTENDANCE

FC  
(LOCAL)

The ~~College President~~ College President shall develop procedures addressing registration and attendance requirements, including procedures for all excused absences consistent with applicable law. The registration and attendance procedures shall be published in the College District catalog, official bulletins, and other appropriate publications.

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**Note:** For expression and use of College District facilities and grounds by employees and employee organizations, see DGC. For expression and use of College District facilities and grounds by the community, including by nonstudents and organizations that are not registered student organizations, see GD.

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**Definitions**

For purposes of this policy, “antisemitism” shall have the meaning prescribed by Texas Government Code Section 448.001(2). [See DGC(LEGAL)]

**Expressive Activities**

Students and student organizations may engage in expressive activities in accordance with this policy. "Expressive activities" means any speech or expressive conduct protected by the First Amendment to the U.S. Constitution or by Texas Constitution Article I, Section 8, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions.

**Prohibited Speech and Conduct**

The term “expressive activities” does not include the following speech and conduct, which is prohibited on College District facilities and grounds and through the use of College District technology and networks:

1. Defamatory statements about public figures or others;
1. Prohibited harassment or antisemitism [see DIAA, DIAB, FFDA, and FFDB];
2. Incitement to imminent lawless or disruptive activity;
3. Obscenity; or
4. Threats to engage in unlawful activity.

The following conduct is also prohibited:

1. Engaging in unlawful conduct.
2. Engaging in expressive activities that materially and substantially disrupt College District operations at any time, including from 10:00 p.m. to 8:00 a.m. and during the last two weeks of each semester or term.
3. Engaging in expressive activities that materially and substantially disrupt College District operations by inviting speakers to speak on campus or by using drums or other percussive instruments during the last two weeks of a semester or term.

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4. Using a sound amplification device while engaging in expressive activities during class hours, between 10:00 p.m. to 8:00 a.m., and during the last two weeks of each semester or term to intimidate others, interfere with campus operations, or interfere with a College District employee's or a peace officer's lawful performance of a duty.
2. Camping or erecting tents or other living accommodations, with the exception of reasonable use and modifications of assigned College District housing consistent with administrative regulations. This prohibition applies to shelters that are erected for the purpose of residing within the shelter. It does not apply to other shelters that are erected on a temporary basis to provide protection from the weather or, with approval granted by the vice president of student services in accordance with administrative procedures, for special events.
3. Wearing a disguise or other means of concealing a person's identity while engaging in expressive activities with the intent, as determined by the vice president of student services or a law enforcement officer, to:
  - a. Obstruct the enforcement of law or College District policies and regulations by avoiding identification;
  - b. Intimidate others; or
  - c. Interfere with a College District employee's or a peace officer's lawful performance of a duty.
4. Lowering the College District's U.S. or Texas flag with the intent to raise another nation's flag or the flag representing an organization or group of people.
5. Engaging in expressive activities in a manner that would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts.
6. Damaging or defacing property.

**Distribution of Literature**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any College District student or registered student organization [see FKC], except in accordance with this policy.

The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by

	<p>students or registered student organizations that is not sponsored by the College District.</p> <p>Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be governed by this policy.</p>
Limitations on Content	<p>Materials shall not be distributed by students or registered student organizations on College District property if:</p> <ol style="list-style-type: none"><li><del>1. The materials are obscene.</del></li><li><del>2. The materials contain defamatory statements about public figures or others.</del></li><li><del>3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.</del></li><li><del>4.1. The materials are or contain expression that is unlawful or disruptive to the operations of the College District, including, but not limited to, materials or expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism.</del> constitute prohibited speech, described above.</li><li><del>5.2.</del> The materials constitute impermissible solicitation. [See FI]</li><li><del>6.3.</del> The materials infringe upon intellectual property rights of the College District. [See CT]</li></ol>
Time, Place, and Manner Restrictions	<p>Distribution of the materials shall be conducted in a manner that:</p> <ol style="list-style-type: none"><li>Is not materially and substantially disruptive to College District operations; [See FLB]</li><li>Does not impede reasonable access to College District facilities;</li><li>Does not result in damage to College District property;</li><li>Does not coerce, badger, or intimidate a person;</li><li>Does not interfere with the rights of others; and</li><li>Does not violate local, state, or federal laws or College District policies and procedures.</li></ol> <p>The distributor shall clean the area around which the literature was distributed of any materials that were discarded or leftover.</p> <p>The vice president of student services shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distrib-</p>

	<p>uted by students or registered student organizations to students or others in College District facilities and in areas that are not considered common outdoor areas.</p>
Posting of Signs	<p>For the purposes of this policy, “sign” shall be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and “posting” shall be defined as any means used for displaying a sign.</p> <p>Except for signs that violate the restrictions in this policy and administrative procedures, a student or registered student organization may publicly post a sign on College District property in common outdoor areas and in areas or locations designated by the vice president of student services. No object other than a sign may be posted on College District property.</p>
Restrictions	<p>A sign shall not be larger than 24 inches by 24 inches, unless authorized by the vice president of student services. A sign shall not be attached or posted:</p> <ol style="list-style-type: none"><li>1. To a shrub or plant;</li><li>2. To a tree, except by string to its trunk;</li><li>3. To a permanent sign installed for another purpose;</li><li>4. To a fence or chain or its supporting structure;</li><li>5. To a brick, concrete, or masonry structure;</li><li>6. To a statue, monument, or similar structure;</li><li>7. On or adjacent to a fire hydrant; or</li><li>8. In a College District building, except on a bulletin board designated for that purpose.</li></ol>
Removal	<p>A student or registered student organization shall remove each sign not later than 14 days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended.</p> <p>A sign posted in accordance with this section shall not be removed without permission from the vice president of student services, the student, or the registered student organization.</p>
Disclaimer	<p>Materials distributed by a registered student organization must include a disclaimer indicating that the materials are not sponsored by the College District and do not represent the views of the College District or College District officials, faculty, or staff.</p>

**Use of Facilities and  
Grounds**

The facilities and grounds of the College District shall be made available to students or registered student organizations [see FKC] when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting students or student organization shall pay all expenses incurred by their use of facilities in accordance with a fee schedule developed by the Board.

Requests to Use  
Facilities

To request permission to meet or host a speaker in College District facilities, interested students or registered student organizations shall file a written request with the executive administrator in accordance with administrative procedures.

The students or the registered student organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.

*Approval*

The executive administrator shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint, or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that [the use would be prohibited conduct, described above, or that:](#)

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes impermissible solicitation [see FI];
- ~~4.—The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~
- 5.4. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
- ~~6.—The proposed activity would disrupt or disturb the regular academic program;~~

~~7.5. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or~~

~~8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group; or~~

~~9.6. The proposed use would constitute expression that is unlawful or disruptive to the operations of the College District, including but not limited to, expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism.~~

The executive administrator shall provide the applicant a written statement of the grounds for rejection if a request is denied.

Common Outdoor  
Area  
Exception Areas

~~Common outdoor areas are traditional public forums and are not subject to the approval procedures.~~ Students and student organizations may engage in expressive activities in common outdoor areas, unless:

~~10. The person's conduct is unlawful, including but not limited to, expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism;~~

~~11. The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~

~~12. The use would materially or substantially disrupt or disturb the regular academic program; or~~

~~The use would result in damage to or defacement of property without prior approval, unless the activities constituted prohibited speech or conduct described above.~~

Announcements  
and Publicity

In accordance with administrative procedures, all students and registered student organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.

Identification

Students or registered student organizations distributing materials on campus or using College District facilities shall provide identification when requested to do so by a College District representative [engaging in official duties](#).

Violations of Policy

Failure to comply with [law](#) or this policy and associated procedures shall result in appropriate administrative action, including but not limited to, confiscation of nonconforming materials, suspension of a student's or registered student organization's use of College Dis-

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strict facilities, and/or other disciplinary action up to and including suspension and/or expulsion. [See FM and FMA]

Interference with  
Expression

Faculty members, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures [see DH, FM, and FMA].

**Appeals**

Decisions made by the administration in accordance with this policy may be appealed in accordance with DGBA(LOCAL) or FLD(LOCAL), as applicable.

**Publication**

This policy and associated procedures must be posted on the College District's website and distributed in the student and employee handbooks and other appropriate publications. They must also be distributed to students at orientation.

**Definitions**

Definitions of terms used in this policy shall be as follows.

**Student**

A “student” shall mean an individual who is currently enrolled in the College District and any prospective or former student who has been accepted for admission or readmission to any component institution while on the premises of any component institution.

**Premises**

The “premises” of the College District is defined as all real property over which the College District has possession and control.

**Scholastic Dishonesty**

“Scholastic dishonesty” shall include, but not be limited to, cheating, plagiarism, improper use of artificial intelligence (AI), and collusion.

“Cheating” shall include, but not be limited to:

1. Copying from another student’s test or class work;
2. Using test materials not authorized by the person administering the test;
3. Collaborating with or seeking aid from another student during a test without permission from the test administrator;
4. Knowingly using, buying, selling, stealing, or soliciting, in whole or in part, the contents of an unadministered test, paper, or another assignment;
5. The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test;
6. Substituting for another student, or permitting another student to substitute for oneself, to take a test;
7. Bribing another person to obtain an unadministered test or information about an unadministered test; or
8. Manipulating a test, assignment, or final course grades.

“Plagiarism” shall be defined as the appropriating, buying, receiving as a gift, or obtaining by any means another’s work and the unacknowledged submission or incorporation of it in one’s own written work.

“Collusion” shall be defined as the unauthorized collaboration with another person in preparing written work for fulfillment of course requirements.

“Artificial intelligence” shall be defined as AI generative programs in the instructions for a specific assignment or on the syllabus or such accommodation has been granted by the Office of Accessibility Services. Students should only use sources that have been per-

mitted by their instructor. For more information, students should consult the student handbook.

**Disorderly Conduct**

“Disorderly conduct” shall include any of the following activities occurring on premises owned or controlled by the College District:

1. Behavior of a boisterous and tumultuous character such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
2. Interference with the peaceful and lawful conduct of persons under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
3. Violent and forceful behavior at any time such that there is a clear and present danger that free movement of other persons will be impaired.
4. Behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or fights.
5. Violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
6. Willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when there is reason to believe that such conduct will cause or provoke a disturbance.
7. Willful and malicious behavior that obstructs or causes the obstruction of any doorway, hall, or any other passageway in a College District building to such an extent that the employees, officers, and other persons, including visitors, having business with the College District are denied entrance into, exit from, or free passage in such building.

**Responsibility**

Each student shall be charged with notice and knowledge of, and shall be required to comply with, the contents and provisions of the College District’s rules and regulations concerning student conduct.

All students shall obey the law, show respect for properly constituted authority, and observe correct standards of conduct. Each student shall be expected to:

1. Demonstrate courtesy, even when others do not;

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2. Behave in a responsible manner, always exercising self-discipline;
3. Attend all classes, regularly and on time;
4. Prepare for each class and take appropriate materials and assignments to class;
5. Obey all classroom rules;
6. Respect the rights and privileges of students, faculty, and other College District staff and volunteers;
7. Respect the property of others, including College District property and facilities; and
8. Cooperate with and assist the College District staff in maintaining safety, order, and discipline.

**Prohibited Conduct**

Federal, State, and  
Local Law

Violations of federal, state, or local law or College District policies, procedures, or rules, including the student handbook shall be prohibited.

Prohibited Weapons  
and Devices

Possession, distribution, sale, or use of firearms, location-restricted knives, clubs, knuckles, firearm silencers, or other prohibited weapons or devices in violation of law or College District policies and procedures shall be prohibited. [See CHF]

Drugs and Alcohol

Behaviors regarding drugs and alcohol and associated paraphernalia shall be prohibited as described in policy FLBE.

Debts

Owing a monetary debt to the College District that is considered delinquent or writing an "insufficient funds" check to the College District shall be prohibited.

Disruptions

"Disorderly conduct," as defined above, or disruptive behavior shall be prohibited.

Behavior Targeting  
Others

The following behavior targeting others shall be prohibited:

1. Threatening another person, including a student or employee;
2. Intentionally, knowingly, or negligently causing physical harm to any person;
3. Engaging in conduct that constitutes harassment, sexual assault, dating violence, stalking, or bullying directed toward another person, including a student or employee; [See DIA series, FFD series, FFE, and FFEFM as appropriate]
4. Hazing with or without the consent of a student; [See FLBC]

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5. Initiations by organizations that include features that are dangerous, harmful, or degrading to the student, a violation of which also renders the organization subject to appropriate discipline; **and**
- ~~6. Endangering the health or safety of members of the College District community or visitors to the premises; **and**~~
- ~~7.6. Bullying, harassment (to include discriminatory harassment), and/or conduct or expression (verbal or written) that is considered prohibited antisemitism. [See FLA(LOCAL)].~~

Property

The following behavior regarding property shall be prohibited:

1. Intentionally, knowingly, or negligently defacing, damaging, misusing, or destroying College District property or property owned by others;
2. Stealing from the College District or others; and
3. Theft, sabotage, destruction, distribution, or other use of the intellectual property of the College District or third parties without permission.

Directives

Failure to comply with directives given by College District personnel and failure to provide identification when requested to do so by College District personnel shall be prohibited.

Tobacco and E-cigarettes

Possession or use of tobacco products or e-cigarettes outside of approved areas on College District property without authorization shall be prohibited. [See FLBD]

Misuse of Technology

The following behavior regarding misuse of technology shall be prohibited:

1. Violating policies, rules, or agreements signed by the student regarding the use of technology resources;
2. Attempting to access or circumvent passwords or other security-related information of the College District, students, or employees or uploading or creating computer viruses;
3. Attempting to alter, destroy, disable, or restrict access to College District technology resources including but not limited to computers and related equipment, College District data, the data of others, or other networks connected to the College District's system without permission;
4. Using the internet or other electronic communications to threaten College District students, employees, or volunteers;

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5. Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal;
6. Using electronic means to engage in or encourage illegal behavior or threaten the safety of the College District, students, employees, or visitors; and
7. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten the safety of the College District, students, employees, or visitors.

**Dishonesty**

The following behavior regarding dishonesty shall be prohibited:

1. Scholastic dishonesty, as defined above;
2. Making false accusations or perpetrating hoaxes regarding the safety of the College District, students, employees, or visitors;
3. Intentionally or knowingly providing false information to the College District; and
4. Intentionally or knowingly falsifying records, passes, or other College District-related documents.

**Gambling and Other Conduct**

Gambling or engaging in any other conduct that College District officials might reasonably believe will substantially disrupt the College District program or incite violence shall be prohibited.

**Discipline**

A student shall be subject to discipline, including suspension and/or expulsion, in accordance with FM and FMA if the student violates this policy:

1. While on College District premises;
2. While attending a College District activity; or
3. While elsewhere if the behavior adversely impacts the educational environment or otherwise interferes with the College District's operations or objectives.

**Publication**

The student conduct rules contained in this policy and any other conduct rules of the College District developed by the College President shall be published in the student handbook.

### Alcohol

A student shall be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, selling, or being under the influence of intoxicating beverages on College District property, in College District vehicles, and at College District-related activities. With the prior consent of the Board or the ~~College President~~ College President, these provisions may be waived with respect to a specific location on College District property or a specific event that is sponsored by the College District.

State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

### Controlled Substances

No student shall possess, use, control, ~~store~~, manufacture, transmit, distribute, sell, or attempt to possess, use, control, ~~store~~, manufacture, transmit, distribute, sell, or be under the influence of, any of the following substances on College District property, in College District vehicles, or at College District-related activities:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation.
3. Any performance-enhancing substance, including steroids.
4. Any designer drug.
5. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances shall also be prohibited under this policy.

### Exceptions

It shall not be considered a violation of this policy if the student:

1. Uses ~~or possesses~~, possesses, or stores a controlled substance or drug authorized by a licensed physician through a prescription specifically for that student's use;
2. Possesses or stores a controlled substance or drug that a licensed physician has prescribed for the student's child or other individual for whom the student is a legal guardian;
3. Cultivates, possesses, transports, or sells hemp as authorized by law; or
4. Possesses, sells, or distributes Dextromethorphan.

**Paraphernalia**

The use, possession, control, [storage](#), manufacture, transmission, distribution, or sale of paraphernalia related to any prohibited substance is prohibited.

**Violation**

Students who violate this policy shall be subject to appropriate disciplinary action. [See FM and FMA] Such disciplinary action may include referral to drug and alcohol counseling or rehabilitation programs or student assistance programs, suspension, expulsion, and referral to appropriate law enforcement officials for prosecution.

**Notice**

Each student taking one or more classes for any type of academic credit except for continuing education units shall be given a copy of the College District's policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol, a description of the applicable legal sanctions under local, state, or federal law, and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

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<b>Guiding Principles</b>	<p>The College District encourages students to discuss their concerns with the appropriate instructor or other campus administrator who has the authority to address the concerns.</p> <p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>
Informal Process	
Formal Process	<p>A student may initiate the formal process described below by timely filing a written complaint.</p> <p>Even after initiating the formal complaint process, students are encouraged to seek informal resolution of their concerns. A student whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
<b>Freedom from Retaliation</b>	<p>Neither the Board nor any College District employee shall unlawfully retaliate against any student for bringing a concern or complaint.</p>
<b>Notice to Students</b>	<p>The College District shall inform students of this policy through appropriate College District publications.</p>
<b>Complaints</b>	<p>In this policy, the terms “complaint” and “grievance” shall have the same meaning.</p>
Other Complaint Processes	<p>Student complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FLD after the relevant complaint process:</p> <ol style="list-style-type: none"><li>1. Complaints alleging discrimination or harassment based on race, color, sex, gender, national origin, disability, age, or religion. [See FFDA and FFDB]</li><li>2. Complaints concerning retaliation relating to discrimination and harassment. [See FFDA and FFDB]</li><li>3. Complaints concerning disciplinary decisions. [See FMA]</li><li>4. Complaints concerning a commissioned peace officer who is an employee of the College District. [See <a href="#">CHACGF</a>]</li><li>5. Complaints concerning the withdrawal of consent to remain on campus. [See GDA]</li></ol>

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<b>Notice to Students</b>	The College District shall inform students of this policy through appropriate College District publications and on the College District's website.
<b>Informal Process</b>	<p>The College District encourages students to discuss their concerns with the appropriate faculty member or campus administrator who has the authority to address the concerns.</p> <p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>
<b>Formal Process</b>	<p>A student may initiate the formal process described below by filing a written complaint within 15 business days of the date the student first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.</p> <p>The complaint shall be filed with the lowest level administrator who has the authority to remedy the alleged problem.</p> <p>If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the College President, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.</p> <p>If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint was received and immediately forward the complaint to the appropriate administrator.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.</p>
Option to Continue Informal Process	Even after initiating the formal complaint process, students are encouraged to seek informal resolution of their concerns. A student whose concerns are resolved may withdraw a formal complaint at any time.
<b>Freedom from Retaliation</b>	Neither the Board nor any College District employee shall unlawfully retaliate against any student for bringing a concern or complaint.
<b>General Provisions</b> Filing	All written complaints and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by

the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling  
Conferences

The College District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student fails to appear at a scheduled conference, the College District may hold the conference and issue a decision in the student's absence.

Response

At Levels One, Two, and Three, "response" shall mean a written communication to the student from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's email address of record, or sent by U.S. Mail to the student's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean College District business days, [unless otherwise noted](#). In calculating ~~time lines~~[timelines](#) under this policy, the day a document is filed is "day zero." The following [business](#) day is "day one."

Representative

"Representative" shall mean any person who or organization that is designated by the student to represent the student in the complaint process.

The student may designate a representative through written notice to the College District at any level of this process. If the student designates a representative with fewer than three days' notice to the College District before a scheduled conference or hearing, the College District may reschedule the conference or hearing to a later date, if desired, in order to include the College District's counsel. The College District may be represented by counsel at any level of the process.

Consolidating  
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the College District may consolidate the complaints.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a written complaint or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student, at any point during the complaint process. The student may appeal the dismissal by seeking review in writing within ~~ten~~10 days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaints and Appeals in Writing

Complaints and appeals under this policy shall be submitted in writing to the College District.

Copies of any documents that support the complaint should be attached to the complaint. If the student does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student unless the student did not know the documents existed before the Level One conference.

A written complaint or appeal that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing.

**Level One**

~~Written complaints must be filed:~~

- ~~6. Within 15 days of the date the student first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and~~
- ~~7. With the lowest level administrator who has the authority to remedy the alleged problem.~~

~~In most circumstances, students shall file Level One complaints with the department chairperson or appropriate dean. If the only administrator who has authority to remedy the alleged problem is the Level Two or Level Three administrator, the complaint may begin at Level Two or Level Three, respectively, following the procedure, including deadlines, for filing the complaint at Level One.~~

~~If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the written~~

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<p><del>The appropriate administrator shall investigate as necessary and schedule a conference with the student within ten</del> <b>Remand Record</b></p>	<p><del>complaint was received and immediately forward the complaint to the appropriate administrator.</del></p> <p>A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the student who filed the complaint, documents determined relevant by College District personnel, and the decision.</p> <p>A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.</p> <p>If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.</p>
<p><b>Investigation</b></p>	<p>The College District may conduct an investigation at any level in the complaint process. If the College District and the student mutually agree, all deadlines shall be suspended during an investigation.</p>
<p><b>Audio Recording</b></p>	<p>As provided by law, a student shall be permitted to make an audio recording of a hearing under this policy at which the substance of the student's complaint is discussed. The student shall notify all attendees present that an audio recording is taking place.</p>
<p><b>Complaint Levels</b> Level One</p>	<p>The appropriate administrator shall schedule a conference with the student within 10 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.</p>
	<p>Absent extenuating circumstances, the administrator shall provide the student a written response within <del>ten</del>10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.</p>
<p>Level Two</p>	<p>If the student did not receive the relief requested at Level One or if the time for a response has expired, the student may request a conference with the appropriate dean or vice president to appeal the Level One decision.</p>
	<p>The appeal notice must be filed in writing, within <del>ten</del>10 days of the date of the written Level One response or, if no response was received, within <del>ten</del>10 days of the Level One response deadline.</p>

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student may request a copy of the Level One record.

The Level One record shall include:

1. The original written complaint and any attachments.
2. All other documents submitted by the student at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Level Two administrator shall schedule a conference within ~~ten~~10 days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One and identified in the Level Two appeal notice. At the conference, the student may provide information concerning any documents or information relied ~~on~~upon by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.

The Level Two administrator shall provide the student a written response within ~~ten~~10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

### Level Three

If the student did not receive the relief requested at Level Two or if the time for a response has expired, the student may request a conference with the College President or designee to appeal the Level Two decision.

The appeal notice must be filed in writing, within ~~ten~~10 days of the date of the written Level Two response or, if no response was received, within ~~ten~~10 days of the Level Two response deadline.

After receiving notice of the appeal, the Level Two administrator shall prepare and forward a record of the Level Two complaint to the Level Three administrator. The student may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The written response issued at Level Two and any attachments.
3. All other documents relied upon by the Level Two administrator in reaching the Level Two decision.

The Level Three administrator shall schedule a conference within ~~ten~~10 days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level Two. At the conference, the student may provide information concerning any documents or information relied ~~on~~upon by the administration for the Level Two decision. The Level Three administrator may set reasonable time limits for the conference.

The Level Three administrator shall provide the student a written response within ~~ten~~10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Three administrator may consider the Level One and Level Two ~~record~~records, information provided at the Level Three conference, and any other relevant documents or information the Level Three administrator believes will help resolve the complaint.

Recordings of the Level One, Level Two, and Level Three conferences, if any, shall be maintained with the Level One, Level Two, and Level Three records.

#### Level Four

If the student did not receive the relief requested at Level Three or if the time for a response has expired, the student may appeal the decision to the Board.

The appeal notice must be filed in writing, within ~~ten~~10 days after receipt of the written Level Three response, or, if no response was received, within ~~ten~~10 days of the Level Three response deadline.

The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The College President or designee shall provide the Board the record of the Level Three complaint. The student may request a copy of the Level Three record.

The Level Three record shall include:

1. The Level One record.
2. The Level Two record.

3. The written response issued at Level Three and any attachments.
4. All other documents relied upon by the ~~administration~~ Level Three administrator in reaching the Level Three decision.

The appeal shall be limited to the issues and documents considered at Level Three, except that if at the Level Four hearing the administration intends to rely on evidence not included in the Level Three record, the administration shall provide the student notice of the nature of the evidence at least three days before the hearing.

The College District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Four presentation. The Level Four presentation, including the presentation by the student or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Three.

## Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

### Other Complaint Processes

Complaints from the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GB after the relevant complaint process:

1. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CGF]
2. Complaints concerning the withdrawal of consent to remain on campus. [See GDA]

## Guiding Principles

### Informal Process

The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

### Formal Process

An individual may initiate the formal process described below by ~~timely~~ filing a written complaint form **within 15 business days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.**

~~Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time~~The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the College President, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board

	<p>policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
<p>Option to Continue Informal Process</p>	<p>Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.</p>
<p><b>Freedom from Retaliation</b></p>	<p>Neither the Board nor any College District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.</p>
<p><b>Complaints</b></p>	<p><del>In this policy, the terms “complaint” and “grievance” shall have the same meaning.</del></p>
<p><del>Other Complaint Processes</del></p>	<p><del>Complaints from the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GB after the relevant complaint process:</del></p> <p><del>1. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CHA]</del></p> <p><del>Complaints concerning the withdrawal of consent to remain on campus. [See GDA]</del></p>
<p><b>General Provisions</b></p> <p>Filing</p>	<p>Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.</p>
<p>Scheduling Conferences</p>	<p>The College District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the College District may hold the conference and issue a decision in the individual’s absence.</p>
<p>Response</p>	<p>At Levels One and Two, “response” shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the individual’s email address of record, or sent by U.S. Mail to the individual’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.</p>

PUBLIC COMPLAINTS AND HEARINGS

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Days	<p>“Days” shall mean College District business days, <a href="#">unless otherwise noted</a>. In calculating <a href="#">time-linestimelines</a> under this policy, the day a document is filed is “day zero.” The following <a href="#">business</a> day is “day one.”</p>
Representative	<p>“Representative” shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.</p> <p>The individual may designate a representative through written notice to the College District at any level of this process. If the individual designates a representative with fewer than three days’ notice to the College District before a scheduled conference or hearing, the College District may reschedule the conference or hearing to a later date, if desired, in order to include the College District’s counsel. The College District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p><a href="#">When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the College District may consolidate the complaints.</a></p>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within <a href="#">ten10</a> days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the College District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, <a href="#">theycopies</a> may be presented at the Level One conference. After the Level One conference, no new docu-</p>

ments may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing.

### Level One

~~Complaint forms must be filed:~~

~~2. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and~~

~~3. With the lowest level administrator who has the authority to remedy the alleged problem.~~

~~If the only administrator who has authority to remedy the alleged problem is the College President or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.~~

~~The appropriate administrator shall investigate as necessary and schedule a conference with the individual within ten~~  
Remand  
Record

A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the individual who filed the complaint, documents determined relevant by College District personnel, and the decision.

A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.

If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.

### Investigation

The College District may conduct an investigation at any level in the complaint process. If the College District and the complainant mutually agree, all deadlines shall be suspended during an investigation.

### Audio Recording

As provided by law, an individual shall be permitted to make an audio recording of a hearing under this policy at which the substance of the individual's complaint is discussed. The individual shall notify all attendees present that an audio recording is taking place.

### Complaint Levels

#### Level One

The appropriate administrator shall schedule a conference with the individual within 10 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Level Two

Absent extenuating circumstances, the administrator shall provide the individual a written response within ~~ten~~10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information ~~the administrator believes will help resolve the complaint.~~

If the individual did not receive the relief requested at Level One or if the time for a response has expired, ~~he or she~~the individual may request a conference with the ~~College President~~College President or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the College District, within ~~ten~~10 days of the date of the written Level One response or, if no response was received, within ~~ten~~10 days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Level Two administrator shall schedule a conference within ~~ten~~10 days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One ~~and identified in the Level Two appeal notice.~~ At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.

The Level Two administrator shall provide the individual a written response within ~~ten~~10 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any

other relevant documents or information the Level Two administrator believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, ~~he or she~~the individual may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the College District, within ~~ten~~10 days of the date of the written Level Two response or, if no response was received, within ~~ten~~10 days of the Level Two response deadline.

The ~~College President~~College President or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The ~~College President~~College President or designee shall provide the Board with the record of the Level Two complaint. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The written response issued at Level Two and any attachments.
3. All other documents relied upon by the ~~administration~~Level Two administrator in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The College District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or ~~his or her~~ the individual's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board ~~does not make~~ fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

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**Note:** For expression and use of College District facilities and distribution of literature by students and registered student organizations, see FLA. For expression and use of College District facilities by employees and employee organizations, see DGC. For use of the College District's internal mail system, see CHE.

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### Expressive Activities

Community members and community organizations may engage in expressive activities in accordance with this policy. "Expressive activities" means any speech or expressive conduct protected by the First Amendment to the U.S. Constitution or by Texas Constitution Article I, Section 8, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions.

### Prohibited Speech and Conduct

The term "expressive activities" does not include the following speech and conduct, which is prohibited on College District facilities and grounds and through the use of College District technology and networks:

1. Defamatory statements about public figures or others;
1. Prohibited harassment or antisemitism [see DIAA, DIAB, FFDA, and FFDB];
2. Incitement to imminent lawless or disruptive activity;
3. Obscenity; or
4. Threats to engage in unlawful activity.

The following conduct is also prohibited:

1. Engaging in unlawful conduct.
2. Engaging in expressive activities that materially and substantially disrupt College District operations at any time, including from 10:00 p.m. to 8:00 a.m. and during the last two weeks of each semester or term.
3. Engaging in expressive activities that materially and substantially disrupt College District operations by inviting speakers to speak on campus or by using drums or other percussive instruments during the last two weeks of a semester or term.
4. Using a sound amplification device while engaging in expressive activities during class hours, between 10:00 p.m. to 8:00 a.m., and during the last two weeks of each semester or term to intimidate others, interfere with campus operations, or inter-

Interfere with a College District employee's or a peace officer's lawful performance of a duty.

2. Camping or erecting tents or other living accommodations, with the exception of reasonable use and modifications of assigned College District housing consistent with administrative regulations. This prohibition applies to shelters that are erected for the purpose of residing within the shelter. It does not apply to other shelters that are erected on a temporary basis to provide protection from the weather or, with approval granted by the College President or designee in accordance with administrative procedures, for special events.
3. Wearing a disguise or other means of concealing a person's identity while engaging in expressive activities with the intent, as determined by the College President or designee or a law enforcement officer to:
  - a. Obstruct the enforcement of law or College District policies and regulations by avoiding identification;
  - b. Intimidate others; or
  - c. Interfere with a College District employee's or a peace officer's lawful performance of a duty.
4. Lowering the College District's U.S. or Texas flag with the intent to raise another nation's flag or the flag representing an organization or group of people.
5. Engaging in expressive activities in a manner that would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts.
6. Damaging or defacing property.

**Use of College  
District Facilities**

The grounds and facilities of the College District shall be made available to members of the College District community and community organizations, including College District-support organizations, when such use is for educational, recreational, civic, or social activities and the use does not conflict with use by, or any of the policies and procedures of, the College District.

**Facilities Used as  
Polling Places**

The College District shall make its buildings available as polling places in accordance with GD(LEGAL) and Election Code 43.031(c).

During the time that the College District is serving as a polling place, electioneering activities, including the posting of political signs, shall be allowed on campus except in areas prohibited by

state law. The College District enacts the following reasonable regulations concerning electioneering:

- No political sign shall be larger than 24 inches by 24 inches.
- No political sign shall be attached to any College District-owned property.
- Each political sign shall be installed using a stake of 1/4 inch diameter or less.
- No electioneering activity, including the posting of political signs, shall pose a hazard to the health or safety to any person on the College District campus.
- No electioneering activity, including the posting of political signs, shall cause damage to any public or private property on the College District campus.
- No electioneering activity, including the posting of political signs, shall cause any disruption to the educational processes on the College District campus.
- All electioneering activity shall cease immediately after the closing of the polling place on College District property, and all political signs shall be removed within 24 hours after the closing of the polling place.

Requests to Use  
Facilities

To request permission to meet in College District facilities, interested community members or organizations shall file a written request with the College President or designee in accordance with administrative procedures.

The community members or organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.

Approval

Requests for community use of College District facilities shall be considered on a first-come, first-served basis.

The College President or designee shall approve or reject the request in accordance with provisions of and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint, or other content of the speech likely to be associated with the community members' or organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that [the use would be prohibited conduct, described above, or that:](#)

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
- ~~1.~~—The applicant is subject to a sanction [see Violations of Policy, below] prohibiting the use of the facility;
- ~~2.7.~~—~~The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~
- 3.—The applicant owes a monetary debt to the College District and the debt is considered delinquent;
- ~~4.8.~~—~~The proposed activity would disrupt or disturb the regular academic program;~~ or
- 5.9. The ~~proposed use would result in damage to or defacement of property or the~~ applicant has previously damaged College District property.

*Common  
Outdoor Area  
Exception*

~~Common outdoor areas are traditional public forums and are not subject to the approval procedures.~~

Community Designated Public Forums

The Board shall designate common outdoor areas where community members and organizations may engage in expressive activities in common outdoor areas, unless:

- ~~6.~~—The person's conduct is unlawful, including but not limited to, expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism, as that term is defined in Texas Government Code Section 448.001(2); [See GD(LEGAL)]
- ~~7.~~—The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
- ~~8.~~—The use would materially or substantially disrupt or disturb the regular academic program; or

~~The use would result in damage to or defacement of property, without prior approval, in expressive activities that do not constitute prohibited speech or conduct. Those areas will be published on the College District website and in other appropriate publications.~~

*For-Profit Use*

The College District shall not permit individuals or for-profit organizations to use its facilities, with the following exceptions:

1. For-profit organizations may present public performances of music or drama for up to seven calendar days in a calendar year.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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2. For-profit organizations may enter into lease agreements for the use of College District-owned facilities if the College President determines the lease to be in the best interest of the College District.

<i>Nonprofit Use</i>	The College District shall permit nonprofit organizations to conduct fundraising events on College District property when these activities do not conflict with College District use or with any College District policy. No agency may use the College District's facilities more than seven days in a calendar year.
<i>Exception</i>	Any limitations on repeated use by a community member or organization shall not apply to any group or organization when the primary participants in the activities are College District students, faculty, or staff.
<i>Campaign-Related Use</i>	Except to the extent a College District facility is used as an official polling place, College District facilities shall not be available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law.
<i>No Approval Required</i>	No approval shall be required for nonschool-related recreational use of the College District's intramural fields when the facilities are not in use by the College District or for another scheduled purpose. Use of these fields is limited to short-term, intermittent use. Use of the baseball and softball fields shall be prohibited unless the user has prior approval from the athletic department.
<i>Written Notice If Request Rejected</i>	The College President or designee shall provide the applicant a written statement of the grounds for rejection if a request is denied.
<i>Emergency Use</i>	In case of emergencies or disasters, the College President or designee may authorize the use of College District facilities by civil defense, health, or emergency service authorities.
<i>Repeated Use</i>	The College District shall permit repeated use by any community member or organization in accordance with administrative procedures.
<i>Exception</i>	Any limitations on repeated use by a community member or organization shall not apply to any group or organization when the primary participants in the activities are College District students, faculty, or staff.
<i>Scheduling</i>	Academic and extracurricular activities sponsored by the College District shall always have priority when any use is scheduled. The College President or designee shall have authority to cancel a scheduled use by a community member or organization if an unexpected conflict arises with a College District activity.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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**Use Agreement** Any community member or organization approved for a nonschool use of College District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations, and acknowledging that the College District is not liable for any personal injury or damages to personal property related to the nonschool use.

**Fees for Use** A community member or organization authorized to use College District facilities shall be charged a fee for the use of designated facilities.

The Board shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.

*Exception* Fees shall not be charged when College District buildings are used for public meetings sponsored by state or local governmental agencies.

**Required Conduct** Community members and organizations using College District facilities shall:

1. Conduct business in an orderly manner;
2. Provide identification when requested to do so by a College District representative;
3. Abide by all laws, policies, and procedures, including, but not limited to, those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products or e-cigarettes on College District property; [See CHF and GDA]
4. Make no alteration, temporary or permanent, to College District property without prior written consent from the College President; and
5. Be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the College District for the cost of any such repairs.

**Distribution of Literature** Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any community member or organization, including a College District-support organization except in accordance with this policy.

	<p>The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by a community member or organization.</p>
Limitations on Content	<p>Materials shall not be distributed by a community member or organization on College District property if:</p> <ol style="list-style-type: none"><li><del>1.</del>—The materials <del>are obscene</del>;</li><li><del>2.</del>—The materials <del>contain defamatory statements about public figures or others</del>;</li><li><del>3.</del>—The materials <del>advocate imminent lawless or disruptive action and are likely to incite or produce such action</del>;</li><li><del>4.1.</del>—The materials <del>are considered prohibited harassment [see DIA series and FFD series]</del>; <del>constitute prohibited speech, described above</del>;</li><li><del>5.2.</del> The materials constitute unauthorized solicitation [see Use of College District Facilities, above]; or</li><li><del>6.3.</del> The materials infringe upon intellectual property rights of the College District [see CT].</li></ol>
Time, Place, and Manner Restrictions	<p>Distribution of materials shall be conducted in a manner that:</p> <ol style="list-style-type: none"><li>1. Is not <b>materially and substantially</b> disruptive to College District operations [see FLB];</li><li>2. Does not impede reasonable access to College District facilities;</li><li>3. Does not result in damage to College District property;</li><li>4. Does not coerce, badger, or intimidate a person;</li><li>5. Does not interfere with the rights of others; and</li><li>6. Does not violate local, state, or federal laws or College District policies and procedures.</li></ol> <p>The distributor shall clean the area around which the literature was distributed of any materials that were discarded or leftover.</p> <p>The College President or designee shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by community members or organizations to others in College District facilities and in areas that are not considered common outdoor areas.</p>

*Posting of Signs*

For the purposes of this policy, “sign” shall be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and “posting” shall be defined as any means used for displaying a sign.

No signs may be posted on College District property by a community member or organization, except for political signs that are permitted under state law and this policy at the times that the College District is serving as a polling place.

Election campaign signs will be limited to five signs per candidate at each College District polling site, at a location designated by the appropriate vice president for student services or designee, during the period of early voting and on Election Day when the campus is a voting site. In the case where one sign contains information about more than one candidate, that sign shall count as one of the five signs allowed for each of the candidates contained on the sign. Such signs will be limited to a size not to exceed 24 inches x 24 inches and must be either hand-held or staked into the ground. However, use of t-posts will not be allowed.

Signs placed outside of the designated location will be removed by the facilities/plant manager or designee and held for pick up in the plant facility for no longer than five days from removal. If not picked up within five days, the College District will dispose of the signs.

Issues-based campaign signs are limited to three signs per political action committee per issue, either supporting or opposing the issue.

Tents, awnings, and shelters will not be permitted on College District property. Amplified sound will not be permitted within 1,000 feet of the polling location.

All electioneering must comply with applicable election laws.

Restrictions

A sign shall not be larger than 24 inches by 24 inches, unless authorized by the vice president of student services or designee. A sign shall not be attached or posted:

1. To a shrub or plant;
2. To a tree, except by string to its trunk;
3. To a permanent sign installed for another purpose;
4. To a fence or chain or its supporting structure;
5. To a brick, concrete, or masonry structure;
6. To a statue, monument, or similar structure;

7. On or adjacent to a fire hydrant; or
8. In a College District building, except on a bulletin board designated for that purpose.

**Removal** Persons posting signs shall remove each sign not later than 14 days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended. In the case of signs that are for an election, they should be removed within 24 hours after the closing of the polls.

A sign posted in accordance with this section shall not be removed without permission from the vice president of student services or designee or the person posting the sign.

**Exception** A College District-support organization may post a sign in College District facilities with prior approval of the College President or designee in accordance with the procedures developed for that purpose.

**Identification** A community member or organization distributing materials on campus [or using College District facilities](#) shall provide identification when requested to do so by a College District representative [engaging in official duties](#).

**Violations of Policy** Failure to comply with [law](#) or this policy and associated procedures shall result in appropriate administrative action, including but not limited to, the suspension of the individual's or organization's use of College District facilities and the confiscation of nonconforming materials.

**Interference with Expression** Faculty members, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures. [See DH, FM, and FMA]

**Appeals** Decisions made by the administration in accordance with this policy may be appealed in accordance with GB(LOCAL), DGBA(LOCAL), and FLD(LOCAL) as applicable.

**Publication** This policy and associated procedures must be posted on the College District's website and distributed in the employee and student handbooks and other appropriate publications.