



(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, bold 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.

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.

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:	School Districts and Education Service Centers	Community Colleges
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	800.580.7529	800.580.1488

- Budget Planning** Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the College District's programs and activities and provides the resources to implement them. In the planning process, general educational goals, specific program goals, and alternatives for achieving program goals shall be considered. Budget planning and evaluation are continuous processes and should be a part of each month's activities.
- Budget Preparation** The budget shall conform to Coordinating Board requirements and meet the standards of the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~ College District's accreditor [see GK].
- Budget Meeting** The annual public meeting to discuss the proposed budget shall be conducted as follows:
1. The presiding officer shall request at the beginning of the meeting that all persons who desire to speak on the proposed budget sign up on the sheet provided.
 2. Prior to the beginning of the meeting, the Board may establish time limits for speakers.
 3. Speakers shall confine their remarks to the appropriation of funds as contained in the proposed budget.
 4. No officer or employee of the College District shall be required to respond to questions from speakers at the meeting.
- Budget Adoption** An annual operating budget shall only become effective after adoption by the Board. -The adopted budget provides authority to expend funds for the purposes indicated and in accordance with state law, Board policy, and the College District's approved purchasing procedures. The expenditure of funds shall be under the direction of the ~~College President~~ College President or designee who shall ensure that funds are expended in accordance with the adopted budget.
- Budget Amendments** The Board may amend the budget at any time during the fiscal year. The College District shall develop procedures for budget amendments.

**College District
Police Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a College District police department and shall employ and commission peace officers.

Jurisdiction

The jurisdiction of College District peace officers shall include all counties in which property is owned, leased, rented, or otherwise under the control of the College District.

Police Authority

While within the jurisdiction set out in this policy, peace officers employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. Subject to limitations in law, College District peace officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the College District and protect the property of the College District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, College District police officers may serve search warrants in connection with College District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce College District policies, rules, and regulations on College District property or at College District functions.
6. Investigate violations of College District policies, rules, and regulations as requested by the ~~College President~~College President and participate in hearings concerning alleged violations.
7. Carry weapons as directed by the chief of police and approved by the ~~College President~~College President.
8. Carry out all other duties as directed by the chief of police or ~~College President~~College President.

Temporary Assignment	College District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.
Employment of Peace Officers and Telecommunicators	For additional provisions regarding the employment of peace officers and telecommunicators, see DC.
Limitations on Outside Employment	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and College President College President or designee.
Relationship with Outside Agencies	The College District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police and the College President College President or designee shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.
Use of Force	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
By Drone	The College District shall not use force by means of a drone.
High-Speed Pursuit	Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Video Monitoring	Video equipment shall be used on a College District police car for safety purposes whenever the flashing lights on a car are in use.
Access to Recordings	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law.
Officer Training	All College District officers shall receive at least the minimum amount of education and training required by law.
Peace Officer Medical and Psychological Examinations	For provisions regarding the fitness-for-duty examination of a peace officer or telecommunicator, see DBB.

Leave

For provisions regarding mental health leave [for peace officers and telecommunicators](#) and quarantine leave for peace officers, see DEC.

Complaints

Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of the complaint. [See Complaint Against Peace Officer at CHA(LEGAL)]

Appeals regarding this complaint process shall be filed in accordance with DGBA, FLD, or GB, as appropriate.

Misconduct Investigations

For provisions regarding the investigation of allegations of misconduct by peace officers and telecommunicators, see DH.

Personnel Files

For provisions regarding personnel files maintained with respect to peace officers and telecommunicators, see DBA.

Department Regulations Manual

To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the ~~College President~~ [College President](#) or designee shall review the manual annually and make any appropriate revisions.

Racial Profiling

The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Peace officers employed by the College District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.

~~Complaints~~

~~Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of the complaint. [See Complaint Against Peace Officer at CHA(LEGAL)]~~

~~Appeals regarding this complaint process shall be filed in accordance with DGBA, FLD, or GB, as appropriate.~~

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	The College District shall submit a biennial information security plan to DIR in accordance with law.
Information Security Plan	
Effectiveness of Policies and , 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.
<u>Biennial Information Security Plan</u>	<u>The College District shall submit a biennial information security plan to DIR in accordance with law.</u>
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	The College District shall assess the significance of a security incident and report urgent incidents it to DIR and law enforcement in accordance with law and, if applicable, DIR requirements.
<i>By the College District</i>	
Generally	
Security Breach Notification	Upon discovering or receiving notification of a breach of system security or a security 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:
	<ol style="list-style-type: none">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.
Monthly Reports	The College District must provide summary reports of security incidents monthly to DIR in accordance with the deadlines, form, and manner specified by law and DIR.
<i>By Vendors and Third Parties</i>	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.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
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**Social Security
Number**

The College District shall not use an employee's social security number as an employee identifier, except for tax purposes [see DC]. In accordance with law, the College District shall keep an employee's social security number confidential.

Personnel Records

Present and past employees shall have access to their personnel files and records, exclusive of those items made confidential by law, which are maintained by the College District.

Contents of
Personnel File

The following information and/or records relating to employees shall be maintained in each employee's personnel file where applicable:

1. Original application;
2. Official transcript(s), except the official transcripts for faculty members, which are maintained in the office of the vice president for instructional services;
3. W-4 form (copy);
4. Teacher Retirement System (TRS) form or Optional Retirement Plan (ORP) Contract (copy);
5. Contract;
6. Employment Recommendation form;
7. Letters of reference and verification of past employment;
8. Correspondence relating to commendations, recognition, awards submitted by supervisors and approved for inclusion in the employee's personnel file by the appropriate executive administrator;
9. Job description (copy);
10. Correspondence and materials relating to job deficiencies, reprimands, and disciplinary action;
11. Correspondence pertaining to leaves and absence;
12. Personal leave requests; and
13. Correspondence and forms pertaining to job changes, i.e., part-time to full-time, changes of position, promotions, and transfers.

Custodian of
Personnel Records

The vice president for business services shall, as the agent of the College President, serve as the custodian of all records and maintain applicable records relating to all present and past employees of the College District. The College District complies with the public

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information provisions in Chapter 552 of the Texas Government Code.

Access to
Confidential
Personnel Records

All information in personnel files, except for information specifically designated as public information, that would constitute an unwarranted invasion of personal privacy if disclosed to the public, is confidential information subject to disclosure only as provided in the Texas Open Records Act. Information in personnel files shall not be made available to the public, but shall be available during normal working hours of the College District's human resource office as follows:

1. Personal Review — Employees shall be entitled to review their own personnel files upon reasonable notice.
2. Request for Copies — Copies of an employee's personnel file shall be made available by the custodian within a reasonable time after a request for copies is made in person by the employee and after payment of the actual cost of reproduction for requested copies has been made.
3. Copies Requested to be Mailed — Copies of personnel files or records shall not be mailed unless there has first been an in-person request by the employee and the request for copies to be mailed has been approved by the vice president for business services. The vice president for business services shall have the discretion to waive the requirement of an in-person request for copies by mail in the event of a hardship or urgent necessity on the part of the employee, provided that the proper identity of the employee is established and the request is in writing.

Designation of
Representative to
Review File

Notwithstanding anything to the contrary, the following information is a matter of public record, and pursuant to the Public Information Act, in accordance with Chapter 552 of the Texas Government Code, the following information shall be public information as it pertains to present and past employees of the College District:

1. Name;
2. Sex;
3. Ethnicity;
4. Salary;
5. Title; and
6. Dates of employment.

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The above information shall be furnished to any interested person within a reasonable time after written request to the vice president for business services and upon agreement of the person requesting such information to pay the cost of providing copies if requested.

Availability to
College District
Personnel

Personnel files shall be available only to human resources department staff and College District administrative personnel who have a right to and a need for the information contained in personnel files in order to properly perform the duties assigned to them. These persons must not remove any files from the department unless authority is given by the vice president for business services. Established check-out procedures shall be followed.

Production
Pursuant to
Subpoena or Court
Order

Personnel files shall be made available pursuant to proper court order or subpoena issued to the College President, the vice president for business services, or the designated agent of the vice president for business services.

Personnel files shall be made available to state and federal officials for auditing purposes in compliance with appropriate state and federal laws and regulations thereunder.

**Law Enforcement
Personnel Files**

The College President or designee and the College District police department shall develop regulations, in accordance with law, for the compilation and retention of, and access to, personnel files maintained with respect to peace officers and telecommunicators.

Examinations During Employment

~~The College President~~The College President or designee may require an employee to undergo a medical examination if information received from the employee, the employee's supervisor, or other sources indicates the employee has a physical or mental impairment that:

1. Interferes with the employee's ability to perform essential job functions; or
2. Poses a direct threat to the health or safety of the employee or others. A communicable or other infectious disease may constitute a direct threat.

The College District may designate the physician to perform the examination. If the College District designates the physician, the College District shall pay the cost of the examination. The College District may place the employee on paid administrative leave while awaiting results of the examination and evaluating the results.

Based on the results of the examination, the ~~College President~~College President or designee shall determine whether the employee has an impairment. If so, the ~~College President~~College President or designee shall determine whether the impairment interferes with the employee's ability to perform essential job functions or poses a direct threat. If not, the employee shall be returned to his or her job position.

If the impairment does interfere with the employee's ability to perform essential job functions or poses a direct threat, the ~~College President~~College President or designee shall determine whether the employee has a disability and, if so, whether the disability requires reasonable accommodation, including the use of available leave. The granting of additional unpaid leave may be a reasonable accommodation in some circumstances. If the employee does not have a disability, the ~~College President~~College President or designee shall evaluate the employee's eligibility for leave. [See DEC(LOCAL)]

[See DAA for information on disabilities and reasonable accommodation]

Other Requirements

Employees with communicable diseases shall follow recommendations of public health officials regarding contact with students and other employees. Food service workers shall comply with health requirements established by city, county, and state health authorities. [See DBA]

**Medical and
Psychological
Examination of a
Peace Officer or
Telecommunicator**

The College President or designee and the College District police department shall develop regulations, in accordance with law, addressing the fitness-for-duty examination of a peace officer or telecommunicator who is licensed, or a person for whom the College District police department seeks a license, under Occupations Code Chapter 1701. The regulations must address:

1. The criteria for requiring an examination;
2. The provision of notice to the license holder or applicant that includes the reasons for the examination;
3. The examination procedures;
4. The determination of the license holder's or applicant's duty status during and following the examination;
5. Appeals of the application or interpretation of the regulations; and
6. The submission of a report to the Texas Commission on Law Enforcement (TCOLE):
 - a. If the license holder or applicant refuses to submit to the examination; or
 - b. Absent the successful completion of a treatment program, if the license holder or applicant fails the examination.

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]
Employment of Certain Law Enforcement Personnel	<p>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:</p> <ol style="list-style-type: none">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; and5. 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 shall complete a personnel action form and 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.

EMPLOYMENT PRACTICES

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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.

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]

**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.

Electronic Media

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.

Safety Requirements

All employees shall adhere to College District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

**Tobacco and
E-cigarettes**

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]

An employee shall not give or sell tobacco products or e-cigarettes to a person in violation of law.

Alcohol and Drugs

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.

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, 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:

1. Any controlled substance, illegal drug, or dangerous drug as defined by law, or this policy, including but not limited to marijuana, 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,

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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. Cultivates, possesses, transports, or sells hemp as authorized by law; or
2. 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, 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.

EMPLOYEE STANDARDS OF CONDUCT

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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]

**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.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

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 professional 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. 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.
8. Engage in any criminal act, except a traffic offense, on College District property or property controlled by the College District.

EMPLOYEE STANDARDS OF CONDUCT

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9. Engage in any political activity while on College District time or utilize College District resources for any political activity.
10. 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.

Each employee shall meet the professional development standards described by the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~ College District's accreditor [see GK] as well as any professional development required of the employee by state or federal law or administrative regulations.

Each employee shall seek approval prior to pursuing professional development in accordance with administrative regulations.

**Cybersecurity
Training**

The ~~College President~~ College President or designee shall determine, from the list of cybersecurity training programs certified by the Department of Information Resources (DIR) and published to DIR's website, the cybersecurity training program to be used in the College District. ~~The College President~~ The College President shall verify and report to DIR, in the form required by DIR, the compliance of each employee required to complete the program. ~~The College President~~ The College President may remove access to the College District's computer systems and databases for noncompliance with training requirements as appropriate.

~~The College President~~ The College President shall periodically require an internal review of the College District to ensure compliance with the cybersecurity training requirements.

TERMINATION OF EMPLOYMENT
REDUCTION IN FORCE

DMC
(LOCAL)

Definitions

Definitions used in this policy are as follows:

1. "Reduction in force (RIF)" means the dismissal of an instructor, professor, administrator, or other professional employee before the end of a contract term for reasons of financial exigency or program change. Nonrenewal of an employee's term contract is not a "reduction in force" as used in this policy.
2. "Financial exigency" means any decline in the Board's financial resources brought about by decline in enrollment, cuts in funding, decline in tax revenues, or any other actions or events that create a need for the College District to reduce financial expenditures for personnel.
3. "Program change" means any elimination, curtailment, or reorganization of a curriculum offering, program, or College District operation because of a lack of student response to particular course offerings, legislative revisions to program funding, or a reorganization or consolidation of two or more divisions or departments.

General Grounds for Dismissal

All contracts shall, unless excepted by the Board, contain a provision that a reduction in force may take place when the Board determines that a financial exigency or program change requires that the contract of one or more instructors, administrators, or other professional employees be terminated. Such a determination constitutes the necessary cause for dismissal.

Employment Areas

A reduction in force may be implemented in one, several, or all employment areas. Employment areas shall be defined as:

1. Administration.
2. Associate degree programs.
3. Certificate degree programs.
4. Remedial and other programs.
5. Academic support programs, such as library or computer programs.
6. Counseling and support programs.
7. Other noninstructional professional staff.

Criteria for Decisions

Using the following criteria, the ~~College President~~ College President shall determine which particular employees shall be RIFed and shall submit the recommendation to the Board:

TERMINATION OF EMPLOYMENT
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1. Certification: Appropriate degree certificate and/or endorsement for current assignment required by the ~~Southern Association of Colleges and Schools Commission on Colleges (SAGSCOC)~~ College District's accreditor [see GK] or the Coordinating Board.
2. Performance: Employee's effectiveness as reflected by the most recent written evaluations and/or other appraisal documentation.
3. Seniority: Years of service in the College District.
4. Professional Background: Professional education and work experience related to the current assignment.

These criteria are listed in order of importance. ~~The College President~~ The College President shall apply them sequentially to the selected employment areas until the number of staff reductions necessary have been identified, i.e., if all necessary reductions can be accomplished by applying the certification criteria, it is not necessary to apply the performance or subsequent criteria.

Board Action

After considering the ~~College President~~ College President's recommendation, the Board shall determine which employees shall be dismissed. Each employee shall be given a statement of the reasons and conditions requiring such dismissal and shall, upon request, be given a hearing in accordance with the policy for termination during his or her contract. [See DMAA]

Appeals

Appeals of a dismissal due to a reduction in force shall be handled through the hearing afforded under DMAA rather than the grievance policy.

Exception

Appeals of a dismissal due to a reduction in force of a former foster child entitled to an employment preference shall be handled through the hearing afforded under DC. [See DC]

Rights of Employees Subject to RIF

An employee dismissed pursuant to this policy, if subsequently re-employed by the College District, shall be credited with the amount of local sick leave that had accrued at the time of dismissal.

Reemployment

Upon written request, an employee dismissed pursuant to this policy shall be notified in writing of any subsequent availability of the position for a period of one calendar year following the effective date of such dismissal. The notice shall be mailed to the address that was on file for the former employee at the time of dismissal, unless the College District has been notified in writing of a change of address. A former employee so notified must respond to the Board in writing within ~~ten~~ 10 calendar days of receipt of such notification if the person wishes to be considered for the position. Any

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individual who responds shall be considered for employment on
the same basis as all other applicants.

ALTERNATE METHODS OF INSTRUCTION
DISTANCE EDUCATION

EBA
(LOCAL)

The College District shall offer distance education courses and programs in accordance with:

- Applicable law;
- Coordinating Board regulations and guidelines, including the Principles of Good Practice for Distance Education;
- Principles, policies, and guidelines of the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~; and College District's accreditor [see GK]; and
- College District policies and procedures.

The College President shall develop procedures to implement this policy.

The College District shall maintain accreditation with the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~. Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The College District shall maintain other national and state accreditations as required for specific programs.