



NOTICE is hereby given that the Collin County Community College District Board of Trustees will hold a meeting of the Organization, Education, and Policy Committee (Collins, Gomel, Orr) at 4:30 p.m. on Tuesday, September 26, 2023, in the President's Conference Room 407 at the Collin Higher Education Center, 3452 Spur 399, McKinney, Texas 75069.

Locations

Celina Campus

Collin Higher Education Center
McKinney, Texas

Courtyard Center
Plano, Texas

Farmersville Campus

Frisco Campus

McKinney Campus

Plano Campus

Public Safety Training Center
McKinney, Texas

Rockwall Center

Technical Campus
Allen, Texas

Wylie Campus

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PUBLIC COMMENT

REVIEW AND DISCUSSION ITEMS

1. First Reading of Local Board Policies

AD (Local) Educational Role, Mission, Purpose, and Responsibility
DLB (Local) Employee Performance – Suspension - ADD
FD (Local) Tuition and Fees
GD (Local) Community Expression and Use of College Facilities

2. Second Reading and Consideration of Approval of Local Board Policy

CDB (Local) Accounting – Inventories - ADD
CT (Local) Intellectual Property
CU (Local) Research - ADD
DEB (Local) Compensation and Benefits – Fringe Benefits
DH (Local) Employee Standards of Conduct
DHC (Local) Employee Standards of Conduct – Child Abuse and Neglect Reporting -
DELETE – moved to DHB (Local)
EJ (Local) Miscellaneous Instruction Policies - DELETE – moved to CU (Local)

Collin County Community College District Board of Trustees

1. Organization, Education, and Policy Committee

September 26, 2023

Resource: Monica Velazquez
General Counsel

DISCUSSION ITEM: First Reading of Local Board Policies

- **AD (Local)** Educational Role, Mission, Purpose, and Responsibility
- **DLB (Local)** Employee Performance – Suspension - ADD
- **FD (Local)** Tuition and Fees
- **GD (Local)** Community Expression and Use of College Facilities

DISCUSSION: As a part of the College’s comprehensive review of all policies and with updates and recommendations from the Texas Association of School Boards’ Legal and Policy Service, the local policies outlined below are being presented for review as a first reading.

- **AD (Local)** Educational Role, Mission, Purpose, and Responsibility – Suggested revisions address changes made in light of the passage of House Bill 8 to the college’s purpose and in order to review of the college’s mission statement.
- **DLB (Local)** Employee Performance – Suspension - ADD – This new local policy is recommended to address the suspension of employees.
- **FD (Local)** Tuition and Fees – Recommended revisions have been added addressing the board's decision whether to charge a higher tuition rate for Excessive Hours or Repeated Courses taken by a student.
- **GD (Local)** Community Expression and Use of College Facilities – Suggested revisions redefines “common outdoor areas” of the college which are traditional open forums.

Purpose Statement	<p>Through its campuses, centers, and programs, the College District fulfills community and industry needs and its <u>primary</u> statutory charge <u>purposes under Section 130.003(e) of the Texas Education Code</u> by providing:</p> <ol style="list-style-type: none">1. Academic courses in the arts and sciences core curriculum or a field of study curriculum to transfer to senior <u>other higher education</u> institutions;2. Programs leading to baccalaureate degrees, associate degrees, or certificates, including technical programs, designed to develop marketable skills and promote economic development;3. Continuing adult education programs for academic, professional, occupational, and cultural enhancement;4. Developmental education and literacy programs designed to improve the basic skills of students;5. A program of student support services, including counseling and learning resources, designed to assist individuals in achieving their educational and career goals;6. Workforce, economic, and community development initiatives designed to meet local and state needs; and7. Other purposes as may be directed by the Board and/or the laws of the state of Texas.
Mission Statement	<p>The College District is a student- and community-centered institution committed to developing <u>valuable</u> skills, strengthening character, and challenging the intellect.</p>
Vision Statement	<p>Delivering a brighter future for our students and communities.</p>
Statement of Ethics and Philosophy	<p>It is the policy of the College District to apply the highest ethical standards to all members of the College District community including the Board, administration, staff, and faculty in achieving its mission and in managing its resources efficiently and effectively to reach its goals and objectives. The College District shall include a code of ethics for Board members, administration, staff, and faculty in its policy manual.</p> <p>The College District accepts its responsibilities to its students, to its employees, and to the members of the community. The College District is committed to meet these responsibilities with balance, fairness, accountability, and ethical integrity.</p>
Core Values	<p>The College District's philosophy and ethics are based on the following statement of core values:</p>

We have a passion for:

1. Learning;
2. Service and involvement;
3. Creativity and innovation;
4. Academic excellence;
5. Dignity and respect; and
6. Integrity.

NEW POLICY

Paid Administrative Leave and Suspension

The District President may place any employee on paid administrative leave at his or her discretion either:

1. Pending the investigation of a complaint or allegation of wrongdoing against the employee; or
2. When the District President determines such placement is in the best interest of the College and/or the employee.

Unpaid Administrative Leave and Suspension

As a disciplinary measure, the District President may suspend an employee without pay after evidence of, or finding of, gross misconduct.

The District President may suspend a faculty member without pay after evidence of, or a finding of, gross misconduct, or after a complaint hearing has been requested by the faculty member and the scheduled hearing has been postponed at the request of the faculty member. In this case, the effective date of the suspension without pay will be from the date on which the hearing was scheduled.

If a finding of gross misconduct is ultimately overturned by the District President or designee, or, in the case of a faculty member, by the Board, then the unpaid suspension will be reversed, and suspended salary will be paid to the employee retroactive to the date the employee was placed on unpaid suspension.

Upon recommendation by the District President, tuition and fees ~~shall~~will be set annually by the Board and ~~shall~~will be published in the College catalog and other appropriate publications.

Excessive Hours or Repeated Courses

The Board will determine annually if the College District will charge a resident a higher tuition rate for excessive hours or repeated courses in accordance with law. If the Board adopts a higher rate, the Board will describe any applicable exemptions. The rates, exemptions, and required notice will be published in the College District catalog and other appropriate publications.

Waivers

The College ~~shall~~will publish in the College catalog and other appropriate publications:

1. The tuition and fee waivers the College is required by law to grant;
2. Any legally authorized tuition and fee waiver adopted by the Board;
3. Exemptions to higher tuition rates for nonfundable courses allowed by law; and
4. Exemptions to higher tuition rates for students demonstrating an economic hardship.

Collection of Tuition and Fees

The Board may adopt an installment payment plan in accordance with state law.

Installment
Payments
Collection
Procedures

The District President is authorized to develop procedures for the collection of tuition and fees.

Refund Policy

The College ~~shall~~will refund tuition and fees for courses from which the students drop or withdraw in accordance with law and related provisions adopted by the Board and published in the College catalog and in any other appropriate College publication. Tuition and fees paid directly to the institution by a sponsor, donor, or scholarship ~~shall~~will be refunded to the source rather than directly to the student.

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.

Use of College District Facilities

The College District's facilities and property are intended primarily for the support of the instructional programs of the College District and for the support of programs conducted or sponsored by the College District's academic and administrative departments or organizations affiliated with those departments.

Definitions

As used within this policy, the terms "disrupt," "disruptive," "disturb," and "disturbances" are defined as activities or actions that cause disorder or turmoil in the College District's, classes, programs and services or that interfere with or interrupt planned activities, or other operations of the College District by noise or movement.

As used within this policy, the term "expressive activities" means any speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, and which includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include commercial speech such as advertisements for products or services.

As used within this policy, the term "amplified sound" means sound whose volume is increased by any electric, electronic, mechanical, or motor-powered means, such as by a megaphone. The use of a single microphone for a guest speaker, shouting, chanting, and playing acoustic musical instruments are exempt from this definition and are not subject to the special rules on amplified sound, but are subject to the general rules on disruption.

As used within this policy, the term "guest speaker" means an individual speaker or performer who is not a student, faculty member, employee, or Board member of the College District.

Limited Public Forum and Public Assembly Use

The buildings, classrooms, libraries, facilities, grounds, and property owned or controlled by the College District are not a traditional public forum open for assembly, debate, demonstrations, or similar activities by members of the general public, subject to some exceptions, and applicable state law concerning common outdoor areas. [See GD(LEGAL)]

For-Profit Use

The College District does not permit individuals or for-profit organizations to use its facilities for their own financial gain, including for marketing, promotional, course instruction, or other profit-generating activities. The College District does not permit private academic instruction, courses, or student recruitment by individuals or by for-profit organizations at its facilities. This does not exclude institutions of higher education or third-party organizations from participating in College District-approved or -sponsored transfer and recruitment fairs.

The College District does permit the rental of College District facilities for third-party corporate or employee training programs and educational testing, as well as for public meetings, performances, and presentations so long as no admission fee is charged, when these activities do not conflict with College District use or with this policy.

Nonprofit Use

The College District may permit 501(c)(3) nonprofit organizations to rent space and host events on College District property when these activities do not conflict with College District use or with this policy.

Private Use

College District facilities are not available for use or for rental to individuals for private gatherings sponsored by private individuals.

Fundraising Use

Only civic, educational, and student organizations and individuals authorized by the College District are allowed to sponsor and engage in fundraising activities using College District facilities. All external requests must be submitted for approval to Conference Services.

Campaign-Related Use

The College District permits open forums and town hall events scheduled through Conference Services or hosted by the College District for elected officials and those who have filed to run for elected office, based on space availability and adherence to the College District's standard room reservation approval process. However, except to the extent a College District facility is used as an official polling place, College District facilities are not available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law. [See Election/Campaign Signs and Tents, below]

In accordance with the Texas Election Code, the following definitions will apply:

1. "Political Advertising" means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that:

- a. In return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or
 - b. Appears:
 - (1) In a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or
 - (2) On an internet website.
2. "Campaign communication" means a written or oral communication relating to a campaign for nomination or election to public office or office of a political party or to a campaign on a measure.
3. "Electioneering" includes the posting, using, or distributing political signs or literature:
- a. During the time an early voting polling place is open for the conduct of early voting, a person may not electioneer for or against any candidate, measure, or political party in or within 100 feet of an outside door through which a voter may enter the building or structure in which the early voting polling place is located.
 - b. The entity that owns or controls a public building being used as an early voting polling place may not, at any time during the early voting period, prohibit electioneering on the building's premises outside of the area described in 1.b, above, but may enact reasonable regulations concerning the time, place, and manner of electioneering.

The College District does not permit external individuals or groups to use College District facilities to access students, faculty, or staff for private purposes, including gathering signatures for petitions. Limited public forum areas are designated at each campus for this purpose. [See GD(LEGAL)]

Recreational Use

Approval from the Conference Services Department is required for use of the College District's indoor and outdoor recreational facilities, such as the gym, tennis courts, and the like when the facilities are not in use by the College District or for another scheduled purpose.

Emergency Use

In case of emergencies or disasters, the District President or designee may authorize the use of College District facilities by civil defense, health, or emergency service authorities.

**Expressive Activities
in Common Outdoor
Areas**

Community members may only engage in expressive activities in common outdoor areas (as defined in this policy) of the College District, as long as the conduct is not unlawful and does not materially and substantially disrupt the functioning and operations of the College District. Common outdoor areas are designated by state law as traditional public forums.

To preserve the functions and operations of the College District, expressive activities in common outdoor areas are subject to the time, place, and manner rules listed in this policy.

The “common outdoor areas” of the College District mean: (1) any outdoor space (such as streets, sidewalks, gathering spaces), (2) that is at least 7520 feet from any College District building or area of ingress or egress to buildings, including classrooms, entrance or window and (3) that is not used, on either a permanent or temporary basis, for the College District’s:

1. Business or operations;
2. Sponsored events;
3. Educational functions; or
4. Research functions.

Common outdoor areas do not include the buildings, classrooms, libraries, facilities, student housing or residential outdoor spaces managed by the College District, the outdoor surfaces of college buildings, the surfaces associated with or connected to a college building, a college structure, the spaces dedicated to temporary outdoor banners, the spaces dedicated to temporary outdoor exhibits, or any other space within the College District’s limited public forum.

**Requests for Use of
Facilities**

To request permission to meet in College District facilities or limited public forums, interested community members or organizations will file a written application with the Conference Services Department in accordance with administrative procedures.

The community members or organization making the request will 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. The application will be submitted at least ten business days prior to the proposed use but not more than four months prior to the proposed use for all spaces other than conference centers. Conference centers may be booked no more than 12 months in advance. Requests for exceptions to the timeline may be approved by the Conference Services Department. Use of College

District facilities may not commence until it is approved, in writing, by the Conference Services Department.

Requests for community use of College District facilities will be considered on a first-come, first-served basis. However, requests received on the same day will be prioritized as follows:

1. Classroom instruction and other official College District functions and programs;
2. Requests by recognized student organizations and employee organizations;
3. Activities sponsored by non-College District, nonprofit organizations that are open to the public; and
4. Authorized activities that do not fall within the above categories.

Organizations from within the College District's service area will be given priority over requests from organizations located outside the College District's service area.

Events that directly benefit the citizens of the College District will be given priority over events that specifically target larger groups or groups from outside the College District.

Programs offered through the facilities rental program [see items 3 and 4, above] will be made through a signed facilities use agreement between the College District and the renter. The College District name and its trademarked logo may not be used by the requestor or approved user. The College District's name is only authorized for use in marketing materials as it relates to providing the location and directional information for the event.

The College District reserves the right to modify these priorities without notice as deemed necessary to accomplish its objectives.

Approval

The Conference Services Department will 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, or academic viewpoint, or other content of the speech likely to be associated with use of the facility by community members or organizations. The request will be approved or denied in writing within ten business days of receiving the application.

Approval of requests for the use of facilities will not be based upon the applicant's race, religion, age, disability, color, sex, national origin, veteran status, or other legally protected class.

College District facilities will not be available for long-term use. Long-term use will be defined as use of the facility for more than five days per month or for more than three weekends per month. Facilities use requests will be considered for a time period not to exceed four calendar months, coinciding with the fall, spring, and summer College District semesters.

Failure to comply with the conditions outlined in this policy and the facilities use agreement may result in penalties, including but not limited to, restrictions on future rental of College District facilities and/or an additional damage/cleaning fee as provided for in the facilities use agreement. The amount should be included in the contract and/or in procedures.

Approval will not be granted when the Conference Services Department has reasonable grounds to believe 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 subject to a prior sanction [see Violations of Policy, below];
3. The proposed use would constitute an immediate and actual danger to the peace or security of the College District as determined by the College District, including the sole discretion of the District President or designee;
4. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
5. The proposed activity would disrupt or disturb the regular academic program, other planned activities, or other operations of the College District;
6. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property at an event;
7. The applicant failed to supply the requested information on the application;
8. The application contains a material misrepresentation of fact as determined at the sole discretion of the College District; or
9. The proposed use is not at a suitable location because the design or dimensions of the event will substantially interfere with pedestrian access, traffic flow, or public safety in or near the same area as the proposed event.

**Written Notice if
Request Rejected**

The Associate Vice President of Financial Services and Reporting or designee will review any recommendations to deny the use of College District facilities to an external group and communicate with the requestor if a request to rent facilities is denied.

**Use of Common
Outdoor Areas by
Community
Members**

A community member does not need a College District permit or reservation for the exercise of expressive activities in common outdoor areas. Expressive activity may occur in those common outdoor areas of the College District that are not in use by others. Community members may engage in expressive activities in common outdoor areas, unless:

1. The person's conduct is unlawful;
2. 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;
3. The use would materially or substantially disrupt or disturb the regular academic program; or
4. The use would result in damage to or defacement of property.

However, community members may, and are encouraged to, reserve a space to assemble in the common outdoor areas of the College District. Once a person or group reserves a certain space in a common outdoor area for assembly or expressive activities, it is not available for another person's or group's use or reservation at the same time. Therefore, any person or group using or occupying the space without a reservation must yield control of the space in time to permit any user with a reservation to begin using the space promptly at the beginning of the reserved time.

In addition, when outdoor space is being used, even on a temporary basis, for College District business, operations, events, an educational function, or a research function, it is not part of the common outdoor area available for use for others' expressive activities.

Reservations for assembly or expressive activities in the common outdoor areas of the College District may be made through the Conference Services Department on a form prescribed by them or through a request sent to reserveCOA@collin.edu. If the expected attendance at an assembly or expressive activity is 15 or more people, advance notice and a reservation of no less than two weeks is recommended. Persons and organizations are encouraged to seek a reservation of a space that is suited to their assembly's anticipated size.

**Time, Place, and
Manner Rules for
Common Outdoor
Areas**

In addition to the specific rules addressed in this policy for Required Conduct, Distribution of Literature, and Permissible Solicitation, the following rules will also apply to the use of common outdoor areas:

1. Expressive activities may not be disruptive.
2. Expressive activities may not include statements directed to inciting or producing imminent violations of law under circumstances such that the statements are likely to actually and imminently incite or produce violations of law, including but not limited to, violence or threats of violence.
3. Literature may be distributed, but not sold.
4. Any person who uses common outdoor areas or distributes literature or materials in common outdoor areas, is responsible for cleaning up any literature, materials, or other trash that was discarded or leftover.
5. Signs may not be larger than 24" x 24". Signs may be held or carried by hand. However, signs may not be attached to sticks, poles, wooden or metal handles, or other similar assembled items.
6. Signs constructed of rigid materials, including sticks, poles, wood, metal, hard plastic, or other materials that could be construed as a hazard are not permitted.
7. Any person holding or carrying a sign will exercise due care to avoid bumping, hitting, or injuring any other person.
8. Banners on poles may not be carried by individuals.
9. Hand-held banners carried by two or more individuals (without poles) are permitted in temporary banner spaces designated by the College District.
10. Tables may not be set up in common outdoor areas, unless it is requested by a student or student organization in advance through a request submitted to the Conference Services Department. Otherwise, community members may not set up any tables in common outdoor areas of the College District.
11. Amplified sound may not be used in common outdoor areas, particularly when it disrupts College District business, operations, meetings, events, an educational function, or a research function.
12. Guest speakers are allowed in common outdoor areas.

13. Guest speakers may not distribute literature that violates the rules in this policy.
14. Guest speakers may not accost bystanders or others who have chosen not to attend the speech or discussion.
15. Guest speakers may not set up exhibits or tables outside of the common outdoor areas or inside College District buildings or facilities.
16. For any assembly, with or without a guest speaker, that has an expected attendance of 15 or more participants (including counter-demonstrators), advance notice and a reservation are encouraged to help the Conference Services Department improve the safety and success of expressive activity.

If there is uncertainty about applicable rules, the appropriateness of the planned location, or possible conflict with other events, persons, and organizations are encouraged to consult the dean of students. Should the size of the assembly exceed the maximum number of participants that is safe for a given location, participants will be directed by campus authorities to relocate to a space that is better suited to the size of the assembly.

**Written Agreement
Required for Use of
Facilities**

Any community member or organization approved for use of College District facilities not related to the College District will be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations prior to a facilities use agreement being approved. This includes an acknowledgment that the College District is not liable for any personal injury or damages to personal property occurring during the use by the community member or organization.

Fees for Use

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

The Board delegates to the District President or designee the responsibility to 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, media, and technology services. All fees must be paid in advance (or an authorized purchase order) in accordance with the College District's facilities use agreement.

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

The Board delegates to the District President or designee the authority to waive the facility use rental fee if the requested use serves an appropriate College District or public purpose.

On-Site Personnel

When a College District facility is being used, an employee of the College District will be on the premises and will be fully in charge of the facility being used.

The College District's representative is responsible for ensuring compliance with the requirements of this policy during the event.

Required Conduct

Community members and organizations using College District facilities will:

1. Conduct business in an orderly manner;
2. Abide by all laws, policies, and procedures, including, but not limited to, those regulating the use, sale, or possession of alcoholic beverages, illegal drugs, tobacco products, and firearms on College District property, and the requirements in the facilities use agreement; [See CHF and GDA]
3. Make no alteration, temporary or permanent, to College District property without prior written consent from the District President or designee; and
4. Be responsible for the cost of repairing any damages incurred during use and will be required to indemnify the College District for the cost of any such repairs.

Additionally, community members and organizations using College District facilities (outside of common outdoor areas) may request table space for students to visit and learn about the table sponsor's activities and may distribute literature, subject to the reasonable time, place, and manner restrictions designated by the College District.

Distribution of literature not published by the College District and activities of the organizations and individuals using College District facilities will be conducted in a manner that:

1. Is not disruptive;
2. Does not impede reasonable access to College District facilities or deny the use of offices or other facilities to students, faculty, staff, or guests of the College District;
3. Does not interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets or at places of ingress or egress to and from property, buildings, or facilities;

4. Does not threaten or endanger the safety of any person on College District premises;
5. Does not harass, badger, coerce, or intimidate another person or force material on an unwilling participant or accost or approach individuals not in the immediate vicinity of the assigned table space or use areas designated by the College District;
6. Does not involve conduct that is likely to result in damage to or destruction of property or cause disruption in utilities;
7. Does not create a sustained or repeated noise disturbance that substantially interferes with a speaker's ability to communicate with others and/or the rights of others to listen;
8. Does not attempt to prevent a College District event or other lawful assembly by the threat or use of force or violence;
9. Does not interfere with the rights of others as determined by the College District; and
10. Does not violate local, state, or federal laws or College District policies and procedures.

Location and placement of assigned tables and chairs will be made at the discretion of the Conference Services Department, based on availability, and the Conference Services Department will ensure that such external events do not interfere with the conduct of any student or College District event.

The consumption of food and beverages will be restricted in accordance with the facilities use agreement.

Groups or organizations using College District facilities will conform to all federal and state statutes, county and municipal ordinances, and fire regulations.

Decorations must be flame retardant and will be erected and taken down in a manner not destructive to College District property or facilities. The use of any material or device that constitutes a hazard to people, equipment, property, and/or facilities is expressly prohibited.

The renter is responsible for clean-up of the space and for clearing the area of discarded or leftover literature.

In addition to the rental fee for use of the facility, the renter will be billed for any cleanup expenses that may result if materials are not removed in a timely manner or if storage of renter-owned materials is required.

Events that include attendance of or participation by minors will require adult supervision by the sponsoring organization.

College District apparatus, furniture, or equipment will not be removed, altered, or displaced without permission from an authorized College District official. Renters are not authorized to bring in their own furniture or fixtures.

The renter is liable for the care and protection of College District property and/or facilities and will be charged for any damages sustained by the premises, furniture, or equipment because of the occupancy.

At the sole discretion of the Conference Services Department, rental agreements for use of any College District facility will be revoked when facilities are misused or when the foregoing rules are violated. Facilities use agreements may not be renewed when revoked for misuse.

The renter is responsible for any and all loss, accidents, neglect, injury, or damage to person, life, property, or facilities that may be the result of, or caused by, the renter's occupancy of the facilities or premises for which the College District might be held liable. The renter will protect and indemnify the College District, the Board, and any officer, agent, or employee of the College District and save them harmless in every way from all suits or actions at law for damage or injury to person, life, property, or facilities that may arise, or be occasioned in any way, because of the occupancy of the facilities or premises, regardless of responsibility or negligence.

The College District may require each renter to provide a valid certificate of insurance in a type and in an amount specified by the College District.

Identification

A community member or organization leasing campus facilities and/or distributing materials on campus will provide identification when requested to do so by a College District representative.

Any student who refuses to identify himself or herself fully may be subject to College District discipline, which may include suspension.

Distribution of Literature

Any written or printed materials, handbills, photographs, pictures, films, tapes, giveaways, handouts, or other visual or auditory materials not sponsored by the College District must comply with this policy. Such materials will not be sold, circulated, distributed, or posted on any College District facilities or common outdoor areas by any community member or organization, including a College District-support organization, except in accordance with this policy.

Approved individuals renting or using College District facilities may distribute handouts associated with the event to its members and guests.

The College District is not responsible for, nor does the College District endorse, the contents of any materials or literature distributed by a community member or organization.

[See CHE regarding use of the College District's internal mail system and FLA regarding distribution of literature by students and registered student organizations]

Materials or literature will not be distributed by a community member or organization on College District property if, in the sole discretion of the College District:

1. The materials are obscene;
2. The materials contain defamatory statements;
3. The materials advocate illegal conduct, imminent lawless or disruptive action and are likely to incite or produce such action;
4. The materials are considered prohibited harassment [see DIA series and FFD series];
5. The materials constitute unauthorized solicitation [see Solicitation Requirements, below]; or
6. The materials infringe upon intellectual property rights of the College District [see CT].

Time, Place, and Manner Restrictions for Distribution of Literature

A community member or organization that has been approved to rent a campus facility, has signed the required written facilities use agreement, and has paid any required fees may distribute literature to its members and guests during the time period covered by the written agreement and in the location covered in the written agreement.

Permissible Solicitation

As used in this policy, the word "solicitation" will mean the sale or offer for sale of any property or service, whether for immediate or future delivery, and the receipt of or request for any gift or contribution by an entity.

The only solicitation permitted in or on any property or facilities either owned or controlled by the College District will be in accordance with the following:

1. The sale or offer for sale of any food or drink item by authorized student organizations in an area designated in advance by the appropriate College District representative.

2. The collection of membership fees or dues by approved student organizations at meetings of such organizations scheduled in accordance with College District regulations on the use of facilities.
3. The collection of admission fees for the exhibition of movies or other programs scheduled in accordance with College District policies and procedures.

**Solicitation
Requirements**

Such approved solicitation made pursuant to the terms of this policy must be conducted according to the following:

1. The solicitation will not disturb or interfere with the regular academic or institutional programs and activities being conducted in buildings or on property owned or controlled by the College District.
2. The solicitation will not interfere with the free or unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from buildings owned or controlled by the College District.
3. The solicitation will not harass, embarrass, or intimidate the person or persons being solicited.
4. Violations will be addressed through the appropriate College District policy and may result in the organization being prohibited from further solicitation for a designated period of time.
[See FKC(LOCAL)]

For the purposes of this policy, “sign” will be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; “posting” will be defined as any means used for displaying a sign. Requirements for election signs are described below at Election/Campaign Signs and Tents.

No person or organization may post a sign that is obscene, incites illegal activity, is libelous, or contains nonpermissible solicitation.
[See FI(LOCAL) or FKA(LOCAL)]

Except for nonpermissible signs, as defined herein, an entity may publicly post a sign on College District property or facilities only in designated areas or display a sign in common outdoor areas subject to the procedures in this policy. No object other than a sign may be posted on College District property or facilities.

Before publicly posting a sign, an entity will:

1. Submit the proposed sign to the student engagement office staff or a designated representative for review and consideration.

2. Provide pertinent information including the:
 - a. Name and phone number of the student, approved student organization, department, or community member, which must be included on all items to be posted;
 - b. Proposed general location for posting the sign; and
 - c. Length of time the sign will be posted.

Upon receipt, the student engagement office staff or designated representative will ensure that the pertinent information listed above is included and that the following guidelines are applied:

1. Approved items, with a maximum size of 24" x 24", will be posted neatly on appropriate bulletin boards by student engagement office personnel or a designated representative, subject to space availability.
2. Items will receive an approval stamp dated and signed by student engagement office personnel or a designated representative for each item to be posted.
3. Materials generally will be approved for a maximum period of four weeks.
4. Materials that do not conform to these posting procedures and guidelines will be subject to immediate removal.

A sign may not be:

1. Attached to:
 - a. A shrub or plant.
 - b. A College District vehicle.
 - c. A permanent sign installed for another purpose.
 - d. A fence or chain or its supporting structure.
 - e. A brick, concrete, or masonry structure.
 - f. A statue, monument, or similar structure.
2. Posted:
 - a. On or adjacent to a fire hydrant.
 - b. On or between a curb and sidewalk.
 - c. In a College District building or facility except on a bulletin board designated for that purpose.

The student engagement office staff or designated representative will remove all signs no later than one week after the expired approval stamp date. No person will remove a sign posted or attached in accordance with this section without permission from the student engagement office or designated representative.

Nonpermissible Signs

No entity will post or carry a sign that:

1. Involves nonpermissible solicitation;
2. Contains material that is obscene or libelous; or
3. Is larger than 24" x 24", unless authorized by the associate dean of student and enrollment services.

Election / Campaign Signs and Tents

Election campaign signs will be limited to five signs per candidate at each College District polling site, at a location designated by the appropriate campus vice president/provost, during the period of early voting and on Election Day when the campus is a voting site. Such signs will be limited to a size not to exceed 24" x 24" 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 not 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.

Classroom Bulletin Boards

Bulletin boards located both inside and directly outside each classroom will be under the jurisdiction of the appropriate vice president/provost or designated representative.

Violations of Policy

Failure to comply with the policy and procedures regarding community use of College District common outdoor areas, College District facilities, or distribution of literature will 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 or discarding of nonconforming materials. Community members or off-campus organizations who violate the

rules in this policy may also be subject to criminal trespass charges or other lawful measures.

Publication

This policy and associated procedures must be posted on the College District's website and will also be distributed to students and employees. [See DGC and FLA]

Alcohol and Drug Use Prohibited

The use of alcohol and intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas.

Any person who appears to be under the influence of intoxicating liquor or drugs will be denied access to and/or the use of College District property or facilities.

Alcohol and Drug Use Exception

With the prior consent and approval of the District President or designee, the provisions herein may be waived for specified culinary instructional programs or with respect to any specific event that is sponsored by the College District and/or the Collin College Foundation. State law will be strictly enforced at all times on all property or facilities controlled by the College District in regard to the possession and consumption of alcoholic beverages.

Children on Campus

Unattended children will not be allowed in College District facilities at any time. For the purpose of this policy, children are defined as minors who are not currently enrolled in College District classes, meeting with College District personnel, or participating in approved programs with the College District.

Students may not bring children to orientations, classes, labs, testing centers, or other academic programs. The parent or guardian who violates this policy will be interrupted from his or her campus activity and be required to supervise the child or make other suitable arrangements.

College District employees are prohibited from bringing children to work other than for approved programs with the College District.

Animals on Campus

The College District will allow service animals to accompany a student or visitor on campus in accordance with Board policy. [See FAA]. All other animals will not be permitted on any College District campus or in any College District facility.

Collin County Community College District Board of Trustees

2023-09-X

September 26, 2023

Resource: Monica Velazquez
General Counsel

AGENDA ITEM:

Report Out of the Organization, Education, and Policy Committee, First Reading of Local Board Policies

- **AD (Local)** Educational Role, Mission, Purpose, and Responsibility
- **DLB (Local)** Employee Performance – Suspension - ADD
- **FD (Local)** Tuition and Fees
- **GD (Local)** Community Expression and Use of College Facilities

DISCUSSION:

As a part of the College's comprehensive review of all policies and with updates and recommendations from the Texas Association of School Boards' Legal and Policy Service, the local policies outlined below are being presented for review as a first reading.

- **AD (Local)** Educational Role, Mission, Purpose, and Responsibility – Suggested revisions address changes made in light of the passage of House Bill 8 to the college's purpose and in order to review of the college's mission statement.
- **DLB (Local)** Employee Performance – Suspension – ADD – This new local policy is recommended to address the suspension of employees.
- **FD (Local)** Tuition and Fees – Recommended revisions have been added addressing the board's decision whether to charge a higher tuition rate for Excessive Hours or Repeated Courses taken by a student.
- **GD (Local)** Community Expression and Use of College Facilities – Suggested revisions redefines "common outdoor areas" of the college which are traditional open forums.

SUGGESTED MOTION:

This being a first reading of local board policies, no action is required.

Collin County Community College District Board of Trustees

2. Organization, Education, and Policy Committee

September 26, 2023

Resource: Monica Velazquez
General Counsel

DISCUSSION ITEM: Second Reading and Consideration of Approval of Local Board Policies

- **CDB (Local)** Accounting – Inventories - ADD
- **CT (Local)** Intellectual Property
- **CU (Local)** Research - ADD
- **DEB (Local)** Compensation and Benefits – Fringe Benefits
- **DH (Local)** Employee Standards of Conduct
- **DHC (Local)** Employee Standards of Conduct – Child Abuse and Neglect Reporting - DELETE – moved to DHB (Local)
- **EJ (Local)** Miscellaneous Instruction Policies - DELETE – moved to CU (Local)

DISCUSSION: As a part of the College’s comprehensive review of all policies and with updates and recommendations from the Texas Association of School Boards’ Legal and Policy Service, the local policies outlined below are being presented for your approval.

- **CDB (Local)** Accounting – Inventories – ADD - This recommended new local policy includes financial reporting requirements and guidance from the state Budget Requirements and Annual Financial Reporting Requirements for Texas Public Community Colleges and the Governmental Accounting Standards Board (GASB) Implementation Guide regarding the Capitalization Threshold for individual and group assets. The GASB guidance regarding group assets applies to reporting periods beginning after June 15, 2023.
- **CT (Local)** Intellectual Property - Revisions are recommended by TASB throughout this local policy to clarify the circumstances under which the college’s intellectual property may be used.
- **CU (Local)** Research – ADD - Recommended new policy addressing the process for which external

research requests received by the college will be reviewed and designating the criteria for approval by the Research Request Review Committee and for review by the Institutional Review Board where applicable.

- **DEB (Local)** Compensation and Benefits – Fringe Benefits – Recommended revisions addressing the college’s salary match percentage for the supplemental retirement benefits plan which will be approved by the Board and eliminating the cap of 3% of salary.
- **DH (Local)** Employee Standards of Conduct - Recommended revisions to this local policy have been made to clarify employee rules related to Alcohol and Drugs, including use, control, transmittal, sale, and associated paraphernalia. The recommended revisions also clarify that state law will be enforced regarding possession and consumption of alcohol on college property.
- **DHC (Local)** Employee Standards of Conduct – Child Abuse and Neglect Reporting - DELETE – Language moved to DHB (Local)
- **EJ (Local)** Miscellaneous Instruction Policies - DELETE – Language regarding requests for research moved to new policy CU(Local)

NEW POLICY

Capitalization Threshold

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

The District 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.

**Intellectual Property
Rights**

Unless herein stated otherwise, ownership to all copyrights, trademarks, patents, and other intellectual property rights belonging to the College District will remain with, or be assigned in writing from the person or entity to, the College District at all times. Except as provided by law, College District policy, or written authorization from the District President or designee, use of College District intellectual property will be limited to College District-related purposes.

Students

Unless herein stated otherwise, a student will retain all rights to work created as part of instruction or using College District technology resources.

Definitions

“Incidental Use” is defined as minor utilization of resources commonly encountered in the course of an employee’s daily job. This includes, but is not limited to an individual’s office, office computer, telephone, and library resources.

“Scholarly Works” are defined as works that are created to further scholarly or artistic activity for which no compensation is granted by Collin College. These include but are not limited to manuscripts, scholarly articles, documentaries, websites, monographs, works of art, and other research-based productions.

“Educational Materials” are defined as teaching or course materials that are not works for hire, such as class notes, curriculum guides, and laboratory notebooks.

“College District Time” is defined as time an employee spends conducting work that contributes to the course and scope of employment as defined in the assigned job description.

Employees

*College District
Ownership*

As an agent of the College District, an employee, including a student employee, will not have rights to a work or invention he or she creates, authors, or invents on College District time or using College District technology resources or College District intellectual property with the exception of scholarly works produced with incidental use of college resources or educational materials. The agent will assign his or her rights in writing to the works or invention to the College District. The College District will own any work, work product, or invention created or invented by a College District employee in the course and scope of his or her employment or if substantially produced using College District equipment, including the right to obtain copyrights and patents. The College District will have a royalty free, perpetual, non-exclusive, transferrable right from the employee to use, copy, display, or distribute the scholarly works or educational materials for education purposes.

*Employee
Ownership*

A College District employee will own any work, work product, or invention created or invented outside the College District employee’s

course and scope of his or her employment, produced on his or her own time, away from his or her job, with personal equipment and materials, and with incidental use of college resources, including the right to obtain patents or copyrights.

Permission

~~If not in the course and scope of his or her employment, a College District employee may apply to the~~ The District President or designee ~~to~~ will have the authority to permit use of College District materials and equipment in ~~his or her~~ the employee's creative projects, provided the employee agrees ~~either~~ in writing to grant to the College District a non-exclusive, non-transferable, perpetual, royalty-free, College District-wide license to use the work, or permits the College District to be listed as co-author or co-inventor if the College District contribution to the work is substantial. Unless stated herein otherwise, College District materials do not include student work, all rights to which are retained by the student.

Disclosure of
Intellectual Property

College District personnel endeavoring to produce intellectual property of commercial value will disclose planned projects by completing the Request for Determination of Intellectual Property Rights Form available through Human Resources. College District employees will not disclose the planned projects to third parties until a response from the College District to the request is issued.

Works for Hire
Independent
Contractors

The College District may hire an independent contractor for specially commissioned work(s) under a written works-made-for-hire agreement that provides that the College District will own the work product and intellectual property to the work product created under the agreement, as permitted by intellectual property law. Independent contractors will comply with intellectual property law in all works commissioned.

Return of
Intellectual Property

Upon the termination of any person's association with the College District, all permission to possess, receive, or modify the College District's intellectual property will also immediately terminate. All such persons will return to the College District all intellectual property, including but not limited to any copies, no matter how kept or stored, and whether directly or indirectly possessed by such person. All electronic copies will be permanently deleted or electronically destroyed.

Copyright
Use of Copyrighted
Works

Unless the proposed use of a copyrighted work is an exception under the "fair use" guidelines maintained by the District President or designee, the College District will require an employee or student to obtain a license or permission from the copyright holder before copying, modifying, displaying, performing, distributing, or otherwise employing the copyright holder's work for instructional, curricular, or extracurricular purposes. This policy does not apply to any work sufficiently documented to be in the public domain.

Technology Use

~~All persons are prohibited from using~~Use of College District technology in violation of any law, including copyright law, will be prohibited. Only appropriately licensed images, applications, programs, or other software may be used with College District technology resources. ~~No person will use the~~The College District's technology resources will not be used to post, publicize, or duplicate information in violation of copyright law. ~~The Board will direct the~~ District President or designee ~~to~~will employ all reasonable measures to prevent the use of College District technology resources in violation of the law. ~~All persons~~Any person using College District technology resources in violation of law will lose user privileges in addition to other sanctions. [See BBI and CR]

~~Electronic Media~~

~~Unless a license or permission is obtained, electronic media in the classroom~~Performances and Displays

~~The performance and display of copyrighted material, including motion pictures and other audiovisual, dramatic works, must be used in musical performances, or other audio and visual works, may only occur for education purposes and in accordance with the following:~~

1. As a regular part of instruction and directly related to the course of curriculum;
2. During face-to-face teaching activities as defined by law;
3. When viewed in a classroom or designated place of instruction; and
4. With a lawfully made copy or via an authorized account.

Designated Agent

The College District will designate an agent to receive notification of alleged online copyright infringement and will notify the U.S. Copyright Office of the designated agent's identity. The College District will include on its website information on how to contact the College District's designated agent and a copy of the College District's copyright policy. Upon notification, the College District's designated agent will take all actions necessary to remedy any violation. The College District will provide the designated agent appropriate training and resources necessary to protect the College District.

If a content owner reasonably believes that the College District's technology resources have been used to infringe upon a copyright, the owner may notify the designated agent.

Use of College District Trademark

The College District protects all College District and campus trademarks, including names, logos, mascots, and symbols, from unauthorized use.

College District-related Use

The College District may grant permission to students, student organizations, parent organizations, and other College District-affiliated college-support organizations to use, without charge, College District and campus trademarks to promote a group of students, an activity or event, a campus, or the College District, if the use is in furtherance of College District-related business or activity and such use does not damage or tarnish the College District's trademarks. The District President or designee, in his or her sole discretion, will determine what constitutes use in furtherance of College District-related business or activity and is authorized to revoke permission if the use is improper or does not conform to administrative procedures/guidelines or international, federal, and state laws.

Public Use

Members of the ~~general~~-public, outside organizations, vendors, manufacturers, wholesalers, distributors, and retailers will not use College District trademarks without ~~the~~-written ~~permission-of~~authorization from the District President or designee. Any production of merchandise or other goods with College District trademarks for sale or distribution must be pursuant to a trademark licensing agreement and may be subject to the payment of royalties.

Any individual, organization, or business that uses College District or campus trademarks without appropriate authorization will be subject to legal action.

Classroom lectures and classroom materials, including but not limited to recordings, faculty-produced lecture notes, and supplemental materials, are covered by this Intellectual Property policy and are not available for distribution to the general public or for non-Collin College academic purposes.

NEW POLICY – language moved from EJ (Local)

Faculty/Student Collaborative Research Requests

From time to time the College District receives requests for authorization to conduct research that is expected to involve human subjects and to utilize limited College District facilities, personnel, students, data, and/or other resources. This policy will govern the approval of the College District with respect to all research requests, including those that may require the use of college resources, to ensure that college resources are expended for the benefit of the college and the general public.

All research involving human subjects to be conducted at the College District must be reviewed and approved through the procedures of the Institutional Review Board (IRB) to protect the rights and safety of persons participating in research in accordance with board policy. Any approval granted by the College District to support a research request with college resources is made conditionally upon approval by the IRB. Priority for the use of Collin College resources will generally be given to requests originating from students, faculty members, or staff members of Collin College.

This policy will apply to any request to conduct research at or through any campus, center, or facility of the College District that involves:

1. Student Participation;
2. Faculty/Staff participation;
3. Use of College District facilities; or
4. The compiling or processing of data from College District sources or utilizing College District services.

Purpose of the Research Request Review Committee

The District President or designee will implement a Research Request Review Committee. The Research Request Review Committee is charged with evaluating research proposals according to the approval criteria defined in this policy with particular attention being paid to the impact such proposals may have upon the operations of the College District and to the potential benefit that may accrue to the College District by allocating college district resources to support the proposal.

Composition of the Research Proposal Review Committee

The composition of the Research Request Review Committee shall include two representatives from the Institutional Research Office, two administrators from Student and Enrollment Services, two faculty members and one academic administrator.

NEW POLICY – language moved from EJ (Local)

Approval Criteria

Criteria used to make a determination of whether the College District will support a request will include, among other things:

1. The feasibility of the research in terms of the availability of data and other resources;
2. The appropriateness of the research;
3. Potential disruption to College District and/or college activities; and
4. The extent to which the College District will benefit from the research.

Notification Procedures

Notification of approval or disapproval of college support for a research request will be made to the individual proposing the project by the Vice President of Academic Affairs. Proposals approved for College District support will be directed to the IRB for its consideration along with written notification indicating that the proposal is approved to be supported with college resources.

Role of the Institutional Review Board (IRB)

It is within the role and scope of faculty and student collaborative research at the College District to use human subjects from time to time in carrying out activities contributing to the advancement of knowledge.

Safeguarding the rights and welfare of human subjects in such research, development, and related activities is of prime concern to the College District and, therefore, it is the policy of this institution to review these research studies through an institutional review board the IRB under the leadership of an appointed compliance officer. The purpose of the IRB is to minimize the risks of injury to human subjects and to ensure maximum protection for their rights and welfare of subjects. Operating guidelines of the IRB shall be consistent with the Belmont Report regarding ethical principles and guidelines for research involving human subjects, published in 1979 by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research 2018 Requirements of the Revised Common Rule (Part 46 of Title 45 of the Code of Federal Regulations).

Review Process

Proposals with Certifications in which human subjects are involved shall be referred to the IRB by the Compliance Officer for initial and continuing review. Proposals approved by the IRB and by the College District's leadership team shall be submitted to the Department of Health and Human Services in accordance with Part 46 of Title 45 of the Code of Federal Regulations.

Other Requests

Requests for research studies that are not a result of faculty/student collaboration (e.g. external dissertations, nonprofit

NEW POLICY – language moved from EJ (Local)

~~organization studies, national surveys, and the like) shall be forwarded to the appropriate member of the College District's leadership team for review, evaluation, and/or possible delegation to the IRB.~~

COMPENSATION AND BENEFITS
FRINGE BENEFITS

DEB
(LOCAL)

Insurance Benefits

The rules and regulations of the Employees Retirement System Benefits (ERS) of Texas, the Group Benefits Program, and the Affordable Care Act (ACA) will be followed in providing basic group life, accident, health, and dental insurance coverage for all active full-time employees.

ACA Summary

The ACA is federal legislation passed in 2010. The employer-mandate provisions of the ACA became effective in 2015. The ACA rules are complex and multi-faceted, and impact both employers and individual employees.

Employee Impact

The ACA requires most Americans to have medical insurance by January 1, 2014, and attempts to ensure that Americans have access to medical insurance they can afford, whether they get it from an employer, directly from an insurance company, or from an insurance company offering coverage through a government-sponsored exchange (i.e., a state exchange or, in states that don't have their own exchanges, like Texas, the Healthcare.gov website).

Employer Impact

In general, the ACA requires that any employer that has 50 or more full-time equivalent employees offer to at least 95 percent of its full-time employees and their dependents up to age 26 medical insurance coverage meeting certain minimum standards. Employers that do not offer such coverage must pay a monetary penalty each year to the federal government, known as the "shared responsibility payment." The ACA's definition of a full-time employee is an employee whose actual average monthly hours of service are 130 or more.

Measurement
Periods

*Standard
Measurement
Period*

The Standard Measurement Period is the "look back" period during which the College District must measure the hours of service of its ongoing employees in order to determine who qualifies as full-time under the ACA. Ongoing employees are those who joined the College District before the beginning of the Standard Measurement Period, so that they are employed for all 12 months of the Standard Measurement Period. The College District has selected the period of July 1 of each year through June 30 of the following year as the 12-month period for its Standard Measurement Period.

*Standard
Administrative
Period*

The Standard Administrative Period is the period after the end of the Standard Measurement Period during which the College District must evaluate each ongoing employee's work record to determine whether he or she averaged 130 hours or more of service per month during the Standard Measurement Period. During the Standard Administrative Period, the College District will make an offer of health insurance coverage to those ongoing employees determined to be full-time based on their hours worked during the immediately preceding Standard Measurement Period. The College District has selected July 1 through August 31 of each year as the

two-month Standard Administrative Period, which coincides with the College District's existing open enrollment period.

Standard Stability Period

The Standard Stability Period is the period during which ongoing employees who were determined to be full-time based on their hours worked during the Standard Measurement Period must continue to be treated as full-time and therefore eligible for coverage during the Standard Stability Period, regardless of their actual hours worked. [See Rehired Employees, below, for employees treated as having been terminated and rehired] The College District's Standard Stability Period coincides with the plan year of its medical plan and is the 12-month period from September 1 of each year through August 31 of the next year.

New Employees

The ACA does not permit an employer to wait until a new employee has completed a Standard Measurement Period to determine whether the employee is full-time. Thus, procedures are required to determine the full-time status of new employees under the ACA. These rules are similar to, but separate from, the rules for determining the full-time status of ongoing employees.

Full-Time

A new employee who, at commencement of employment, is reasonably expected to be full-time (i.e., averaging 30 or more hours per week), and who is not a seasonal employee, must be considered full-time for purposes of the ACA, beginning on his or her employment commencement date. (Note that for purposes of determining whether a new employee is full-time based on work expectation, the standard is 30 or more hours per week, not 130 per month.)

Once a new full-time employee has been employed for an entire Standard Measurement Period, the employee becomes an ongoing employee, and his or her status as full-time for purposes of the ACA is governed by the provisions of this policy regarding ongoing employees.

Non-Full-Time

A new employee who is hired as a part-time, seasonal, or variable-hour (i.e., who may reasonably be expected to sometimes work 30 or more hours per week and sometimes less) employee is not initially considered full-time, but his or her hours of service must be tracked during an Initial Measurement Period, as follows:

- New employees who are part-time, seasonal, or variable hour (hereinafter, "new non-full-time employees") are tested for ACA full-time status based on an Initial Measurement Period that begins on the first day of the first month following their hire date and ends a year later. Immediately following the end of a new non-full-time employees' Initial Measurement Period, there is a one-calendar-month Initial Administrative Period

COMPENSATION AND BENEFITS
FRINGE BENEFITS

DEB
(LOCAL)

during which the new non-full-time employees' status as full-time or part-time is determined and during which any new non-full-time employees who are determined to have averaged 130 or more hours per month are offered coverage.

- A new non-full-time employee who averages 130 hours or more of service per month during his or her Initial Measurement Period and who is therefore determined to be full-time under the ACA will continue to be full-time for purposes of the ACA during his or her 12-month Initial Stability Period, which is the 12-month period immediately following his or her Initial Administrative Period, regardless of his or her actual hours of service during the Initial Stability Period. [See Rehired Employees, below, for employees treated as having been terminated and rehired]

Note that unless a new non-full-time employee is hired in June (other than June 1st) or on July 1st, his or her Initial Measurement Period will partially overlap his or her first Standard Measurement Period. A new non-full-time employee who does not average 130 hours or more of service per month during his or her Initial Measurement Period, but who does average 130 hours or more of service per month during the Standard Measurement Period that starts during his or her Initial Measurement Period, will be considered full-time under the ACA during the Standard Stability Period following such Standard Measurement Period, even though the first months of such Standard Measurement Period would otherwise include the last months of the employee's Initial Stability Period. In such a case, the employee's Initial Stability Period is effectively cut short.

Change of Status to Full-Time

If a new employee who is a non-full-time employee experiences a change in employment status before the end of his or her Initial Measurement Period, such that if the employee had begun employment in that new status, he or she would reasonably have been expected to be full-time under the 30-hour week standard [see New Employees – Full-Time, above], the employee will be considered full-time, and thus eligible for the College District's medical insurance plan, beginning on the first day of the calendar month after the change in employment status to full-time.

Rehired Employees

An employee who is terminated and rehired will be treated as a new employee upon rehire only if he or she was not credited with an hour of service with the College District for a period of at least 13 consecutive weeks immediately preceding the date of rehire. For purposes of applying this rule, whether an employee has an hour of service is determined after application of the rules for special unpaid leave. [See Rules for Special Unpaid Leave, below]

COMPENSATION AND BENEFITS
FRINGE BENEFITS

DEB
(LOCAL)

Definition of Hours or Service	Under the ACA, “hours of service” is a term that generally includes actual hours worked, determined from payroll records, and hours for which the employee is paid, but does not work, such as paid vacation, holiday, illness, or disability.
Rules for Special Unpaid Leave	Under a special ACA rule, adjunct faculty members must be treated as having 2.25 hours for each contact hour, plus their hours performing other required duties, such as attendance at meetings.
Employee / Retiree Benefits Reserve Fund	The College District’s Employee/Retiree’s Benefits Reserve Fund is established with the general intent to provide funding toward employee/retiree health insurance in the event of a reduction or elimination of state funding that would lower the benefit to less than 100 percent funded for employee-only coverage, and less than 50 percent funding for eligible-dependent coverage. Should the state impose a reduction in health insurance funding, the District President will present a plan to the Board for utilizing the fund to help off-set the cost of health insurance formerly paid by the state for benefits-eligible employees and retirees of the College District.
Tax-Sheltered Annuity	Tax-sheltered annuities are available to all benefits-eligible employees.
Supplemental Retirement Account	Full-time, benefits-eligible employees may elect to participate in a College District-sponsored supplemental tax-sheltered retirement plan that includes a dollar-for-dollar match of an employee’s contributions to an individual tax-sheltered retirement account (up to a maximum of three percentage match of the employee’s full-time salary <u>that is approved as a line item in the budget by the Board each year</u>). Employer contributions are subject to budget availability. Contributions to a State of Texas sponsored retirement plan (e.g., the Teacher Retirement System or the Optional Retirement Plan) do not qualify for the employer match. [See the plan document for the “Collin Invests” Enhanced Retirement Savings Plan for requirements and terms]
Educational Benefits	The Board will provide educational benefits for full-time College District employees through a tuition reimbursement program described in the College District’s procedures and guidelines for faculty and staff.
Tuition Waiver Policy	A full-time employee who resides outside Collin County will, upon submission of a written request and appropriate documentation to the College District’s financial aid office, receive a waiver of the difference between the out-of-county or out-of-state and in-county resident tuition.

COMPENSATION AND BENEFITS
FRINGE BENEFITS

DEB
(LOCAL)

Relocation

Full-time employees who must relocate to accept a position with the College District may be eligible for a relocation allowance. In no case will the relocation allowance exceed actual documented expenses. Employees who received a relocation allowance reimbursement and who voluntarily terminate prior to completion of one year of employment will reimburse the College District for all relocation monies received, in accordance with the relocation agreement signed by the employee. The amount will be deducted from the final payroll check.

Wellness

Full-time faculty and staff may participate in any of the College District's wellness programs and receive matched time for their exercise efforts to a maximum of 30 minutes of paid time per day to a maximum of one and one-half hours per week. Employees will request approval from their supervisor prior to participation in a wellness program.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Violations

Employees will comply with the Code of Ethics set out in DH(EX-HIBIT), the standards set out in this policy, and with any other policies, regulations, and guidelines that impose duties or requirements attendant to their status as College District employees. Violation of any policies, core values, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCC, DIAA, and DM series]

Record Retention

An employee will 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]

Safety Requirements

All employees will adhere to College District safety procedures and guidelines and will report unsafe conditions or practices to the appropriate supervisor.

**Alcohol and
Drugs**

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, will be provided to all new employees and will be available on the College District human resources' website.

Employees ~~will not unlawfully manufacture, distribute, dispense, possess, use~~ will be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, dispensing, selling, or ~~being~~ under the influence of any of the following substances ~~during working hours~~ while conducting College District business or while on College District property or while engaged, in College District vehicles, or at College District-related activities, whether during or outside of usual working hours:

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. 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.
- 4.6. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.
5. ~~Any drug paraphernalia used for controlled substances as defined under Health and Safety Code Section 481.002.~~

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

An employee need not be legally intoxicated to be considered “under the influence” of alcohol or a controlled substance.

Exceptions

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

1. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee’s personal use;
2. Possesses 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;
3. Cultivates, possesses, transports, or sells hemp as authorized by law; or
4. Lawfully possesses, sells, or distributes Dextromethorphan.

The District President is authorized by the Board to permit the serving and consumption of alcohol at special fundraising functions for the College District, at specially designated events in College District facilities, and as a part of specifically defined and approved academic curricular programs/classes (e.g., culinary arts).

State law will 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

In addition to a copy of this policy, each employee will be given a copy of the College District’s statement regarding a drug-free workplace and drug-free schools and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

Reporting Violations of the Law

Each employee will report violations of law to his or her supervisor, a human resources representative, the appropriate vice president or provost, or the District President as soon as he or she may become aware of the same. Failure to make such a report and/or failure to report as required by Board policies may compromise the integrity of the College District depending upon the severity of any concealment and may subject the employee to disciplinary action, including termination of employment with the College District.

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In instances in which an employee asserts that he or she is being suspended, terminated, or discriminated against on account of the good faith reporting of a violation of law, the employee has all rights and protections afforded by law and in particular under Government Code 554.001, et seq., whereby such action is a form of unlawful retaliation. Employees claiming retaliation under this section will exhaust all administrative remedies to correct an alleged injustice, including filing a resolution of employee concern form [see DGBA(LOCAL)] and following the appropriate procedures thereafter.

Weapons on Campus

The College District prohibits the use, possession, or display of any illegal knife, club, or prohibited weapon, in violation of the law or College District policies and procedures, on College District property or at a College District-sponsored or -related activity, unless written authorization is granted in advance by the District President or designee. [See CHF]

Arrests, Indictments, Convictions, and Other Adjudications

An employee (or designee, if the employee is incarcerated) will notify his or her immediate supervisor through a written letter via certified (verifiable) email or certified mail and sent/postmarked within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or any 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.

Smoke and Tobacco Free Workplace

The College District prohibits smoking and the use of tobacco products or other electronic smoking devices on all College District property. Violators of this policy may be subject to disciplinary action, including, but not limited to, termination of employment. [See FLBD]

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

Employees seeking assistance or related educational materials should contact the human resources office.

Use of College District Equipment at an Off-Campus Location

College District employees may use College District equipment for College District-related purposes at off-campus locations, including a personal residence, by completing an equipment check-out form and by following the related procedures. Failure to comply with the published guidelines may result in disciplinary action. An employee will not use College District facilities, secretarial assistance, office supplies and equipment, or other College District resources for personal gain or benefit; such use of College District resources for personal gain or benefit is a violation of College District policy and state law.

Fraternization / Consensual Relationships

Employees with direct teaching, supervisory, advisory, or evaluative responsibility over other employees, students, or student employees are expected to recognize and respect the ethical and professional boundaries that must exist in such situations. Employees must also avoid putting themselves in a compromising position, such as meeting alone with a student in a private residence or non-public place.

While personal relationships between consenting adults are a personal matter, they can create potential conflicts in the workplace and in the educational setting. Such relationships also have the potential for exploitation of an employee, student, or student employee and can possibly create professional or academic disadvantages for third parties.

Definitions

Consensual Relationship – a mutually acceptable, dating, romantic, or sexual relationship.

Consensual Relationship in the Workplace – a mutually acceptable, dating, romantic, or sexual relationship between a College District employee (including a student employee) with teaching, supervising, advising, evaluating, or grading authority, and an employee, student, or student employee who is, directly or indirectly, taught, supervised, advised, evaluated, or graded by that College District employee.

Conflict of Interest – Even when there is no actual conflict of interest, a potential conflict of interest or an appearance of impropriety may arise when individuals with the authority and the responsibility to evaluate the work or performance of an employee, student, or student employee initiate, acquiesce to, or engage in an intimate,

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	<p>dating, romantic, or sexual relationship with that employee, student, or student employee.</p>
Prohibited Conduct	<p>Employees are prohibited from having a consensual relationship in the workplace that is not reported in accordance with this policy.</p> <p>This policy applies to all College District faculty, staff, and students. As used in this document, the terms “faculty, staff, and students” include individuals serving as interns or as volunteers, such as volunteer coaches.</p>
Reporting Responsibility	<p>When a consensual relationship in the workplace exists, the individual in the position of authority must immediately (and no later than within five days of commencing such a relationship) notify his or her immediate supervisor of the relationship. Failure of the individual in the position of authority to report the consensual relationship in the workplace immediately may result in disciplinary action up to and including termination.</p> <p>If a conflict of interest or the appearance of a conflict of interest exists as a result of the consensual relationship in the workplace, the individual reporting the relationship will cooperate with his or her supervisor in making all the necessary arrangements to resolve the conflict of interest. If the conflict of interest cannot be resolved by the supervisor, the supervisor will refer the issue to the Human Resources Department for further resolution, including the removal of the reporting relationship, the reassignment of the reporting employee, other resolution of the conflict of interest, and/or termination of employment. If a consensual relationship in the workplace does not result in a conflict of interest or the conflict of interest is resolved, the relationship will be allowed by the supervisor.</p> <p>If an allowed consensual relationship in the workplace ends and as a result has a negative impact on either employee’s work, it is the employees’ responsibility to inform their supervisor(s) and to take appropriate steps to mitigate any conflicts at work. If employees are unable to resolve conflicts at work, the employees will be asked to mutually agree which employee will be reassigned or resign from the College District’s employment. If employees are unable to agree on that decision, the College District may elect to terminate the employment of one or both employees at the same time.</p>
Immediate Supervisor Responsibility	<p>A supervisor who is notified, or becomes aware, of a consensual relationship in the workplace will inform Human Resources. Human Resources will take steps to confirm that the consensual relationship in the workplace exists by meeting with the parties involved and advising that this type of relationship must conform to the guidelines of this policy. Human Resources will work with all parties</p>

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to alter the conditions that create an actual or potential conflict of interest or the appearance of impropriety caused by the relationship. In most instances, providing alternative arrangements for either party will alter the conditions. In providing alternative arrangements, the College District must ensure no harm comes to the person in the relationship who holds less power or authority. These alternative arrangements must be documented, kept in the employee's personnel file, and reported to the vice president in the reporting line of the employee in the position of authority in the relationship.

Procedures for
Failure to
Cooperate

Employees in positions of authority in consensual relationships in the workplace must fully cooperate in efforts to eliminate any conflict of interest or appearance of impropriety and are subject to disciplinary action up to and including termination for failure to do so. The College District will presume that the relationship was not consensual if the subordinate party complains of sexual harassment related to an undisclosed consensual relationships in the workplace. Allegations of sexual misconduct will be investigated in accordance with College District policy and procedures.

Procedure for
Grievances of
Disciplinary Actions

An individual who is disciplined under this policy may grieve or appeal through DGBA.

DELETE POLICY

Language previously moved to DHB (Local)

Reporting

~~Any person who has 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 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 hours of learning of the facts giving rise to the suspicion of abuse or neglect. 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 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.~~

Making a Report

~~Reports may be made to any of the following:~~

- ~~1. A state or local law enforcement agency;~~
- ~~2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the [Texas Abuse Hotline Website](#);~~
- ~~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 District President or another College District staff member. The College~~

DELETE POLICY

Language previously moved to DHB (Local)

~~District will not require an employee to first report the employee's suspicion to a College District or campus administrator.~~

Confidentiality

~~In accordance with state law, the identity of a person making a report of suspected child abuse or neglect will be kept confidential and disclosed only in accordance with 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 will 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 will cooperate fully and without parental consent with an investigation of reported child abuse or neglect.~~

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.~~

DELETE POLICY

Language previously moved to DHB (Local)

Training

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

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

Delete Policy

DELETE POLICY – language moved to NEW POLICY CU (Local)

**Faculty / Student
Collaborative
Research**

~~It is within the role and scope of faculty and student collaborative research at the College District to use human subjects from time to time in carrying out activities contributing to the advancement of knowledge.~~

~~Safeguarding the rights and welfare of human subjects in such research, development, and related activities is of prime concern to the College District and, therefore, it is the policy of this institution to review these research studies through an institutional review board (IRB) under the leadership of an appointed compliance officer. The purpose of the IRB is to minimize the risks of injury to human subjects and to ensure maximum protection for the rights and welfare of subjects. Operating guidelines of the IRB shall be consistent with the Belmont Report regarding ethical principles and guidelines for research involving human subjects, published in 1979 by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.~~

Review Process

~~Proposals with certifications in which human subjects are involved shall be referred by the compliance officer to the IRB for initial and continuing review. Proposals approved by the IRB and by the College District's leadership team shall be submitted to the Department of Health and Human Services in accordance with Part 46 of Title 45 of the Code of Federal Regulations.~~

Other Requests

~~Requests for research studies that are not a result of faculty/student collaboration (e.g., external dissertations, nonprofit organization studies, national surveys, and the like) shall be forwarded to the appropriate member of the College District's leadership team for review, evaluation, and/or possible delegation to the IRB.~~

Collin County Community College District Board of Trustees

2023-09-X

September 26, 2023

Resource: Monica Velazquez
General Counsel

AGENDA ITEM:

Report Out of the Organization, Education, and Policy Committee, Second Reading and Consideration of Approval of Local Board Policies

- **CDB (Local)** Accounting – Inventories - ADD
- **CT (Local)** Intellectual Property
- **CU (Local)** Research - ADD
- **DEB (Local)** Compensation and Benefits – Fringe Benefits
- **DH (Local)** Employee Standards of Conduct
- **DHC (Local)** Employee Standards of Conduct – Child Abuse and Neglect Reporting - DELETE – moved to DHB (Local)
- **EJ (Local)** Miscellaneous Instruction Policies - DELETE – moved to CU(Local)

DISCUSSION:

The Organization, Education, and Policy Committee reviewed the policies presented in this item. The Organization, Education, and Policy Committee Chair will report out a recommendation at the September 26, 2023 regular meeting of the Board of Trustees.

PROPOSED CHANGES:

As a part of the College's comprehensive review of all policies and with updates and recommendations from the Texas Association of School Boards' Legal and Policy Service, the local policies outlined below are being presented for your approval.

- **CDB (Local)** Accounting – Inventories – ADD - This recommended new local policy includes financial reporting requirements and guidance from the state Budget Requirements and Annual Financial Reporting Requirements for Texas Public Community Colleges and the Governmental Accounting Standards Board (GASB) Implementation Guide regarding the Capitalization Threshold for individual and group assets. The GASB guidance regarding group assets applies to reporting periods beginning after June 15, 2023.

- **CT (Local)** Intellectual Property - Revisions are recommended by TASB throughout this local policy to clarify the circumstances under which the college's intellectual property may be used.
- **CU (Local)** Research – ADD - Recommended new policy addressing the process for which external research requests received by the college will be reviewed and designating the criteria for approval by the Research Request Review Committee and for review by the Institutional Review Board where applicable.
- **DEB (Local)** Compensation and Benefits – Fringe Benefits – Recommended revisions addressing the college's salary match percentage for the supplemental retirement benefits plan which will be approved by the Board and eliminating the cap of 3% of salary.
- **DH (Local)** Employee Standards of Conduct - Recommended revisions to this local policy have been made to clarify employee rules related to Alcohol and Drugs, including use, control, transmittal, sale, and associated paraphernalia. The recommended revisions also clarify that state law will be enforced regarding possession and consumption of alcohol on college property.
- **DHC (Local)** Employee Standards of Conduct – Child Abuse and Neglect Reporting - DELETE – Language moved to DHB (Local)
- **EJ (Local)** Miscellaneous Instruction Policies - DELETE – Language regarding requests for research moved to new policy CU (Local)

DISTRICT PRESIDENT'S RECOMMENDATION:

The District President recommends approval of the Local Board Policies as outlined above.

SUGGESTED MOTION:

This item may come as a motion and second out of committee. A suggested motion would be, "Mr. Chairman, I make the motion that the Board of Trustees of Collin County Community College District approves the Local Board Policies."