



AGENDAS

BOARD OF TRUSTEES COMMITTEE MEETINGS

November 12, 2015

**HCC Administration Building
3100 Main, 2nd Floor Auditorium
Houston, Texas 77002**



Strategic Plan 2012-2015

Creating Opportunities for Our Shared Future
(Approved by the HCC Board of Trustees, June 22, 2012)

Mission

Houston Community College is an open-admission, public institution of higher education offering a high-quality, affordable education for academic advancement, workforce training, career and economic development, and lifelong learning to prepare individuals in our diverse communities for life and work in a global and technological society.

Vision

Houston Community College will be the most **relevant** community college in the country. We will be the **opportunity** institution for every student we serve – **essential** to our community's success

Strategic Initiatives

- Initiative #1: Increase Student Completion
- Initiative #2: Respond to Business and Industry
- Initiative #3: Develop 21st Century Learners
- Initiative #4: Support Faculty/Staff Professional Development and Student Leadership
- Initiative #5: Support Innovation
- Initiative #6: Support Entrepreneurialism
- Initiative #7: Leverage Partnerships



MEMORANDUM

TO: HCC Board of Trustees
FROM: Board Services
DATE: November 12, 2015
RE: Meetings for November 2015

Dear Trustees:

Please note that the following meetings are scheduled for November 2015 at the HCC Admin. Building, 3100 Main, 2nd Floor Auditorium, Houston, Texas 77002:

Thursday, November 12, 2015

- **Board Governance Committee –1:00 p.m.**
(Members: Trustee Tamez-Committee Chair, Trustee Glaser and Trustee Mullins; Alternate Member-Trustee Loreda)
- **Chancellor Evaluation Committee – 2:00 p.m.**
(Members: Trustee Tamez-Committee Chair, Trustee Capo and Trustee Loreda; Alternate Member-Trustee Evans-Shabazz)
- **Audit Committee – 2:30 p.m.**
(Members: Trustee Glaser-Committee Chair, Trustee Oliver and Trustee Wilson; Alternate Member-Trustee Tamez)
- **Academic Affairs/Student Services Committee – 3:00 p.m.**
(Members: Trustee Loreda-Committee Chair, Trustee Tamez and Trustee Wilson; Alternate Member-Trustee Capo)
- **Committee of the Whole Meeting - 3:30 p.m.**
(Quorum of the Full Board Required)

Friday, November 13, 2015

- **Special Meeting (Canvassing of Election Returns) –12:00 p.m.**
(Quorum of the Full Board Required)

Thursday, November 19, 2015

- **Regular Board Meeting –4:00 p.m.**
(Quorum of the Full Board Required)



AGENDA

BOARD GOVERNANCE COMMITTEE OF THE BOARD OF TRUSTEES

Committee Members

Dr. Adriana Tamez, Chair

Trustee Robert Glaser

Trustee Sandie Mullins

Alternate Member

Trustee Eva Loreda

November 12, 2015

1:00 p.m.

**HCC Administration Building
3100 Main, 2nd Floor Auditorium
Houston, Texas 77002**

**NOTICE OF A MEETING OF THE BOARD OF TRUSTEES
HOUSTON COMMUNITY COLLEGE**

BOARD GOVERNANCE COMMITTEE

November 12, 2015

Notice is hereby given that a Meeting of the Board Governance Committee of the Board of Trustees of Houston Community College will be held on Thursday, the twelfth (12th) day of November, 2015 at 1:00 p.m., or after, and from day to day as required, at the HCC Administration Building, 3100 Main, 2nd Floor Auditorium, Houston, Texas 77002. The items listed in this Notice may be considered in any order at the discretion of the Committee Chair and items listed for closed session discussion may be discussed in open session and vice versa as permitted by law. Actions taken at this Meeting do not constitute final Board action and are only Committee recommendations to be considered by the Board at the next Regular Board meeting.

I. Call to Order

II. Topics for Discussion and/or Action:

A. TASB Localized Policy Manual.

B. Proposed Revisions to Board Bylaws.

III. Adjournment to closed or executive session pursuant to Texas Government Code Sections 551.071; 551.072 and 551.074, the Open Meetings Act, for the following purposes:

A. Legal Matters

1. Consultation with legal counsel concerning pending or contemplated litigation, a settlement offer, or matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

B. Personnel Matters

- C.** Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or to hear complaints or charges against the chancellor, employees or board members, unless the officer, employee, or board member who is the subject of the deliberation or hearing requests a public hearing.

D. Real Estate Matters

1. Deliberate the purchase, exchange, lease, or value of real property for

The Houston Community College Board of Trustees (the "Board") will not consider or act upon any item before this committee. This meeting is not a Regular Meeting of the Board but because a quorum of the Board may attend, the meeting of this committee is also being posted as a Meeting of the Board.

Houston Community College
Board Governance Committee – November 12, 2015

Agenda items if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

IV. Additional Closed or Executive Session Authority

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning:

Section 551.071 – For the purpose of a private consultation with the Board’s attorney about pending or contemplated litigation, a settlement offer, or matters on which the attorney’s duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

Section 551.072 – For the purpose of discussing the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073 – For the purpose of considering a negotiated contract for a prospective gift or donation to the System if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

Section 551.076 – To consider the deployment, or specific occasions for implementation of security personnel or devices, or a security audit.

Section 551.082 – For the purpose of considering discipline of a student or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing, unless an open hearing is requested in writing by a parent or guardian of the student or by the employee against whom the complaint is brought.

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Board Governance Committee – November 12, 2015

Section 551.084 – For the purpose of excluding a witness or witnesses in an investigation from a hearing during examination of another witness in the investigation.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- A. The open meeting covered by this Notice upon the reconvening of the public meeting, or
- B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

V. Reconvene in Open Meeting

VI. Adjournment

Certificate of Posting or Giving of Notice

On this 9th day of November, 2015, at or before 1:00 p.m., this Notice was posted at a place convenient to the public and readily accessible at all times to the general public at the following locations: (1) Administration Building of the Houston Community College, 3100 Main, First Floor, Houston, Texas 77002; and (2) the Houston Community College website, www.hccs.edu.

Rose Sarzoza-Pena
Manager, Board Services

REPORT ITEM

Meeting Date: November 12, 2015

Committee: *Board Governance*

ITEM NO.	ITEM TITLE	PRESENTER
A	TASB Localized Policy Manual	Dr. Cesar Maldonado Ashley Smith Jarvis Hollingsworth

DISCUSSION

The HCC Board of Trustees must regularly review and update its policies to ensure they conform and comply with applicable law, best practices, and the Board's vision, mission, values, and goals. Additionally, Board policies must establish clear and written guidelines for the administration to follow when carrying out operations.

Board Counsel and General Counsel are presenting draft proposed policies for the Board's review, and find the proposed policies (which include TASB policies and current HCC policies, additions, and/or deletions) are appropriate and necessary to ensure that the college's policies are current and compliant with the law and best practices. Upon Board review of the draft policies and expected adoption of the TASB Localized Policy Manual in the Spring of 2016, the HCC Compliance Officer and Board Counsel will work with TASB to complete the localization and codification of policies for the district and the HCC Compliance Officer will notify employees of the policy changes and any impact the policies may have on college operations which warrant modifications to procedures.

DESCRIPTION OR BACKGROUND

In support of HCC's objectives to define a system-wide compliance plan, the Chancellor and Compliance Officer reported to the Board in April 2015, plans to redevelop board policies and supporting procedures in order to implement a centralized compliance program.

The proposed TASB Local Policy Manual, when completed and finalized, will not only align with the college's transformation goals to increase accountability at all levels of the organization, but also meet the college's commitment to a compliance program to further promote operational efficiency. Specifically the, policy framework will: 1) clearly define board intent or requirements in accordance with the law, 2) reduce potential legal risk by mandating consistent practices across the district, 3) be easily accessible and searchable online via TASB Policy Online, 4) allow for training and enforcement mechanisms; 5) and routinely be updated in response to changes in the law.

FISCAL IMPACT

N/A

STRATEGIC INITIATIVES ALIGNMENT

Strategic Initiative: Support Innovation

Attachment Title(s): **Proposed Alignment of Houston Community College Policies with TASB Local Policies (in Draft Form)**

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

11/11/2015 2:40 PM

REPORT ITEM

Meeting Date: November 12, 2015

Committee: *Governance*

ITEM NO.	ITEM TITLE	PRESENTER
B	Proposed revisions to Board Bylaws	Jarvis Hollingsworth

DISCUSSION

The proposed revisions to the Board Bylaws ensures compliance with applicable law, best practices, and the Board's vision, mission, values and goals.

DESCRIPTION OR BACKGROUND

The proposed revisions to the Board Bylaws will update the Bylaws in accordance with recent legislative changes, and will provide greater clarity on Board processes and procedures.

FISCAL IMPACT

N/A

STRATEGIC INITIATIVES ALIGNMENT

Strategic Initiative: Support Innovation

Attachment Title(s): **Bylaws of the Board of Trustees of the Houston Community College**

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

11/10/2015 4:14 PM



AGENDA

CHANCELLOR EVALUATION COMMITTEE OF THE BOARD OF TRUSTEES

Committee Members

Trustee Adriana Tamez, Chair

Trustee Zeph Capo

Trustee Eva Loreda

Alternate Member

Trustee Carolyn Evans-Shabazz

November 12, 2015

2:00 p.m.

**HCC Administration Building
3100 Main, 2nd Floor Auditorium
Houston, Texas 77002**

**NOTICE OF A MEETING OF THE BOARD OF TRUSTEES
HOUSTON COMMUNITY COLLEGE**

CHANCELLOR EVALUATION COMMITTEE

November 12, 2015

Notice is hereby given that a Meeting of the Chancellor Evaluation Committee of the Board of Trustees of Houston Community College will be held on Thursday, the twelfth (12th) day of November, 2015 at 2:00 p.m., or after, and from day to day as required, at the HCC Administration Building, 3100 Main, 2nd Floor Auditorium, Houston, Texas 77002. The items listed in this Notice may be considered in any order at the discretion of the Committee Chair and items listed for closed session discussion may be discussed in open session and vice versa as permitted by law. Actions taken at this Meeting do not constitute final Board action and are only Committee recommendations to be considered by the Board at the next Regular Board meeting.

I. Call to Order

II. Topics for Discussion and/or Action:

A. Chancellor's Evaluation and Performance Goals.

III. Adjournment to closed or executive session pursuant to Texas Government Code Sections 551.071; 551.072 and 551.074, the Open Meetings Act, for the following purposes:

A. Legal Matters

1. Consultation with legal counsel concerning pending or contemplated litigation, a settlement offer, or matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

B. Personnel Matters

1. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or to hear complaints or charges against the chancellor, employees or board members, unless the officer, employee, or board member who is the subject of the deliberation or hearing requests a public hearing.

The Houston Community College Board of Trustees (the "Board") will not consider or act upon any item before this committee. This meeting is not a Regular Meeting of the Board but because a quorum of the Board may attend, the meeting of this committee is also being posted as a Meeting of the Board.

Gouston Community College
Chancellor Evaluation Committee –November 12, 2015

C. Real Estate Matters

1. Deliberate the purchase, exchange, lease, or value of real property for Agenda items if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

IV. Additional Closed or Executive Session Authority

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning:

Section 551.071 – For the purpose of a private consultation with the Board’s attorney about pending or contemplated litigation, a settlement offer, or matters on which the attorney’s duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

Section 551.072 – For the purpose of discussing the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073 – For the purpose of considering a negotiated contract for a prospective gift or donation to the System if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

Section 551.076 – To consider the deployment, or specific occasions for implementation of security personnel or devices, or a security audit.

Section 551.082 – For the purpose of considering discipline of a student or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing, unless an open hearing is requested

Houston Community College
Chancellor Evaluation Committee –November 12, 2015

in writing by a parent or guardian of the student or by the employee against whom the complaint is brought.

Section 551.084 – For the purpose of excluding a witness or witnesses in an investigation from a hearing during examination of another witness in the investigation.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

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- B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

V. Reconvene in Open Meeting

VI. Adjournment

Certificate of Posting or Giving of Notice

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Rose Sarzoza-Pena
Manager, Board Services

ACTION ITEM

Meeting Date: November 12, 2015

Committee: *Chancellor Evaluation*

ITEM NO.	ITEM TITLE	PRESENTER
A	Chancellor's Evaluation for 2014-15 and Performance Goals for 2015-16	Dr. Adriana Tamez Dr. Cesar Maldonado

RECOMMENDATION

Review, discuss and approve the Chancellor's Evaluation for 2014-15 and approve Performance Goals for 2015-16.

COMPELLING REASON/RATIONALE

According to the Board bylaws, the Board shall evaluate the Chancellor on an annual basis.

FISCAL IMPACT

To be determined.

LEGAL REQUIREMENT

N/A

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: Support and Innovation.

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

11/7/2015 6:21 PM



AGENDA

AUDIT COMMITTEE OF THE BOARD OF TRUSTEES

Committee Members

Trustee Robert Glaser, Chair
Trustee Christopher W. Oliver
Trustee Dave Wilson

Alternate Member

Trustee Adriana Tamez

November 12, 2015

2:30 p.m.

**HCC Administration Building
3100 Main, 2nd Floor Auditorium
Houston, Texas 77002**

**NOTICE OF A MEETING OF THE BOARD OF TRUSTEES
HOUSTON COMMUNITY COLLEGE**

AUDIT COMMITTEE

November 12, 2015

Notice is hereby given that a Meeting of the Audit Committee of the Board of Trustees of Houston Community College will be held on Thursday, twelfth (12th) day of November, 2015 at 2:30 p.m., or after, and from day to day as required, at the HCC Administration Building, 3100 Main, 2nd Floor Auditorium, Houston, Texas 77002. The items listed in this Notice may be considered in any order at the discretion of the Committee Chair and items listed for closed session discussion may be discussed in open session and vice versa as permitted by law. Actions taken at this Meeting do not constitute final Board action and are only Committee recommendations to be considered by the Board at the next Regular Board meeting.

I. Call to Order

II. Topics for Discussion and/or Action:

- A. Internal Audit Quarterly Report.
- B. Quarterly Control and Compliance Attestation.

III. Adjournment to closed or executive session pursuant to Texas Government Code Sections 551.071; 551.072 and 551.074, the Open Meetings Act, for the following purposes:

A. Legal Matters

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B. Personnel Matters

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Houston Community College
Audit Committee – November 12, 2015

C. Real Estate Matters

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Section 551.082 – For the purpose of considering discipline of a student or to

Houston Community College
Audit Committee – November 12, 2015

hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing, unless an open hearing is requested in writing by a parent or guardian of the student or by the employee against whom the complaint is brought.

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Rose Sarzoza-Pena
Manager, Board Services

REPORT ITEM

Meeting Date: November 12, 2015

Committee: *Audit*

ITEM NO.	ITEM TITLE	PRESENTER
A	Internal Audit Quarterly Report	Dr. Cesar Maldonado Belinda Brockman

DISCUSSION

The Internal Auditor meets quarterly with the Audit Committee to discuss the status of the annual audit plan and to review the follow-up report on recommendations from previously completed audits.

DESCRIPTION OR BACKGROUND

The Board of Trustees adopted the Audit Committee Action Calendar, which calls for quarterly updates.

FISCAL IMPACT

Department functions per approved operating budget.

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: Support Innovation

Attachment Title(s): **1. Schedule of Completed Internal Audits**
2. Projects on Internal Audit Plan

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

**Internal Audit Department
Follow-up Status Report**

Report Name & Res. Party	Recommendation	Response	Current Status	Comments	Expected Comp Date
12-09 Fixed Assets K. Hoyle	5.* Asset Management and IT should re-examine the "Category" classifications that link to the "Profiles" to ensure an appropriate useful life table for depreciation.	Asset Management will coordinate a meeting with G/L Management and IT to determine how to properly address this matter on 7/17/2015 at 2:00p.m.	Complete	Business Services, G/L, IA, IT and Procurement met to identify the source triggering incorrect depreciation on certain equipment. It was determined that miscoding of sub-accounts on requisitions was the root cause of the problem. Procurement has implemented a training program throughout the System on "Requisition Preparation". IA agrees with the corrective action.	10/27/2015
14-14 Business Continuity Plan Ashley Smith Ashley Smith Teri Zamora	HCCS should formalize the processes for creation, maintenance, and testing of business continuity plans to be adequate to allow the Colleges to function in the aftermath of a disaster.	1. The Office of General Counsel will convene an assembly of stakeholders to begin the process by December 2015. 2. The Office of Risk Management will lead in the development of the Business Continuity Plan through completion and implementation. 3. Funding for appropriate personnel, development and implementation of plan will be provided.	In Progress In Progress Complete	Funding was provided for an Executive Director, Risk Management.	1/15/2016 10/31/2016 9/1/2015

Report Name & Res. Party	Recommendation	Response	Current Status	Comments	Expected Comp Date
14-21 Payroll Stuart Evans	1. Individual passwords should be set for sites that allow it. Upon hiring of new employees, new logins and passwords should be added, never shared. Passwords and logins should not be included in the payroll process documentation.	As of the audit completion, system passwords and login IDs have been removed from all process documentation stored on HCC shared drive locations. Additionally, individual login IDs and passwords will be established for access to the following systems/vendors: Teacher Retirement System of Texas, Bank of America-ACH Transmittal, TEXNet – Texas Comptroller of Public Accounts, TIAA-CREF, VALIC, AXA, ING, Cash Pay	Complete	Payroll has acquired individual LOG IN ID's for Bank of America and the retirement vendors (TIAA-CREF, VALIC, AXA, ING), and limited access to TRS and TEXNet transactions.	10/1/2015
Hina Naik	2. HR review the tables and processes used for data extraction and reporting and establish a process to ensure the data is accurate.	PeopleSoft data is accurately maintained on a real-time basis based upon timely reporting of employee data. The ability to extract such data accurately is dependent upon the Analyst's understanding of the system architecture (tables) and their command of PeopleSoft Query Tools. HRIS has recently realigned resources to significantly upgrade this skillset with the addition of a Business Intelligence Analyst.	Complete	Verified hiring of a Business Intelligence Analyst	10/7/2015
Stuart Evans	3. Time and Labor has in place reminder e-mails to supervisors for time approvals; This process can be improved by escalating the notifications to the next supervisory level when time is not approved within more than one pay period.	As a business practice, one-up supervisors are included as approvers for workgroups within PeopleSoft Time and Labor. This allows management access to time records for those in the departmental reporting hierarchy. Workflow e-mails are sent simultaneously to time approvers and one-up supervisors with notification of approaching deadlines and unapproved time. While some time approvers request peer level alternate approver assignment, the one-up supervisor remains intact and is included on all T&L Workflow communications.	Complete		

Report Name & Res. Party	Recommendation	Response	Current Status	Comments	Expected Comp Date
<p>14-21 cont'd Stuart Evans</p>	<p>4. Human Resources send out an Advisory reminding supervisors to pay close attention to their non-exempt employees not clocking out for lunch and that they encourage their employees to take a 30-60 minute lunch break away from their desks daily.</p>	<p>There is no federal or state (Texas) law requiring employees to observe a meal period. However, HCC does have a procedure that defines work hours and requires non-exempt employees to clock out and in when observing a meal period. A meal period is not considered time worked and failing to record such time accurately violates the procedure. Human Resources will distribute an Advisory via HR Alert and/or HR News You Can Use to remind non-exempt employees of the requirements contained in Procedure C.09.1 (below). HR will also send a communication to all time approvers (supervisors) reminding them to closely monitor and manage this situation.</p> <p>Procedure C.09.1 – Non-exempt Employees are expected to comply with HCC’s assigned work schedules and record their time worked and authorized absences using HCC’s electronic timekeeping system.</p> <p>Time worked is time actually spent on the job performing assigned duties for or on behalf of HCC. Non-exempt employees must login using the electronic time keeping system (web clock) when they are ready to work. They must log out for meal breaks and in after the meal break is completed, and log out at the end of the day.</p>	<p>Complete</p>	<p>An HR News You Can Use article was published 9/11/2015, referencing HCC Procedure C.9.1 and reminding supervisors and managers of their responsibility to monitor and manage non- exempt employees time reporting.</p>	<p>10/1/2015</p>

Report Name & Res. Party	Recommendation	Response	Current Status	Comments	Expected Comp Date
14-21 cont'd Stuart Evans	5. Human Resources continue to use the mailing logs for checks; that it pre-print the log of checks held for employees instead of keeping a post-it with names; and that a supervisor approve the logs of checks to be mailed and to be held for employee pick-up.	Payroll has developed a Check Log to account for every payroll check printed for both on-cycle and off-cycle processing. Payroll also records the check information in the Payroll Processing Worksheet for each payroll cycle independent of the Check Log. Each process captures item count, type of check, and a chain of custody. Payroll will review the current process to ensure all objectives are maintained in the Audit Recommendation.	Complete		

* Carryover from the last follow-up.

Internal Audit Plan Status Report

PROJECTS

Number	Name	Stage	Report Date	Scope
14-14	Business Continuity Planning	Completed	4/2/2015	Adequacy of processes to Create, Test and Maintain Business Continuity Plans.
14-21	Payroll Application Audit	Completed	5/29/2015	Evaluate payroll processes, policies, and procedures to determine if controls in place are appropriate. Assess the general and specific IT risks and controls affecting the timelines, reliability, integrity and accuracy of payroll data.
15-11	Financial Management	Assigned		Concerning the coding of expense transactions, and timeliness of payment per Texas prompt pay act.
15-12	Human Resources Operations			
15-13	Procurement Operations			
15-14	Student Financial Aid Operations			
15-16	Web Presence	Assigned		Concerning the process for approval and posting of Student Catalog and of internal policies and procedures.
15-17	Veterans Affairs Dept	Exit		Concerning adequacy and effectiveness of departmental controls.
15-18	IT Governance and Planning	In Progress		Concerning Security Governance and Policy/Procedure alignment.
15-30	Quarterly Significant Findings follow up	Completed	10/19/2015	Report presented.
15-40	Monitoring Projects (IDEA)	Audit Being Reviewed		Dual 1099/W2 recipients
15-40b	Monitoring Projects (IDEA)	Audit Being Reviewed		Part-time employee hours

OTHER INTERNAL PROJECTS/INVESTIGATIONS

Number	Name	Stage	Report Date	Scope
14-108	Continuing Ed	Completed	5/6/2015	SAO Hotline: Allegations regarding instructors being pressured by management to change grades not sustained.
14-109	In District Refund	Completed	2/23/2015	SAO Hotline: Allegations regarding improper recognition of residency status and refund of financial aid. Situation resolved.
14-110	Falsified Information on FAFSA	Completed	3/13/2015	SAO Hotline: Allegations of student claiming children as dependents to increase Financial Aid. Children acknowledged but not claimed as dependents.
15-101	Veteran Affairs Benefits	Completed	8/28/2015	Mgmt: Complaint that a non veteran employee was given a VA benefit improperly by a fellow employee. Control memo issued. Allegation sustained.
15-102	SE Issue	Completed	9/21/2015	SAO Hotline: Allegations of improper sexual behavior by supervisor leading to benefits for an employee. Consensual relationship acknowledged, other allegations not sustained.
15-103	Faculty Benefit Issue	Completed	9/30/2015	SAO Hotline: Allegations that a faculty member was overpaid leading to a distortion in his retirement benefits. Human Resources reconciliation found no net benefit since unpaid amounts and vacation payout balanced. Control issue recognized.

EXTERNAL AUDITS

Name	Stage	Report Date	Scope
DOE/HGAC Weaver Risk Advisory Services	Completed	5/13/2015	Financial Monitoring and Billing Review HGAC Contract on Adult Education.
Grant Thornton	In Progress		The annual financial and uniform compliance audit under OMB-133 and State of Texas Single Audit Circular.
Texas Mutual Insurance Company - Oct. 19	In Progress		Worker's Compensation

REPORT ITEM

Meeting Date: November 12, 2015

Committee: *Audit*

ITEM NO.	ITEM TITLE	PRESENTER
B	Quarterly Control and Compliance Attestation	Dr. Cesar Maldonado E. Ashley Smith

DISCUSSION

The first Quarterly Control and Compliance Attestation from the Chancellor is offered, with the intent to enhance the atmosphere of trust and accountability between the College administration, members of the Board of Trustees, and the public.

DESCRIPTION OR BACKGROUND

It is important that the Board of Trustees be able to rely upon the written and oral statements of the Chancellor and other members of the College administration as they carry out their duties. The attestation is a written statement from the Chancellor indicating that he has already disclosed to the Board of Trustees, the Audit Committee, and/or to Internal Audit, regarding any items of potential concern that he is aware of, primarily in the areas of internal control, compliance, and suspected fraud. It is also a positive statement stating that all rules have been followed, all material items recorded, and all contractual agreements have been honored.

This item will be included as a regular Report Item in each Quarterly Audit Committee meeting. The Chancellor's Attestation for subsequent quarters will also be backed up by similar attestations from key College administrators.

FISCAL IMPACT

N/A

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: Support Innovation

Attachment Title(s): **Control and Compliance Attestation Letter (Will be provided under separate cover)**

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

11/7/2015 6:21 PM



AGENDA

ACADEMIC AFFAIRS/STUDENT SERVICES COMMITTEE OF THE BOARD OF TRUSTEES

Committee Members

Trustee Eva Loreda, Chair

Trustee Adriana Tamez

Trustee Dave Wilson

Alternate Member

Trustee Zeph Capo

November 12, 2015

3:00 p.m.

**HCC Administration Building
3100 Main, 2nd Floor Auditorium
Houston, Texas 77002**

**NOTICE OF A MEETING OF THE BOARD OF TRUSTEES
HOUSTON COMMUNITY COLLEGE**

ACADEMIC AFFAIRS/STUDENT SERVICES COMMITTEE

November 12, 2015

Notice is hereby given that a Meeting of the Academic Affairs/Student Services Committee of the Board of Trustees of Houston Community College will be held on Thursday, twelfth (12th) day of November, 2015 at 3:00 p.m., or after, and from day to day as required, at the HCC Administration Building, 3100 Main, 2nd Floor Auditorium, Houston, Texas 77002. The items listed in this Notice may be considered in any order at the discretion of the Committee Chair and items listed for closed session discussion may be discussed in open session and vice versa as permitted by law. Actions taken at this Meeting do not constitute final Board action and are only Committee recommendations to be considered by the Board at the next Regular Board meeting.

I. Call to Order

II. Topics for Discussion and/or Action:

A. Student Success Update.

B. HCC Libraries Plan.

III. Adjournment to closed or executive session pursuant to Texas Government Code Sections 551.071; 551.072 and 551.074, the Open Meetings Act, for the following purposes:

A. Legal Matters

1. Consultation with legal counsel concerning pending or contemplated litigation, a settlement offer, or matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

B. Personnel Matters

1. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or to hear complaints or charges against the chancellor, employees or board members, unless the officer, employee, or board member who is the subject of the deliberation or hearing requests a public hearing.

C. Real Estate Matters

1. Deliberate the purchase, exchange, lease, or value of real property for Agenda items if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

IV. Additional Closed or Executive Session Authority

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning:

Section 551.071 – For the purpose of a private consultation with the Board's attorney about pending or contemplated litigation, a settlement offer, or matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

Section 551.072 – For the purpose of discussing the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073 – For the purpose of considering a negotiated contract for a prospective gift or donation to the System if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

Section 551.076 – To consider the deployment, or specific occasions for implementation of security personnel or devices, or a security audit.

Section 551.082 – For the purpose of considering discipline of a student or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing, unless an open hearing is requested

Houston Community College
Academic Affairs/Student Services Committee – November 12, 2015

in writing by a parent or guardian of the student or by the employee against whom the complaint is brought.

Section 551.084 – For the purpose of excluding a witness or witnesses in an investigation from a hearing during examination of another witness in the investigation.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- A. The open meeting covered by this Notice upon the reconvening of the public meeting, or
- B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

V. Reconvene in Open Meeting

VI. Adjournment

Certificate of Posting or Giving of Notice

On this 9th day of November, 2015, at or before 3:00 p.m., this Notice was posted at a place convenient to the public and readily accessible at all times to the general public at the following locations: (1) Administration Building of the Houston Community College, 3100 Main, First Floor, Houston, Texas 77002; and (2) the Houston Community College website, www.hccs.edu.

Rose Sarzoza-Pena
Manager, Board Services

REPORT ITEM

Meeting Date: November 12, 2015

Committee: *Academic Affairs/Student Services*

ITEM NO.	ITEM TITLE	PRESENTER
A	Student Success Update	Dr. Cesar Maldonado Dr. Kimberly Beatty

DISCUSSION

Update on student success regarding our comprehensive HCC Experience Model.

DESCRIPTION OR BACKGROUND

HCC is currently engaged in developing metrics and strategies that align with the State's Strategic Plan. These strategies comprise of the HCC Student Experience.

Purpose: As a leading higher education institution, HCC must continue to develop strategic plans for student completion.

FISCAL IMPACT

THECB provides funding to colleges based upon a funding model dependent upon factors to include success and completion.

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: 1: Increase Student Completion Through Advanced Educational Opportunities.

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

REPORT ITEM

Meeting Date: November 12, 2015

Committee: *Academic Affairs/Student Services*

ITEM NO.	ITEM TITLE	PRESENTER
B	HCC Libraries Plan	Dr. Cesar Maldonado Dr. Kimberly Beatty

DISCUSSION

Overview presentation of the new HCC Libraries transformation plan.

DESCRIPTION OR BACKGROUND

As part of HCC's ongoing transformation, the HCC Libraries have been aligned under the leadership of the Executive Director, Library Resources and Services reporting to the AVC, Instructional Services. With this unified, district-wide organizational change, the library leadership is prepared to implement a plan to substantially improve library services. The library staff is committed to having a greater impact on and support for student success.

FISCAL IMPACT

Depends on level of implementation

STRATEGIC GOAL ALIGNMENT

Strategic Initiative:

Strategic Initiative #3: Ensure instructional programs provide the knowledge and skills required for 21st century learners.

Strategic Initiative #4: Enrich institutional capacity for faculty and staff professional development and student leadership development.

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100



AGENDA

COMMITTEE OF THE WHOLE OF THE BOARD OF TRUSTEES

**November 12, 2015
3:30 p.m.**

**HCC Administration Building
3100 Main, 2nd Floor Auditorium
Houston, Texas 77002**

**NOTICE OF MEETING
THE BOARD OF TRUSTEES
OF THE HOUSTON COMMUNITY COLLEGE
MEETING AS A COMMITTEE OF THE WHOLE**

November 12, 2015

Notice is hereby given that the Board of Trustees of Houston Community College will meet as a Committee of the Whole on Thursday, the twelfth (12th) day of November, 2015 at 3:30 p.m., or after, and from day to day as required, at the HCC Administration Building, 3100 Main, 2nd Floor Auditorium, Houston, Texas 77002. The items listed in this Notice may be considered in any order at the discretion of the Chair or Board and items listed for closed session may be discussed and/or approved in open session and vice versa as permitted by law. Action Items approved by the Committee of the Whole will be listed on the Consent Agenda at a Regular Board Meeting.

I. Call to Order

II. Topics for Discussion and/or Action:

A. Facilities

1. Update on Bond Capital Improvement Plan (CIP) Related Matters.
2. Payment of Impact Fees to the City of Houston.
3. Distribution of Anticipated Proceeds from the Sale of Property at MacGregor and 288.

B. Finance

4. Investment Policy 2016.
5. Investment Report for the Month of September 2015.
6. Monthly Financial Statement and Budget Review for September 2015.

III. Reports from Appointed and Ad Hoc Committee(s):

A. Academic Affairs/Student Services

1. Student Success Update.
2. HCC Libraries Plan.

Houston Community College
Committee of the Whole – November 12, 2015

B. Audit

3. Internal Audit Quarterly Report.
4. Quarterly Control and Compliance Attestation.

C. Board Governance

5. TASB Localized Policy Manual.
6. Proposed Revisions to Board Bylaws.

D. Chancellor Evaluation

7. Chancellor's Evaluation and Performance Goals.

IV. Adjournment to closed or executive session pursuant to Texas Government Code Sections 551.071; 551.072 and 551.074, the Open Meetings Act, for the following purposes:

A. Legal Matters

1. Consultation with legal counsel concerning pending or contemplated litigation, a settlement offer, or matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

B. Personnel Matters

1. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or to hear complaints or charges against the chancellor, employees or board members, unless the officer, employee, or board member who is the subject of the deliberation or hearing requests a public hearing.

C. Real Estate Matters

1. Final Payment for San Jacinto Project.
2. Deliberate the purchase, exchange, lease, or value of real property for Agenda items if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

V. Additional Closed or Executive Session Authority

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning:

Section 551.071 – For the purpose of a private consultation with the Board’s attorney about pending or contemplated litigation, a settlement offer, or matters on which the attorney’s duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

Section 551.072 – For the purpose of discussing the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073 – For the purpose of considering a negotiated contract for a prospective gift or donation to the System if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

Section 551.076 – To consider the deployment, or specific occasions for implementation of security personnel or devices, or a security audit.

Section 551.082 – For the purpose of considering discipline of a student or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing, unless an open hearing is requested in writing by a parent or guardian of the student or by the employee against whom the complaint is brought.

Section 551.084 – For the purpose of excluding a witness or witnesses in an investigation from a hearing during examination of another witness in the investigation.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- A. The open meeting covered by this Notice upon the reconvening of the public meeting, or

Houston Community College
Committee of the Whole – November 12, 2015

- B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

VI. Reconvene in Open Meeting

VII. Adjournment

CERTIFICATE OF POSTING OR GIVING NOTICE

On this 9th day of November, 2015, at or before 3:30 p.m., this Notice was posted at a place convenient to the public and readily accessible at all times to the general public at the following locations: (1) the Administration Building of the Houston Community College System, 3100 Main, First Floor, Houston, Texas 77002; and (2) the Houston Community College website, www.hccs.edu.

Rose Sarzoza-Pena
Manager, Board Services

ACTION ITEM

Meeting Date: November 12, 2015

Committee: *Facilities and Finance*

ITEM NO.	ITEM TITLE	PRESENTER
2	Payment of Impact Fees to the City of Houston	Dr. Cesar Maldonado Teri Zamora Charles Smith

RECOMMENDATION

Recommend Houston Community College deny the City of Houston demand for payment of municipal utility impact fees for HCC constructions projects.

COMPELLING REASON/RATIONALE

The City of Houston has stated it will not grant certificates of occupancy for any pending HCC construction projects, and is no longer expected to release additional CIP construction permits unless HCC pays impact fees to the City of Houston. By law, HCC is exempt from the mandatory payment of impact fees, but the Board of Trustees can agree to voluntarily pay such fees.

DESCRIPTION OR BACKGROUND

Since 2007, Texas Local Government Code Section 395.022 has provided that "school districts" are not required to pay utility impact fees for new development, unless the school district's Board of Trustees consents to the payment by entering into a contract with a city to pay the fees. In January 2013, the Texas Attorney General issued an opinion concluding that junior college districts are considered "school districts" for purposes of this statutory exemption.

The City of Houston disagrees with the conclusion of the Texas Attorney General, and has stated that it will not issue certificates of occupancy for any HCC construction projects until HCC pays impact fees. The City administration has offered as a one-time settlement that it will accept payment of 75% of the calculated fees as a means of informally resolving the dispute without litigation.

FISCAL IMPACT

Estimated to be \$ 472,918.64 for all 2013 CIP Bond projects.

LEGAL REQUIREMENT

Under Section 395.022(b) of the Texas Local Government Code, school districts are not required to pay utility impact fees to a city for new development unless the Board of Trustees for the district consents to the payment by entering into a contract with the city to pay the fees.

Texas Attorney General Opinion GA-0984, issued on January 29, 2013, clarified that junior college districts are considered to be "school districts" for purposes of the impact fee exemption contained in Section 395.022(b). As such, HCC's payment of any amount of impact fees to a city must be authorized by the Board of Trustees.

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: None.

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

ACTION ITEM

Meeting Date: November 12, 2015

Committee: *Facilities and Finance*

ITEM NO.	ITEM TITLE	PRESENTER
3	Distribution of Anticipated Proceeds from the Sale of Property at MacGregor and 288	Dr. Cesar Maldonado Teri Zamora Charles Smith

RECOMMENDATION

Authorize the budgeting of approximately \$13,629,203 representing reimbursement to the CIP fund from the anticipated sale proceeds of \$13,850,000 (appraised value) from the property located at MacGregor and 288, to Bond CIP projects.

COMPELLING REASON/RATIONALE

Approval to distribute pending sale proceeds to CIP projects is requested to allow the spirit and intent of the CIP concepts to be met within the limits of the total funds available. Approving the distribution at this time will allow for project scopes to be adjusted, building permits to be applied for, and progress to continue on various projects.

DESCRIPTION OR BACKGROUND

The current budgets on the projects described below are not sufficient to complete the projects as fully envisioned. Selling the property described above, which is no longer needed for further development of the Coleman campus, will enable other projects to be more fully completed. Specific uses of requested funding include:

- Alief Hayes Road - Adjusts IT budget to cover the build-out of the fourth floor for Allied Health.
- Northline - Ensures that four additional classrooms in the Academic Building can be constructed as planned, caused by increased costs associated with the Central Plant.
- North Forest - Provides for the restoration of state of the art Automotive Technology spaces in support of the COE. (Allows current facility to be re-deployed in support of autobody and diesel.)
- Central Campus - Ensures that the planned Culinary Arts building can be completed without shelling any spaces.
- Coleman - Partial restoration of borrowed funds as promised in the original Action Item.

FISCAL IMPACT

Any additional sales proceeds beyond \$13,629,203 will go to fund balance.

Project	Project Name	CIP Project Budget	Amount to be Reallocated	Less Land and Related Cost	CIP Current Estimate
A	Alief Hayes Road	13,600,000	429,203	-	14,029,203
I	Northline	24,425,000	1,400,000	-	25,825,000
J	North Forest	35,350,000	8,500,000	-	43,850,000
L	Central Campus	27,130,000	1,900,000	-	29,030,000
N	Coleman*	110,000,000	1,400,000	(13,629,203)	97,770,797
Total			\$13,629,203	(\$13,629,203)	

*Total adjusted cost of the Coleman project, net of land is \$106,370,979. Remaining amount currently slated to come from fund balance.

LEGAL REQUIREMENT

None

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: Support Innovation

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

ACTION ITEM

Meeting Date: November 12, 2015

Committee: *Facilities and Finance*

ITEM NO.	ITEM TITLE	PRESENTER
4	Investment Policy 2016	Dr. Cesar Maldonado Teri Zamora

RECOMMENDATION

Review and approve the HCC Investment Policy and investment strategies, with recommended changes, as required by the Texas Government Code, Chapter 2256, and Public Funds Investment Act.

Review and adopt list of qualified brokers, and authorize the investment officer to utilize these brokers through the fiscal year as deemed appropriate for investment transactions.

COMPELLING REASON/RATIONALE

The governing body shall adopt a written instrument by rule, order, ordinance or resolution stating that it has reviewed the investment policy, investment strategies, and list of qualified brokers; and that the written instrument so adopted shall record any changes to the investment policy, investment strategies and list of qualified brokers.

DESCRIPTION OR BACKGROUND

The Board of Trustees adopted the existing written investment policy on November 18, 2014.

FISCAL IMPACT

Provide safety and liquidity of principal and a reasonable return on our investments in prevailing economic and investment environments.

LEGAL REQUIREMENT

The Texas Government Code, Chapter 2256, Public Funds Investment Act, requires the governing body of an investing entity to review its written investment policy and strategies not less than annually, and review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions for the System.

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: Support Innovation

Attachment Title(s): **1. Investment Policy**
2. List of Qualified Brokers

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

HOUSTON COMMUNITY COLLEGE SYSTEM

INVESTMENT POLICY

Approved by the Board of Trustees on

November ~~18, 2014~~19, 2015

HOUSTON COMMUNITY COLLEGE SYSTEM, TEXAS INVESTMENT POLICY

PREFACE

The purpose of this document is to set forth specific investment policy and strategy guidelines for the Houston Community College System (the “HCCS”) in order to achieve the goals of safety, liquidity, public trust, and yield for all investment activity. The Board of Trustees of HCCS (the “Board”) shall review its investment strategies and policy not less than annually. This policy serves to satisfy the statutory requirements (specifically the Public Funds Investment Act, Chapter 2256 of the Texas Government Code [the “Act”]) to define, adopt and review a formal investment strategy and policy.

It is the policy of HCCS that, giving due regard to the safety and risk of investment, all available funds shall be invested in conformance with State and Federal regulations, applicable Bond Resolution requirements, adopted Investment Policy and adopted Investment Strategy.

Effective investment strategy development coordinates the primary objectives of HCCS’ Investment Policy and cash management procedures with investment security risk/return analysis to enhance interest earnings by increasing the available “investment period.” Maturity selections shall be based on cash flow and market conditions to take advantage of interest earnings as viable and material revenue to all HCCS funds. HCCS’ portfolio shall be designed and managed in a manner responsive to the public trust and consistent with the Investment Policy.

Each major fund type has varying cash flow requirements and liquidity needs. Therefore, specific strategies shall be implemented considering the fund’s unique requirements.

HOUSTON COMMUNITY COLLEGE SYSTEM INVESTMENT POLICY

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Attachments:

- A. Certification Form

INVESTMENT POLICY

1. **PURPOSE.** The purpose of this Investment Policy (the “Policy”) is to comply with the Act, which requires that the HCCS annually adopt a written investment policy for the investment of its funds and funds under its control. This document will set forth specific investment policy and strategy guidelines for HCCS in order to achieve the goals of ensuring safety of principal, maintaining adequate liquidity, maintaining public trust for all investment activities, and achieving the best allowable yield commensurate with the risk criteria of this Policy.
2. **POLICY.** It is the policy of the HCCS that after allowing for the anticipated cash flow requirements and giving due consideration to the safety and risks of investments, all available funds shall be invested in conformance with these legal and administrative guidelines to target a risk-commensurate rate of return.

Effective cash management is recognized as essential to good fiscal management. An active cash management and investment policy will be pursued to take advantage of investment interest as a viable and material source of revenue. HCCS’ portfolio shall be designed and managed in a manner intended to optimize this revenue resource, to be responsive to the public trust, and to be in compliance with legal requirements and limitations. HCCS will invest its funds in a manner that will provide optimal security and a reasonable rate of return while meeting the daily cash flow demands.

Investments shall be made with the primary objectives of:

- ❖ **Safety** and preservation of principal,
- ❖ Maintenance of sufficient **liquidity** to meet operating needs,
- ❖ **Public trust** from prudent investment activities, and
- ❖ Risk-commensurate **yield** on the portfolio.

3. **INVESTMENT STRATEGY.** HCCS maintains a portfolio that utilizes specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolio. A comprehensive and proactive cash management program will be maintained to monitor and control all funds, to ensure maximum utilization, and to yield a risk-commensurate rate of return. The investment strategy emphasizes low credit risk, diversification, and the management of maturities. In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. The composite portfolio will have a dollar weighted average maturity of two (2) years or less. The management of maturities is accomplished by structuring the maturity dates of the direct investments in a laddered allocation. In this structure, longer-term maturities will be purchased to enhance yield while shorter-term maturities are positioned to cover cash flow needs. The allowable investment instruments as defined in Section 7 of this Policy reflect the avoidance of credit risk. Diversification is accomplished by allocating investments among a variety of alternatives and maturity terms.

3.1 **The primary investment strategies** as specified in this Policy (See Section 2.) are listed below, in their order of importance:

- Safety and preservation of principal;
- Maintenance of sufficient liquidity to meet operating needs;
- Seek at all times to maintain public trust by adhering to the above stated objectives; and
- Achieve a risk-commensurate rate of return on the investment portfolio.

3.2 **The list of investments authorized** by this Policy intentionally excludes some investments allowed by State Law. The restrictions limit possible credit risk and provide the conservatively appropriate measure of safety. Within the investment objectives, the investment strategy is to utilize authorized investments for maximum advantage to HCCS.

3.3 **The general portfolio strategy for the aggregate portfolio is to** increase the interest earnings for funds identified as being available for investment over longer periods of time based upon a cash requirements projection. The following general portfolio strategies will be considered:

3.3.1 **Strategy No. 1.** Satisfying liquidity requirements through the use of financial institution deposits, local government investment pools and money market mutual funds. An investment pool or money market mutual fund is an entity created to invest funds jointly on behalf of its participants. Funds are usually available from investment pools and money market mutual funds on a same-day basis, meaning the pools or funds have a high degree of liquidity. Because of the size and expertise of their staff, investment pools and money market mutual funds are able to prudently invest in a variety of investment types.

3.3.2 **Strategy No. 2.** Building a laddered structure of authorized investments with staggered maturities for all or part of the longer-term investable funds. The benefits of this laddered approach include the following:

- It is straight-forward and easily understood;
- It represents a prudent diversification method;
- All investments remain within the approved maturity horizon;
- It helps minimize the impact of volatile interest rate changes;
- It will normally allow HCCS to capture a reasonable portion of the yield curve; and,
- It provides predictable cash flow with scheduled maturities and reinvestment opportunities.

3.3.3 **Strategy No. 3.** Pursuant to the Act, HCCS may, at its discretion, contract with an investment management firm registered under the Investment Advisors Act of 1940 (15 U.S.C. Section 80b-1 et seq.) and with the State

Securities Board to provide for investment and non-discretionary management of its public funds or other funds under its control.

An appointed Investment Advisor shall act solely in an advisory and administrative capacity, within the guidelines of this Policy. At no time shall the Advisor take possession of investments or funds or otherwise be granted authority to transact business on behalf of HCCS. Any contract awarded by HCCS for investment advisory services must be approved by the Board and may not exceed two years, with an option to extend by mutual consent of both parties.

The Investment Advisor contracted by HCCS shall abide by the Prudent Expert Rule, whereby investment advice shall, at all times, be given with the judgment and care, under circumstances then prevailing, which persons paid for their special prudence, discretion and intelligence in such matters exercised in the management of their client's affairs, not for speculation by the client or production of fee income by the advisor or broker, but for investment by the client with emphasis on the probable safety of the capital while considering the probable income to be derived.

Chapter 2263 of the Texas Government Code mandates certain actions by governing boards of State entities involved in the management and investment of State funds and adds disclosure requirements for outside financial advisors and service providers. Ethics and disclosure requirements for outside financial advisors and service providers are in Chapter 2263.01 through 2263.06 of the Texas Government Code.

3.3.4 **Strategy No. 4 - Hold until Maturity.** The strategy of HCCS is to maintain sufficient liquidity in its portfolio so that it does not need to sell or liquidate an investment prior to maturity. Should it become necessary to sell or liquidate an investment prior to maturity, where the sale proceeds are less than the current book value, the Investment Officers have the authority to take such action.

3.4 **The specific investment strategies for the HCCS fund or fund group(s)** utilize four strategy considerations designed to address the unique characteristics of the fund group(s) represented in the portfolio(s), all authorized investments shall be suitable for each fund-type strategy and marketability shall be managed by maturity limitations:

3.4.1 Investment strategies for operating funds and pooled funds containing operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure that will experience minimal volatility during economic cycles through diversification by investment type, maturity date, and issuer.

- 3.4.2 Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date(s). These funds have predictable payment schedules. Investments purchased shall not have a stated final maturity date which exceeds the next unfunded debt service payment date, or funds shall be maintained in other shorter-term options to be available for debt service payments. Additionally, debt service funds shall be invested according to the restrictions and/or requirements of the related bond covenants.
- 3.4.3 Investment strategies for bond funds and debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund with low degree of volatility. Managing the Debt Service Reserve Fund's portfolio maturities to not exceed the call provisions of the bond issue will reduce the investment's market risk if HCCS' bonds are called and the reserve fund liquidated. Except as may be required by the bond ordinance specific to an individual issue, investments should be of high quality, with short to medium term maturities. No investment maturity shall exceed the final maturity of the bond issue. Additionally, bond and debt service reserve funds shall be invested according to the restrictions and/or requirements of the related bond covenants.
- 3.4.4 Investment strategies for special projects or capital projects funds will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. Market conditions and arbitrage regulations will influence the investment of capital project funds. When market conditions allow, achieving a positive spread to applicable arbitrage yield is the desired objective; although at no time shall the anticipated expenditure schedule be exceeded in an attempt to increase yield.
4. **SCOPE.** This Policy shall govern the investment of all financial assets considered to be part of HCCS and includes all funds or fund types as described in the HCCS Audited Financial Report ("AFR") and any other funds which have been contractually delegated to HCCS for management purposes. HCCS may add or delete funds as required by law, or for proper accounting procedures. This Policy does not include funds governed by approved trust agreements, or assets administered for the benefit of HCCS by outside agencies under retirement or deferred compensation programs. Additionally, bond funds (including debt service and reserve funds) are governed by bond ordinances and are subject to the provisions of the Internal Revenue Code and applicable Federal regulations governing the investment of bond proceeds.

5. **INVESTMENT OBJECTIVES.** HCCS shall manage and invest its cash with four primary objectives, listed in order of priority: **safety, liquidity, public trust, and yield.** The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to public trust and consistent with all applicable Texas statutes, this Policy, and any other approved, written administrative procedures.

HCCS shall maintain a comprehensive cash management program that includes prompt collection of accounts receivable, processing vendor payments in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to assure maximum cash availability and optimal yield on short-term investment of pooled idle cash.

The four objectives of HCCS' investment activities shall be as follows (in the order of priority):

- 5.1 **Safety.** Safety of principal invested is the foremost objective in the investment decisions of HCCS. Each investment transaction shall seek to ensure the preservation of capital in the overall portfolio. The risk of loss shall be controlled by investing only in authorized investments as defined in this Policy, by qualifying the financial institutions with whom HCCS will transact, and by portfolio diversification. Safety is defined as the undiminished return of the principal on HCCS' investments.
- 5.2 **Liquidity.** HCCS' investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands. Because all possible cash demands cannot be anticipated, a reasonable portion of the portfolio will also be placed in investment options which offer same day liquidity for short-term funds.
- 5.3 **Public Trust.** All participants in HCCS' investment program shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transaction which might involve a conflict of interest or otherwise impair public confidence in HCCS' ability to govern effectively. All personnel of HCCS having either a direct or indirect role in the process of investing idle funds shall act responsibly as custodians of the public trust.
- 5.4 **Yield.** HCCS' investment portfolio shall be designed with the objective of attaining a risk-commensurate rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objective described above. The core of investments is limited to relatively low risk instruments in anticipation of earning a fair return relative to the risk being assumed.

6. **INVESTMENT RESPONSIBILITY AND CONTROL.** The authority for investing funds rests with the Board. As provided in this Policy, the daily operation and management of HCCS' investments are the responsibility of the following persons. These individuals must be qualified and capable in making investment decisions.

6.1 **Designation of Investment Officers for HCCS.** The Board delegates the authority to invest HCCS funds to the ~~Vice Chancellor of Finance and Planning~~Sr. Vice Chancellor of Finance & Administration and the Treasurer. Therefore, the ~~Vice Chancellor of Finance and Planning~~Sr. Vice Chancellor of Finance & Administration and the Treasurer are the Primary Investment Officers for HCCS and are authorized to deposit, withdraw, invest, transfer or manage in any other manner the funds of HCCS.

All persons involved in investment activities, but not officially designated as Investment Officers will be referred to in this Policy as "Investment Personnel." No persons may engage in an investment activity except as provided under the terms of this Policy and the procedures established by the ~~Vice Chancellor of Finance and Planning~~Sr. Vice Chancellor of Finance & Administration or the Treasurer. The ~~Vice Chancellor of Finance and Planning~~Sr. Vice Chancellor of Finance & Administration or Treasurer shall be responsible for executing all transactions undertaken, and shall establish a system of controls to regulate the activities of Investment Personnel. The system of controls shall be designed to provide reasonable assurance that the assets of HCCS are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- (1) the cost of a control should not exceed the benefits likely to be derived; and,
- (2) the valuation of costs and benefits requires estimates and judgments by management.

The Treasurer and the ~~Vice Chancellor of Finance and Planning~~Sr. Vice Chancellor of Finance & Administration shall be designated as the Primary Investment Officers for HCCS and shall be responsible for investment decisions and activities under the direction of the Board. The Deputy Treasurer is approved as a Secondary Investment Officer to serve in the absence of the Treasurer. The Treasurer is responsible for daily investment decisions and activities. However, ultimate responsibility for investment decisions will rest with both the ~~Vice Chancellor of Finance and Planning~~Sr. Vice Chancellor of Finance & Administration and the Treasurer. Commitment of financial and staffing resources in order to maximize total return through active portfolio management shall be the responsibility of the Board.

6.2 **Prudence.** The standard of prudence to be applied by an Investment Officer shall be the "prudent person" rule, which states, "investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as

well as the probable income to be derived." In determining whether the Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the following:

DRAFT

6.2.1 The investment of all funds over which the Investment Officer had responsibility rather than a consideration as to the prudence of a single investment; and,

6.2.2 whether the investment decision was consistent with the written Investment Policy and procedures of HCCS.

6.3 **Due Diligence.** An Investment Officer acting in accordance with written policies and procedures and exercising due diligence, shall not be held personally responsible for a specific investment's credit risk or market price changes. All Investment Officers and Personnel involved in investment activities will be bonded.

6.4 **Ethical Standards and Conflicts of Interest.** All HCCS Investment Officers and Personnel having a direct or indirect role in the investment of HCCS funds shall act as custodians of the public trust avoiding any transaction which might involve a conflict of interest, the appearance of a conflict of interest, or any activity which might otherwise discourage public confidence. Investment Officers and Personnel involved in the investment process shall refrain from any personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions.

An Investment Officer who has a personal business relationship with a depository bank or with any entity seeking to sell an investment to HCCS shall file a statement with the Texas Ethics Commission and the HCCS Board disclosing that personal business interest. Investment Officers shall disclose any material interests in financial institutions with which they also conduct business on behalf of HCCS. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Investment Officers and Personnel shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of HCCS.

An Investment Officer who is related within the second degree of affinity or consanguinity to an individual seeking to sell an investment to HCCS shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the Board.

6.5 **Training.** Each member of the Board shall attend at least one training session related to the person's responsibilities within six months after taking office or assuming duties. The training will include education in investment controls, security risks, strategy risks, market risk, diversification of investment portfolio, and compliance with the Act.

In order to ensure qualified and capable investment management, the Investment Officers shall attend at least one training session containing at least 5 hours of instruction relating to the Officer's responsibility under the Act within six (6)

months after assuming duties, and attend an investment training session not less than once each State fiscal biennium, receiving an additional five (5) hours of training. The investment training session shall be provided by the following approved training sources; the Texas Higher Education Coordinating Board, the Government Finance Officers Association (National and Texas), the Government Treasurers Organization of Texas, the Texas Municipal League, the Government Investment Officers Association, and the University of North Texas Center for Public Management.

6.6 **Internal Control.** The Primary Investment Officer shall establish a system of internal controls. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions. HCCS' independent external auditors, in conjunction with their annual financial audit, shall perform a compliance audit of management controls and adherence to HCCS' established Investment Policy. The internal controls shall address the following points:

- ❖ Control of collusion;
- ❖ Separation of transactions authority from accounting and record keeping;
- ❖ Custodial safekeeping;
- ❖ Avoidance of physical delivery securities;
- ❖ Clear delegation of authority to subordinate staff members; and
- ❖ Written confirmation for telephone (voice) transactions for investment and wire transfers.

7. **AUTHORIZED INVESTMENTS.** As stated previously, safety of principal is the primary objective in investing HCCS funds and can be accomplished by limiting two types of risk: credit risk and interest rate risk. Credit risk is the risk associated with the financial failure of an investment issuer or backer. Interest rate risk is the risk that the value of a portfolio will decline due to an increase in the general level of interest rates. In order to provide for safety of principal as HCCS' primary objective, only certain investments are authorized as acceptable investments for HCCS. HCCS is not required to liquidate investments that were authorized investments at the time of purchase. The following list of authorized investments for HCCS intentionally excludes some investments authorized by law. These restrictions are placed in order to limit possible risk and provide the conservatively appropriate measure of safety to HCCS funds.

7.1 **Authorized and Acceptable Investments.** The authorized list of investment instruments are as follows:

7.1.1 **Obligations of, or Guaranteed By Governmental Entities** – The following as authorized by Section 2256.009 (a) of the Public Funds Investment Act:

- (1) Obligations, including letters of credit, of the United States or its agencies and instrumentalities;
- (2) Direct obligations of this State or its agencies and instrumentalities;

- (3) Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States, with the exception of those excluded in Section 7.2 of this Policy;
- (1) Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this State or the United States or their respective agencies and instrumentalities including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States; and
- (2) Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.

7.1.2 **Financial Institution Deposits.** A deposit issued by, or placed with, a depository institution that has its main office or a branch office in this State, and is:

- (1) guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
- (2) secured by obligations that are described by the Public Funds Collateral Act and eligible within the Policy; and
- (3) collateralized in accordance with Section 12.2.2 of this Policy.

In addition to the above provisions, HCCS may invest in certificates of deposit through a broker or depository institution that has its main office or a branch office in this State and is selected as required by the Act. The broker or depository institution must arrange for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of HCCS. The full amount of the principal and accrued interest of each of the certificates of deposit must be insured by the United States or an instrumentality of the United States.

HCCS must either appoint the depository institution or broker as custodian for the HCCS with respect to the certificates of deposit, or require delivery versus payment settlement.

7.1.3 **Eligible Local Government Investment Pools.** Public funds investment pools which invest in instruments and follow practices allowed by the current law as defined in the Act, provided that:

- the investment pool has been authorized by the Board of Trustees;
- the investment pool has an advisory board as specified in the PFIA.

- the pool shall have furnished the Investment Officer an offering circular containing the information required by the Act;
- the pool shall furnish the Investment Officer investment transaction confirmations with respect to all investments made with it;
- the pool shall furnish to the Investment Officer monthly reports containing the information required in the Act;
- the pool is continuously rated no lower than “AAA” or “AAA-m” or an equivalent rating by at least one nationally recognized rating service;
- the pool marks its portfolio to market daily;
- the pool is compliant with all requirements of the Act; and
- the pool’s investment philosophy and strategy are consistent with this Policy.

7.1.4 **Repurchase Agreements.** Repurchase Agreements must have a defined termination date and must be secured by a combination of cash and obligations of the United States or its agencies and instrumentalities.

7.1.4.1 The Repurchase Agreement must be placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in the State of Texas.

7.1.4.2 The collateral underlying the Repurchase Agreement must be pledged to HCCS, held in an account in the name of HCCS, and deposited at the time the investment is made with HCCS’ custodial (safekeeping) agent.

7.1.4.3 No repurchase agreement shall be entered into unless a Repurchase Agreement has been executed between HCCS and its trading partner.

7.1.4.4 All repurchase agreement transactions will be on a delivery versus payment basis.

7.1.4.5 Securities pledged as collateral for repurchase agreements must have a market value greater than or equal to 102 percent of the outstanding principal plus accrued interest of the agreement at all times.

7.1.5 **Regulated No-Load Money Market Mutual Funds.** These investments are authorized, under the following conditions:

- the money market mutual fund is registered with and regulated by the Securities and Exchange Commission;

- the fund provides HCCS with a prospectus and other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940;
- the investment objectives include the maintenance of a stable net asset value of one dollar (\$1.00) per share; and
- the fund is continuously rated no lower than "AAA" or an equivalent rating by at least one nationally recognized rating service

HCCS may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market mutual fund.

7.1.6 **Regulated No-load Mutual Fund** is an authorized investment if the mutual fund:

- is registered with the Securities and Exchange Commission;
- has an average weighted maturity of less than two years;
- is invested exclusively in obligations approved by the Act;
- is continuously rated as to investment quality by at least one nationally recognized investment rating firm of not less than AAA or its equivalent.
- complies with the information and reporting requirements for investment pools as prescribed in the Public Funds Investment Act.

HCCS may not invest funds under its control in an amount that exceeds 15% of the total monthly average fund balance, excluding bond proceeds, reserves and debt service funds. In accordance with the Act, HCCS may not invest any proceeds of bond issuances, bond reserve funds or funds held for debt service in a mutual fund described in this section.

7.1.7 **Securities Lending Program** in accordance with the Act.

7.2 **Investment Instruments NOT Authorized.** State law specifically prohibits investment in the following securities:

- 7.2.1 Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- 7.2.2 Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- 7.2.3 Collateralized mortgage obligations that have a stated final maturity date of greater than ten years.

7.2.4 Collateralized mortgage obligations, the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

8. **CREDIT RATING REVIEW AND EFFECT OF LOSS OF REQUIRED RATING.** Not less than quarterly, the Investment Officers will obtain the current credit rating for each held investment that is required to maintain a minimum credit rating, from a reliable source to ensure that the investment has maintained the required minimum rating. The Investment Officers will take all prudent measures that are consistent with this Policy to liquidate an investment that is downgraded to less than the required minimum rating.

9. **DIVERSIFICATION.** Diversification of investment instruments shall be utilized to avoid incurring unreasonable risks resulting from over-concentration of investments in a specific maturity, a specific issue, or a specific class of investments. With the exception of U.S. Government securities, as authorized in this Policy, fully collateralized financial institution deposits, and authorized local government investment pools, no more than fifty percent (50%) of the total investment portfolio will be invested in any one security type. Diversification of the portfolio considers diversification by maturity dates and diversification by investment instrument.

9.1 **Diversification by Maturities.** The longer the maturity of investments the greater their price volatility. Therefore, it is HCCS' policy to concentrate its investment portfolio in shorter-term investments in order to limit principal risks caused by change in interest rates. HCCS will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, HCCS will not directly invest in instruments maturing more than ten (10) years from the date of purchase. However, the above described obligations, certificates, or agreements may be collateralized using longer date instruments. HCCS shall diversify the use of investment instruments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities. Maturity scheduling shall be managed by the Investment Officers so that maturities of investments shall be timed to coincide with projected cash flow needs.

The entire HCCS portfolio, including funds at HCCS' primary depository bank, shall comprise one pooled fund group, and the maximum average dollar-weighted maturity allowed based on the stated maturity date for the portfolio is two (2) years or less. Investment maturities for debt service interest and sinking funds and/or other types of reserve funds whose use is longer-term, may not exceed ten (10) years or the maturity date of the applicable bond issue.

9.2 **Diversification by Investment Instrument.** Diversification by investment instrument shall not exceed the following guidelines for each type of instrument:

Percentage of Portfolio
(Maximum at Time of Purchase)

U.S. Treasury Obligations	100%
U.S. Government Agency Securities and Instrumentalities of Government-Sponsored Corporations	80%
U.S. Agency Step-Up Options	10%
Authorized Local Government Investment Pools	100%
Fully Collateralized Financial Institution Deposits	100%
Fully Collateralized Repurchase Agreements	10%
SEC-Regulated No-Load Money Market Mutual Funds	50%
SEC-Regulated No-Load Mutual Funds (excluding bond funds)	15%
Obligation of States, Agencies, Counties, Cities and other government entities	20%

10. **AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS.** Financial institutions (federally insured banks) with and through whom HCCS invests shall be state or national banks. No public deposit shall be made except in a qualified public depository as established by State laws. Broker/dealers authorized to provide investment services to HCCS will include only those authorized by the Board. All primary banking services will be governed by a depository contract awarded by the Board. In addition, Investment Officers shall maintain a list of authorized brokers/dealers and investment pools that are authorized by the Board.

All investment providers will be required to provide a certification of having read HCCS' Investment Policy signed by a qualified representative of the organization, acknowledging that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between HCCS and the organization.

- 10.1 **Broker/Dealers.** Brokers/dealers with whom HCCS does business must supply the following, as appropriate: (1) audited financial statements; (2) proof of Financial Industry Regulatory Authority (FINRA) certification; (3) proof of state registration; and (4) completed broker/dealer questionnaire.
- 10.2 **Selection Criteria** for federally insured financial institutions shall include the following: (1) the financial institution must be insured by the FDIC; (2) the financial institution must be incorporated under the laws of the State of Texas or of the United States of America; and (3) the financial institution must be eligible under the Act.
11. **DELIVERY VERSUS PAYMENT.** It is the policy of HCCS that all security transactions entered into with HCCS shall be conducted on a “**DELIVERY VERSUS PAYMENT**” (DVP) basis through the Federal Reserve System or other appropriate settlement system. By doing this, HCCS funds are not released until HCCS has received the securities purchased. HCCS shall authorize the release of funds only after the safekeeping bank has received the purchased or pledged security in the safekeeping account of HCCS.

12. **SAFEKEEPING AND COLLATERALIZATION**

12.1 **Safekeeping.** All securities owned by HCCS shall be held by its safekeeping agent, except the collateral for bank deposits. The collateral for bank deposits will be held in a Federal Reserve Bank, a Federal Home Loan Bank, or other custodial institution acceptable to HCCS in an account in HCCS' name. Original safekeeping receipts shall be obtained and held by HCCS. HCCS shall contract with a bank or banks for the safekeeping of securities either owned by HCCS as part of its investment portfolio or held as collateral to secure financial institution deposits.

12.2 **Collateralization.** Consistent with the requirements of the Public Funds Collateral Act, it is the policy of HCCS to require full collateralization of all HCCS funds on deposit with a depository bank. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 107~~2~~²% of market value of principal and accrued interest on the deposits or investments reduced to the extent that the deposits are insured by the Federal Deposit Insurance Corporation (FDIC) unless otherwise noted in this section. Securities pledged as collateral shall be held in HCCS' segregated account at the Federal Reserve Bank, the Federal Home Loan Bank or by an independent third party with whom HCCS has a custodial agreement. The agreement is to specify the acceptable investment securities as collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. The agreement must clearly state that the custodian bank is instructed to release purchased and collateral securities to HCCS in the event HCCS has determined that the depository bank has failed to pay on any matured investments in certificates of deposit, or has determined that the funds of HCCS are in jeopardy for whatever reason, including involuntary closure or change of ownership. A clearly marked pledge receipt must be supplied to and retained by HCCS. Release of collateral or substitution of securities must be approved by the HCCS.

12.2.1 HCCS may accept the following as collateral for bank deposits;

- FDIC coverage;
- U.S. Government securities; including bonds, certificates of indebtedness, or notes, irrevocable letters of credit, or other evidence of indebtedness of the United States that is guaranteed as to principal and interest by the United States or its agencies and instrumentalities,
- State of Texas bonds; including obligations, the principal and interest on which, are unconditionally guaranteed or insured by the State of Texas,
- Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the State of Texas or the United States or their respective agencies and instrumentalities.

- Bonds issued by other Texas governmental entities (e.g. City, County, school district, or special districts) with a remaining maturity of twenty (20) years or less. Bonds must be (and must remain) rated at least "A" or its equivalent; or
- A surety bond that meets the requirements of the Act.

12.2.2 For certificates of deposit and other evidences of deposit the market value of collateral will always equal or exceed 107~~2~~% of the principal plus accrued interest of deposits at financial institutions.

12.2.3 Financial institutions with whom HCCS invests or maintains other deposits, shall require the custodian to provide monthly, and as requested by the Investment Officers, a listing of the collateral pledged to HCCS, marked to current market prices. The listing shall include total pledged securities itemized by name, type, description, CUSIP, par value, current market value, maturity date, and Moody's or Standard & Poor's rating, if applicable. HCCS and the financial institution shall jointly assume the responsibility for ensuring that the collateral is sufficient.

12.2.4 **Collateralized Deposits.** Consistent with the requirements of State law, HCCS requires all bank deposits to be federally insured or collateralized. Financial institutions serving as HCCS depositories will be required to sign a "Depository Agreement" with HCCS. The collateralized deposit portion of the Agreement shall define HCCS' rights to the collateral in the event of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the Agreement must be in writing;
- the Agreement has to be executed by the Depository and HCCS contemporaneously with the acquisition of the asset;
- the Agreement must be approved by the Board of Directors or the Designated Committee of the Depository and a copy of the meeting minutes must be delivered to HCCS; and,
- the Agreement must be part of the Depository's "official record" continuously since its execution.

12.2.5 **Competitive Pricing.** In making investment purchases, the Investment Officers shall compare yields on potential investments to yields on US Treasury Bills and Notes, money market accounts at HCCS' depository bank, and local government pools. Three competitive quotes will be obtained for all purchases of Securities, Fully Collateralized Repurchase Agreements, and Obligations of States, Agencies, Counties, other government entities and Cities.

HCCS may solicit quotes for certificates of deposit:

1. orally;
2. in writing;
3. electronically; or
4. in any combination of those methods.

HCCS recognizes that a competitive quote process is not always necessary or is not always in the best interest of HCCS. On these occasions, the Investment Officers are authorized to purchase a security without seeking a competitive quote. The following are three occasions that are authorized:

1. Market conditions are changing rapidly
2. The security is a “new issue” that is still in the primary market
3. A specific type of security, maturity date, or rate or return is sought that may not be immediately available.

13. **PERFORMANCE.** HCCS’ investment portfolio will be managed in accordance with the parameters specified within this Policy. The portfolio shall be designed with the objective to obtain a market rate of return on investments commensurate with investment risk constraints and cash flow requirements of HCCS. The dollar-weighted average yield to maturity shall be the standard for calculating portfolio rate of return.

14. **REPORTING.** The Investment Officers shall submit a signed quarterly investment report that complies with the Act, summarizes the investment strategies employed in the most recent quarter, describes the portfolio in terms of investment instruments, maturities, risk characteristics, and total investment return for the quarter.

14.1 **Annual Audit of Reports.** The reports prepared by the Investment Officers shall be formally reviewed at least annually by an independent auditor as part of the annual audit and the result of the review shall be reported to the Board by that auditor.

14.2 **Methods.** The quarterly investment report shall include a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the past quarter. This management summary will be prepared in a manner, which will allow HCCS to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the Board. The report will include the following:

14.2.1 A listing of individual instruments held at the end of the reporting period. This list will include the name of the fund or pooled group fund for which each individual investment was acquired;

- 14.2.2. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of instruments for the period. Market values shall be obtained from financial institutions or portfolio reporting services independent from the broker/dealer from which the security was purchased;
- 14.3.3 Fully accrued interest for the reporting period;
- 14.3.4 Average weighted yield to maturity as compared to applicable benchmarks;
- 14.3.5 Listing of investments by maturity date;
- 14.3.6 The percentage of the total portfolio which each type of investment represents; and
- 14.3.7 Statement of compliance of HCCS' investment portfolio with State Law and the investment strategy and policy approved by the Board.

15. **INVESTMENT POLICY ADOPTION AND AMENDMENT.** HCCS' Investment Policy shall be adopted by resolution of the Board. It is HCCS' intent to comply with State laws and regulations. HCCS' written policies and procedures for investments are subject to review not less than annually to stay current with changing laws, regulations and the needs of HCCS. The Board must adopt a written instrument that it has reviewed the Investment Policy and investment strategies and the written resolution so adopted shall record any changes made to the Investment Policy or strategies.

INVESTMENT POLICY

**TEXAS PUBLIC FUNDS INVESTMENT ACT
CERTIFICATION BY BUSINESS ORGANIZATION**

This certification is executed on behalf of the Houston Community College System, Houston, Texas (the "HCCS") and _____ (the "Business Organization") pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code (the "Act") in connection with investment transactions conducted between the HCCS and the Business Organization.

The undersigned Qualified Representative of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Qualified Representative of the Business Organization offering to execute an investment transaction with the Investor as such terms are used in the Public Funds Investment Act, Chapter 2256, Texas Government Code; and
2. The Qualified Representative of the Business Organization has received and reviewed the Investment Policy furnished by the HCCS; and
3. The Qualified Representative of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the HCCS that are not authorized by the HCCS' Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the HCCS' entire portfolio or requires an interpretation of subjective investment standards.

Qualified Representative of Business Organization:

Firm: _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

HOUSTON COMMUNITY COLLEGE

LIST OF QUALIFIED BROKERS

As of November 2015

- Robert W. Baird & Co.
- Bank of America (Merrill Lynch)–Investment Strategies/Fund Management Group
- Coastal Securities, Inc.
- First Public
- J. P. Morgan Securities, L.L.C.
- Rice Financial Products Company
- Wells Fargo Bank
- William Blair & Company, L.L.C.

ACTION ITEM

Meeting Date: November 12, 2015

Committee: *Facilities and Finance*

ITEM NO.	ITEM TITLE	PRESENTER
5	Investment Report for the Month of September 2015	Dr. Cesar Maldonado Teri Zamora

RECOMMENDATION

Approve the Investment Report for the month of September 2015.

COMPELLING REASON/RATIONALE

The monthly report advises the Board on the status of the investment portfolio and complies with the relevant statute.

DESCRIPTION OR BACKGROUND

This report provides information related to the various investments of the college, including book values and market values.

FISCAL IMPACT

The interest income earned and earnings credit for the month totaled \$219,313 and the interest income earned and earnings credit for the fiscal year totaled \$219,313. The weighted average interest rate (WAR) at September 30, 2015 is .41%.

The Investment Report attached identifies HCC's investment holdings for the month ending September 30, 2015. It includes the unexpended proceeds of the various bond issues. The portfolio is highly liquid and secure with 74% of the assets invested in local government pools, money markets funds, short-term certificates of deposit and interest bearing checking accounts. All pools and money market funds are rated at the highest level. Certificates of deposit, high yield savings and other bank deposits are secured with U.S. Treasuries/agencies. The balance of the portfolio is invested in U.S. Treasuries and government-sponsored entities/agencies with "AAA" credit ratings. Interest rates have remained historically low.

LEGAL REQUIREMENT

This report is required by the Public Funds Investment Act (Texas Government Code 2256.023) to be submitted to the governing body of Houston Community College no less than quarterly.

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: Support Innovation

Attachment Title(s): **Investment Report - September 2015**

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100

HOUSTON COMMUNITY COLLEGE SYSTEM
INVESTMENT PORTFOLIO COMPOSITION
As of SEPTEMBER 30, 2015

Beginning Book Value (SEPTEMBER 1, 2015)	\$	511,746,087
Beginning Market Value (SEPTEMBER 1, 2015)	\$	511,417,083
Additions/subtractions (Book value - Net)	\$	5,550,216 *
Change in Market value	\$	221,111
Ending Book value (SEPTEMBER 30, 2015)	\$	517,296,303
Ending Market value (SEPTEMBER 30, 2015)	\$	517,185,241
Unrealized Gain/(Loss)	\$	(111,062)
WAM (73% of Portfolio's weighted average maturity - All Funds)		1

This report is in compliance with the investment strategies approved in Houston Community College System investment policy and is in accordance with the Public Funds Investment Act of 1999.

Note: This month's Investment does not include \$7,415,976 on deposit with Bank Of America which is earning higher than market yield from earning credits.

* Net amount provided/used for Operations	5,497,545
Net amount provided/used for CIP /Others	52,671
	<u>5,550,216</u>

EXECUTIVE SUMMARY
INVENTORY HOLDINGS REPORT
September 30, 2015

	<u>Ending Book Value</u>	<u>Ending Market Value</u>	<u>Unrealized Gain (Loss)</u>
US Treasuries	18,986,800	19,001,151	14,351
US Agencies	115,261,473	115,136,060	(125,413)
Local government pools	10,130,283	10,130,283	-
Money market funds	183,563,643	183,563,643	-
High yield savings	2,342,444	2,342,444	-
Certificates of deposit	145,250,000	145,250,000	-
Interest bearing checking	41,761,661	41,761,661	-
Total	<u>517,296,303</u>	<u>517,185,241</u>	<u>(111,062)</u>

WAR (weighted average interest rate) 0.41%

INVESTMENTS
INVENTORY HOLDINGS REPORT (OPERATING AND OTHERS)
As of **SEPTEMBER 30, 2015**

Description	Held At	Coupon Rate	Purchase Date	Maturity Date	Par	Beginning Mkt. Value	Beginning Book Value	Purchased (Redeemed)	Ending Book Value	Ending Mkt. Value	Change in Mkt. Value	Unrealized Gain/(Loss)
Fannie Mae ARM Pool 708686	Bank of America	2.48%	02/22/05	05/01/33	51,262	54,548	52,860	(189)	52,671	54,187	(166)	1,516
Fannie Mae ARM Pool 805454	Bank of America	2.64%	12/23/04	12/01/34	45,133	48,339	51,147	(156)	50,991	48,113	(79)	(2,878)
Federal Home Loan Bank US Domestic Multi-step cpn Bond Structured Note	Bank of America	1.50%	07/30/12	07/30/27	2,000,000	1,928,934	2,000,000	0	2,000,000	1,952,256	23,322	(47,744)
Freddie Mac Domestic MTN Unsecured Bond	Bank of America	1.00%	08/22/12	02/22/18	1,000,000	995,618	1,000,000	0	1,000,000	998,730	3,112	(1,270)
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.25%	01/23/15	01/22/16	2,000,000	1,999,878	1,999,720	0	1,999,720	2,000,150	272	430
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.52%	07/10/14	09/12/16	1,080,000	1,077,946	1,078,304	0	1,078,304	1,079,235	1,290	931
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.27%	08/19/15	02/22/16	1,000,000	998,738	998,598	0	998,598	999,316	578	719
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.33%	08/24/15	04/20/16	10,000,000	9,981,700	9,978,667	0	9,978,667	9,987,090	5,390	8,423
Federal Home Loan Bank US Domestic Multi-step cpn Bond Structured Note	Bank of America	2.00%	07/30/12	07/30/27	1,080,000	1,030,161	1,080,000	0	1,080,000	1,043,001	12,840	(36,999)
Federal Home Loan Bank US Domestic Multi-step cpn Bond Structured Note	Bank of America	2.00%	08/27/12	11/27/24	1,600,000	1,571,339	1,600,000	0	1,600,000	1,587,264	15,925	(12,736)
Federal Home Loan Bank US Domestic Multi-step cpn Bond Structured Note	Bank of America	2.00%	07/30/12	07/30/27	2,675,000	2,602,251	2,675,000	0	2,675,000	2,634,506	32,255	(40,494)
Federal Farm Credit Bank US Domestic Unsecured	Bank of America	2.00%	04/11/13	04/11/18	10,000,000	9,976,300	10,000,000	0	10,000,000	10,000,990	24,690	990
Fannie Mae US Domestic Multi-step cpn Bond Structured Note	Bank of America	2.00%	06/13/13	06/13/18	10,000,000	9,982,670	10,000,000	0	10,000,000	9,984,340	1,670	(15,660)
Federal Home Loan Bank US Domestic Multi-step CPN BND Unsecured series 0001	Bank of America	1.00%	06/30/14	06/26/19	5,000,000	5,004,620	5,000,000	(5,000,000)	-	-	-	-
U.S. Treasury Notes US Govt. National	Bank of America	0.80%	07/10/14	06/30/16	4,000,000	4,004,220	4,001,250	0	4,001,250	4,006,876	2,656	5,626
Federal Farm Credit Bank US Domestic Unsecured	Bank of America	1.38%	09/24/14	09/18/17	3,000,000	3,001,293	2,999,670	(2,999,670)	-	-	-	-
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.50%	02/02/15	01/26/16	5,000,000	5,000,385	5,000,000	0	5,000,000	5,002,915	2,530	2,915
Fannie Mae US Domestic Multi-step cpn Bond Structured Note	Bank of America	1.22%	04/01/15	12/26/17	2,000,000	2,000,790	2,000,000	(2,000,000)	-	-	-	-
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.25%	04/07/15	03/11/16	5,000,000	4,998,540	4,998,425	0	4,998,425	4,999,460	920	1,035
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.65%	04/07/15	03/11/16	5,000,000	4,998,540	4,998,425	0	4,998,425	4,999,460	920	1,035
Federal Home Loan Bank US Domestic series 000 unsecured	Bank of America	0.25%	04/13/15	04/13/17	2,775,000	2,772,874	2,775,000	0	2,775,000	2,778,191	5,317	3,191
Freddie Mac Global Unsecured Bond	Bank of America	0.25%	05/21/15	01/27/17	5,000,000	4,992,365	4,994,550	0	4,994,550	4,999,040	6,675	4,490
Federal Home Loan Bank GLOBAL Unsecured	Bank of America	0.75%	05/21/15	10/28/16	5,000,000	4,993,470	5,000,000	0	5,000,000	5,001,270	7,800	1,270
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.70%	05/21/15	04/29/16	5,000,000	4,995,385	4,998,850	0	4,998,850	4,998,500	3,115	(350)
U.S. Treasury Notes US Govt. National	Bank of America	0.25%	05/21/15	03/31/17	5,000,000	4,990,170	4,995,300	0	4,995,300	4,999,155	8,985	3,855
U.S. Treasury Notes US Govt. National	Bank of America	0.25%	05/21/15	10/31/16	5,000,000	4,993,100	4,996,500	0	4,996,500	4,998,895	5,795	2,395
Federal Farm Credit Bank US Domestic Unsecured	Bank of America	0.50%	05/21/15	03/27/17	5,000,000	4,988,700	4,993,550	0	4,993,550	4,997,705	9,005	4,155
U.S. Treasury Notes US Govt. National	Bank of America	0.50%	05/21/15	04/30/17	5,000,000	4,987,240	4,993,750	0	4,993,750	4,996,225	8,985	2,475
Federal Home Loan Bank US Domestic Unsecured	Bank of America	1.22%	05/26/15	05/26/16	5,000,000	4,993,245	4,996,500	0	4,996,500	4,996,025	2,780	(475)
Freddie Mac MTN Domestic Unsecured Bond	Bank of America	0.50%	05/29/15	08/25/17	10,000,000	9,974,890	10,000,000	0	10,000,000	9,996,160	21,270	(3,840)
Freddie Mac MTN Domestic Unsecured Bond	Bank of America	0.25%	05/29/15	05/25/17	5,000,000	4,995,590	5,000,000	0	5,000,000	5,003,015	7,425	3,015
Federal Home Loan Bank US Domestic Unsecured	Bank of America	0.70%	06/17/15	05/25/17	5,000,000	4,995,675	5,000,000	0	5,000,000	5,001,510	5,835	1,510
Freddie Mac MTN Domestic Unsecured Bond	Bank of America	0.70%	06/30/15	06/30/17	5,000,000	4,997,545	5,000,000	(5,000,000)	-	-	-	-
Federal Home Loan Dicount note US Domestic	Bank of America	0.70%	09/25/15	02/12/16	10,000,000	-	-	9,992,222	9,992,222	9,993,630	-	1,408
Plant Fund Interest Checking (10060-7201)	Bank Of America	0.11%	09/01/15			66,503	66,503	7	66,510	66,510	0	0

Description	Held At	Coupon Rate	Purchase Date	Maturity Date	Par	Beginning Mkt. Value	Beginning Book Value	Purchased (Redeemed)	Ending Book Value	Ending Mkt. Value	Change in Mkt. Value	Unrealized Gain/(Loss)
Debt Service 2001A Bond Int Checking (10080)	Bank Of America	0.11%	09/01/15			465,025	465,025	22	465,047	465,047	0	0
HCCS Merchant service (10012)	Bank Of America	0.30%	09/01/15			7,933,154	7,933,154	5,482,910	13,416,064	13,416,064	0	0
Checking Acoount- 10010-7306-2006 Jr. lien	Bank Of America	0.11%	09/01/15			229	229	0	229	229	0	0
LTD2013 Tax Bond Grneral Checking A/C (10090)	Bank Of America	0.11%	09/01/15			1,375,634	1,375,634	24,505,232	25,880,866	25,880,866	0	0
LTD2003 Tax Bond Checking A/C (10092)	Bank Of America	0.11%	09/01/15			1,931,320	1,931,320	209	1,931,529	1,931,529	0	0
Managed PFI Account-10100-1110	Bank Of America	0.20%	09/01/15			1,416	1,416	0	1,416	1,416	0	0
Merrill Lynch, Pierce, Fenner & smith (1110)	Bank Of America	0.04%	09/01/15			455,869	455,869	23	455,892	455,892	0	0
Public Fund Money Market_Premier (159406615)	Regions Bank	0.18%	09/01/15			50,626,248	50,626,248	30,007,084	80,633,333	80,633,333	0	0
Public Fund Money Market_Premier (185913820)- fund 1110	Regions Bank	0.15%	09/01/15			102,460,604	102,460,604	13,815	102,474,418	102,474,418	0	0
Chase High Yield Savings (A/C 2049911718)	Chase Bank	0.03%	09/01/15			266,325	266,325	547,839	814,164	814,164	0	0
Chase High Yield Savings (A/C 3000684286)	Chase Bank	0.03%	09/01/15			1,528,242	1,528,242	38	1,528,280	1,528,280	0	0
Fixed Time Deposit with Unity Bank	Unity Bank	0.26%	06/09/15	06/09/16		100,000	100,000	0	100,000	100,000	0	0
Fixed Time Deposit with Unity Bank	Unity Bank	0.25%	10/18/14	10/18/15		150,000	150,000	0	150,000	150,000	0	0
Certificate of Deposit	Chase Bank	0.43%	03/22/13	09/22/15		50,000,000	50,000,000	(50,000,000)	0	0	0	0
Certificate of Deposit	Chase Bank	0.49%	07/25/13	01/24/16		5,000,000	5,000,000	0	5,000,000	5,000,000	0	0
Certificate of Deposit	Chase Bank	0.50%	04/03/13	04/03/16		40,000,000	40,000,000	0	40,000,000	40,000,000	0	0
Certificate of Deposit	Chase Bank	0.49%	07/25/13	07/24/16		5,000,000	5,000,000	0	5,000,000	5,000,000	0	0
Certificate of Deposit	Chase Bank	0.69%	03/22/13	03/22/17		30,000,000	30,000,000	0	30,000,000	30,000,000	0	0
Certificate of Deposit	Chase Bank	0.49%	07/25/13	07/24/17		5,000,000	5,000,000	0	5,000,000	5,000,000	0	0
Certificate of Deposit	Chase Bank	0.99%	03/23/13	03/21/18		20,000,000	20,000,000	0	20,000,000	20,000,000	0	0
Certificate of Deposit	Chase Bank	0.98%	03/22/13	03/22/18		20,000,000	20,000,000	0	20,000,000	20,000,000	0	0
Certificate of Deposit	Chase Bank	1.02%	04/03/13	04/03/18		20,000,000	20,000,000	0	20,000,000	20,000,000	0	0
Corporate Overnight Fund	Lone Star	0.18%	09/01/15			1,598,463	1,598,463	232	1,598,696	1,598,696	0	0
Tex Pool	State Street Bank	0.06%	09/01/15			8,530,991	8,530,991	596	8,531,587	8,531,587	0	0
TOTAL						511,417,083	511,746,087	5,550,215	517,296,303	517,185,241	221,111	(111,062)

ACTION ITEM

Meeting Date: November 12, 2015

Committee: *Facilities and Finance*

ITEM NO.	ITEM TITLE	PRESENTER
6	Monthly Financial Statement and Budget Review for September 2015	Dr. Cesar Maldonado Teri Zamora

RECOMMENDATION

Approve the Financial Statement for the month of September 2015.

COMPELLING REASON/RATIONALE

The monthly report advises the Board on the status of the finance of the college.

DESCRIPTION OR BACKGROUND

This report provides information related to the various funds of the college, including fund balances, comparison to previous year and comparison to budget.

FISCAL IMPACT

Awareness and review of financial information throughout the year helps to inform decision making, and allows for mid-year adjustments, as needed.

LEGAL REQUIREMENT

N/A

STRATEGIC GOAL ALIGNMENT

Strategic Initiative: Support Innovation

Attachment Title(s): **Financial Statement - September 2015**

This item is applicable to the following:

Central Coleman Northeast Northwest Southeast Southwest 3100



Summary Operating Statements

**For the Period
September 1, 2015 - September 30, 2015
For the Meeting of the Board of Trustees - November 12, 2015**

**for
Houston Community College System
&
Houston Community College Public Facility Corporation**



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For the Period September 1, 2015 - September 30, 2015

Houston Community College System

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**Houston Community College System
Summary of Financial Statements
As of September 30, 2015**

In the Unrestricted Fund as of September 30, 2015, total revenue received is \$54.8 million. This represents 16.9% of budgeted annual revenues of \$324.6 million. Expenses total \$26.3 million to date; which is 8.1% of the total expense budget of \$324.6 million. Compared with the same time last year, revenue shows a 0.2% increase, and expenses are 0.8% higher than the prior year. Actual net revenue is \$28.5 million to-date. That translates into a like amount increase in fund balance.

Salaries increased 8.1%. This increase is due namely to the compensation study alignment and an across the board salary increase of 2% for full-time employees.

Total revenue and expenses are expected to fall within budget plan at year end.

HOUSTON COMMUNITY COLLEGE SYSTEM
Unaudited Fund Balances and Activities - All Funds
as of September 30, 2015

	Unrestricted	Restricted	Auxiliary	Loan & Endowments	Scholarship	Agency	Unexpended Plant	Capital and Technology	Retirement of Debt	Investment in Plant	Public Facility Corp.	Grand Total
Fund Balance as of 9/1/2015, <i>Unaudited</i>	\$ 123,710,238	\$ 510,035	\$ 7,828,062	\$ 509,932	\$ (0)	\$ -	\$ 3,991,336	\$ 9,660,509	\$ 52,039,009	\$ 248,278,791	\$ (3,133,924)	\$ 443,393,989
Revenues	54,796,089	6,676,825	1,067,516	-	26,289,573	-	579,823	-	2,166,486	-	-	91,576,312
Expenses												
Salaries	16,695,611	475,115	147,556	-	94,731	-	23,107	-	-	-	-	17,436,120
Employee Benefits	2,121,150	1,237,691	38,202	-	-	-	5,340	-	-	-	-	3,402,383
Supplies & General Exp	232,462	8,431	1,799	-	-	-	-	-	-	-	-	242,692
Travel	35,893	10,569	4,026	-	-	-	400	-	-	-	-	50,887
Marketing Costs	878	20	4,770	-	-	-	-	-	-	-	-	5,668
Rentals & Leases	170,906	-	6,000	-	-	-	-	-	-	-	-	176,906
Insurance/Risk Mgmt	4,416,854	1,953	-	-	-	-	-	-	-	-	-	4,418,807
Contracted Services	75,646	-	540	-	-	-	-	970	5,892	-	-	83,048
Utilities	172,330	-	10,476	-	-	-	-	-	-	-	-	182,807
Other Departmental Expenses	130,666	8,762	31,176	-	-	-	-	-	-	-	-	170,603
Instructional and Other Materials	732,936	480	13,857	-	-	-	-	-	-	-	-	747,273
Maintenance and Repair	5,603	17,184	-	-	29,472	-	-	7,734	-	-	-	59,993
Transfers (In)/Out*	1,538,043	4,000,000	-	-	(1,538,043)	-	500,000	(9,000,000)	4,500,000	-	-	(0)
Debt	-	-	-	-	-	-	-	-	-	-	-	-
Capital Outlay	434	-	-	-	-	-	1,145,281	60,073	-	-	-	1,205,787
Depreciation	-	-	-	-	-	-	-	-	-	1,814,381	-	1,814,381
Scholarship Distribution	-	-	-	-	27,637,721	-	-	-	-	-	-	27,637,721
Total Expenses	26,329,412	5,760,204	258,402	-	26,223,880	-	1,674,128	(8,931,223)	4,505,892	1,814,381	-	57,635,074
NET REVENUE/(EXPENSES)	28,466,677	916,621	809,115	-	65,693	-	(1,094,305)	8,931,223	(2,339,405)	(1,814,381)	-	33,941,238
Fund Balance Entries	-	-	-	-	-	-	748,962	5,806	-	120,807	-	875,575
Fund Balance as of 09/30/2015	\$ 152,176,915	\$ 1,426,656	\$ 8,637,177	\$ 509,932	\$ 65,693	\$ -	\$ 3,645,993	\$ 18,597,538	\$ 49,699,604	\$ 246,585,217	\$ (3,133,924)	\$ 478,210,801

*Transfers include student revenue bond payment funds, scholarship matching funds, and transfers to Unexpended Plant and Capital and Technology Funds

HOUSTON COMMUNITY COLLEGE SYSTEM
Comparison to Budget and Comparison to Previous Fiscal Year
as of September 30, 2015
8.3% of Year Expended

HCCS CURRENT UNRESTRICTED

	Year-to-Date Actuals Thru September 30, 2015			Actuals as a % of Budget	Year-to-Date Actuals Thru September 30, 2015	Year-to-Date Actuals Thru September 30, 2014	Increase (Decrease) FY2016 Compared to FY2015	% Increase (Decrease)
REVENUES								
State Appropriations	\$ 8,399,449	\$ 69,995,427	12.0%	\$ 8,399,449	\$ 8,297,871	\$ 101,578	1.2%	
Ad Valorem Taxes	9,741	136,000,000	0.0%	9,741	5,618	4,122	73.4%	
Tuition, Net	17,322,420	40,925,000	42.3%	17,322,420	17,096,409	226,011	1.3%	
Fees	26,290,173	65,325,000	40.2%	26,290,173	26,626,571	(336,398)	-1.3%	
Other Local Income	134,736	2,250,000	6.0%	134,736	141,738	(7,001)	-4.9%	
Tuition & Fee, Net -- Extended Learning	2,593,671	9,500,000	27.3%	2,593,671	2,466,609	127,062	5.2%	
Indirect Cost Revenues, Grant	45,900	620,000	7.4%	45,900	63,715	(17,815)	-28.0%	
Total Revenues	54,796,089	324,615,427	16.9%	54,796,089	54,698,530	97,559	0.2%	
EXPENSES								
Salaries	16,695,611	191,585,111	8.7%	16,695,611	15,451,281	1,244,330	8.1%	
Employee Benefits	2,121,150	21,210,175	10.0%	2,121,150	2,684,939	(563,789)	-21.0%	
Supplies Gen Exp	232,462	5,479,024	4.2%	232,462	188,413	44,050	23.4%	
Travel	35,893	1,845,778	1.9%	35,893	40,806	(4,913)	-12.0%	
Marketing Costs	878	999,764	0.1%	878	55,030	(54,152)	-98.4%	
Rental & Leases	170,906	2,469,473	6.9%	170,906	153,197	17,709	11.6%	
Insurance/Risk Mgmt	4,416,854	5,551,305	79.6%	4,416,854	6,076,167	(1,659,313)	-27.3%	
Contract Services	75,646	23,392,302	0.3%	75,646	176,209	(100,563)	-57.1%	
Utilities	172,330	10,246,651	1.7%	172,330	39,388	132,943	337.5%	
Other Departmental Expenses	130,666	2,482,648	5.3%	130,666	93,093	37,573	40.4%	
Instructional & Other Materials	732,936	9,662,286	7.6%	732,936	234,358	498,578	212.7%	
Maintenance & Repair	5,603	1,329,364	0.4%	5,603	9,937	(4,334)	-43.6%	
Transfers/Debt	1,538,043	40,713,014	3.8%	1,538,043	921,147	616,896	67.0%	
Contingency	-	4,513,704	0.0%	-	-	-	0.0%	
Capital Outlay	434	3,134,828	0.0%	434	7,188	(6,754)	-94.0%	
Total Expenses	\$ 26,329,412	\$ 324,615,427	8.1%	\$ 26,329,412	\$ 26,131,153	198,259	0.8%	
NET REVENUE/(EXPENSES)	\$ 28,466,678	\$ -	0.0%	\$ 28,466,678	\$ 28,567,378	\$ (100,700)	-0.4%	

HOUSTON COMMUNITY COLLEGE SYSTEM

Auxiliary Budget By Fund as of September 30, 2015

Auxiliary Funds - Uncommitted Portion

	Main Leasing	Misc. Auxiliary *	Foundation	Marketing	Bookstore Commission	International Student Services	Cafe Club NEO 3100 Main	Scholarships	Subtotal Uncommitted
Fund Balance – September 1, 2015 (Unaudited)									\$ 3,422,158
FY2016									
Revenue	416,569	70,078	-	-	-	-	41,839	-	528,486
Salaries	20,750	37,499	9,125	-	-	22,523	20,298	-	110,194
Benefits	5,582	14,185	2,127	-	-	5,663	5,203	-	32,759
Supplies Gen Exp	-	499	-	-	-	-	-	-	499
Travel	-	-	537	-	-	-	-	-	537
Marketing Costs	-	-	-	4,770	-	-	-	-	4,770
Rental & Leases	-	6,000	-	-	-	-	-	-	6,000
Contract Services	90	-	-	-	-	-	-	-	90
Utilities	10,476	-	-	-	-	-	-	-	10,476
Departmental Expenses	-	31,176	-	-	-	-	-	-	31,176
Instructional & Other Materials	600	-	-	-	-	-	13,257	-	13,857
Maintenance & Repair	-	-	-	-	-	-	-	-	-
Insurance/Risk Mgmt	-	-	-	-	-	-	-	-	-
Exemptions and Waivers	-	-	-	-	-	-	-	260,659	260,659
Transfer/Debt	-	-	-	-	-	-	-	-	-
Capital Outlay	-	-	-	-	-	-	-	-	-
Total Expense	37,497	89,359	11,788	4,770	-	28,186	38,759	260,659	471,017
Contribution to Fund Balance	379,072	(19,281)	(11,788)	(4,770)	-	(28,186)	3,080	(260,659)	57,469
Auxiliary Fund Balance - Uncommitted Portion									<u>\$ 3,479,628</u>

* Expenditures in this category include mailroom, child day care, Minority Male Initiative, Govt. Relation, Mobile Go, etc.

HOUSTON COMMUNITY COLLEGE SYSTEM

Auxiliary Budget By Fund

as of September 30, 2015

Auxiliary Funds - International and Committed Portions

	International			Committed					Total
	Saigon Tech	International Initiatives	Subtotal International	Minority Business Development Agency	Student Vending Commission	Student Activity Fee	Student Athletic Fee	Subtotal Committed	Total Auxiliary
Fund Balance – September 1, 2015 (Unaudited) FY2016			\$ 1,827,145	\$ -	\$ 324,132	\$ 1,079,349	\$ 1,175,278	\$ 2,578,759	\$ 7,828,062
Revenue	-	-	-	330	10,500	452,707	336,752	800,289	1,328,775
Salaries	-	-	-	-	-	13,022	24,340	37,362	147,556
Benefits	-	-	-	-	-	211	5,232	5,443	38,202
Supplies Gen Exp	48	-	48	-	-	120	1,132	1,251	1,799
Travel	-	-	-	-	-	3,489	-	3,489	4,026
Marketing Costs	-	-	-	-	-	-	-	-	4,770
Rental & Leases	-	-	-	-	-	-	-	-	6,000
Contract Services	-	-	-	-	-	450	-	450	540
Utilities	-	-	-	-	-	-	-	-	10,476
Departmental Expenses	-	-	-	-	-	-	-	-	31,176
Instructional & Other Materials	-	-	-	-	-	-	-	-	13,857
Maintenance & Repair	-	-	-	-	-	-	-	-	-
Insurance/Risk Mgmt	-	-	-	-	-	-	-	-	-
Exemptions and Waivers	-	-	-	-	-	600	-	600	261,259
Transfer	-	-	-	-	-	-	-	-	-
Capital Outlay	-	-	-	-	-	-	-	-	-
Total Expense	48	-	48	-	-	17,892	30,704	48,595	519,661
Contribution to Fund Balance	(48)	-	(48)	330	10,500	434,815	306,048	751,694	809,115
Auxiliary Fund Balance - Intl, Committed, Total			<u>\$ 1,827,097</u>	<u>\$ 330</u>	<u>\$ 334,632</u>	<u>\$ 1,514,164</u>	<u>\$ 1,481,327</u>	<u>\$ 3,330,452</u>	<u>\$ 8,637,177</u>

HOUSTON COMMUNITY COLLEGE
FY 2015-16 Adjusted Budget by Divisions
as of September 30, 2015

Budgeted Expenditures	CENTRAL	NORTH WEST	NORTH EAST	SOUTH WEST	SOUTH EAST	COLEMAN	EXTENDED LEARNING	ACADEMIC INSTRUCTION
Salary	\$ 10,211,679	\$ 9,426,136	\$ 12,186,999	\$ 11,110,765	\$ 5,756,770	\$ 12,877,946	\$ 11,579,162	\$ 52,956,916
Employee Benefits	-	-	-	-	-	-	-	-
Supplies & Gen	239,592	206,035	232,590	303,349	225,812	296,946	190,959	305,051
Travel	31,600	72,876	27,541	43,736	34,480	128,697	85,461	153,903
Marketing Costs	23,645	39,207	56,019	26,182	101,774	12,500	286,057	9,006
Rentals & Leases	2,270	57,971	935,099	484,749	77,305	479,343	26,718	24,510
Insurance/Risk Mgmt	-	-	-	-	-	-	-	511
Contracted Services	284,291	238,415	68,991	9,108	70,342	145,881	143,752	374,188
Utilities	5,125	-	4,600	1,826	-	-	-	-
Other Departmental Expenses	22,111	67,516	30,565	24,316	66,140	92,713	55,916	81,374
Instructional And Other Materials	293,907	72,572	125,383	86,879	52,376	255,419	873,672	1,231,186
Maintenance and Repair	138,855	25,304	127,856	16,489	10,926	73,180	121,311	39,966
Transfers/Debt	-	-	1,186	-	-	-	-	-
Contingency	527,115	700,612	443,900	459,173	400,000	520,000	300,000	-
Capital Outlay	433,772	41,351	46,452	207,574	67,757	98,210	128,968	332,295
Total	\$ 12,213,962	\$ 10,947,995	\$ 14,287,181	\$ 12,774,146	\$ 6,863,682	\$ 14,980,835	\$ 13,791,976	\$ 55,508,906

HOUSTON COMMUNITY COLLEGE
FY 2015-16 Adjusted Budget by Divisions
as of September 30, 2015

Budgeted Expenditures	CHANCELLOR	FINANCE & ADMIN.	SUSTAINABILITY	INSTRUCTIONAL SERVICES	STUDENT SERVICES	SYSTEM	Grand Total
Salary	\$ 6,251,544	\$ 29,522,868	\$ 3,208,606	\$ 16,415,952	\$ 5,341,424	\$ 4,738,344	\$ 191,585,111
Employee Benefits	-	-	-	-	-	21,210,175	21,210,175
Supplies & Gen	628,100	1,008,292	160,011	259,401	122,886	1,300,000	5,479,024
Travel	176,675	235,551	71,180	744,578	39,500	-	1,845,778
Marketing Costs	265,000	173,739	6,635	-	-	-	999,764
Rentals & Leases	67,100	244,510	61,179	3,319	5,400	-	2,469,473
Insurance/Risk Mgmt	5,550,000	-	-	794	-	-	5,551,305
Contracted Services	2,988,575	15,163,180	77,119	100,965	1,201,442	2,526,053	23,392,302
Utilities	-	1,702,344	-	94	-	8,532,662	10,246,651
Other Departmental Expenses	806,000	565,306	101,799	521,132	47,760	-	2,482,648
Instructional And Other Materials	57,000	5,690,024	35,373	560,597	327,898	-	9,662,286
Maintenance and Repair	5,200	764,216	4,688	444	929	-	1,329,364
Transfers/Debt	200,000	43,591	-	-	-	40,468,237	40,713,014
Contingency	150,000	246,064	271,601	200,000	250,000	45,239	4,513,704
Capital Outlay	83,700	1,660,577	16,830	2,786	14,556	-	3,134,828
Total	\$ 17,228,894	\$ 57,020,262	\$ 4,015,021	\$ 18,810,062	\$ 7,351,795	\$ 78,820,710	\$ 324,615,427

Houston Community College
Balance Sheet By Fund
For Month Ended September 30, 2015

	<u>CURRENT & LOAN FUNDS¹</u>	<u>PLANT & BOND FUNDS²</u>	<u>Total All Funds</u>
ASSETS			
Current Assets:			
Cash & cash equivalents	\$ 132,394,525	\$ 54,474,182	\$ 186,868,707
Restricted cash & cash equivalents	(63,601)	-	(63,601)
Short term Investments	-	-	-
Accounts/Other receivable (net)	26,768,063	3,162,786	29,930,848
Deferred charges	8,073	-	8,073
Prepays	1,897,920	1,346,598	3,244,517
Total Current Assets	<u>161,004,980</u>	<u>58,983,565</u>	<u>219,988,545</u>
Non-current Assets:			
Restricted cash & cash equivalents	-	194,511,913	194,511,913
Restricted long-term investments	-	117,120,435	117,120,435
Long-term investments	17,016,777	-	17,016,777
Capital Assets, net	-	949,008,428	949,008,428
Total Non-current Assets	<u>17,016,777</u>	<u>1,260,640,777</u>	<u>1,277,657,554</u>
Total Assets	<u><u>\$ 178,021,757</u></u>	<u><u>\$ 1,319,624,342</u></u>	<u><u>\$ 1,497,646,099</u></u>
LIABILITIES			
Current Liabilities:			
Accounts payable	9,021,552	4,523,489	13,545,041
Accrued liabilities	2,123,851	1,514,736	3,638,587
Compensated absences	2,526,083	-	2,526,083
Funds held for others	642,034	189,209	831,243
Deferred revenue	891,863	229,281	1,121,145
Notes payable-current portion	-	8,783,299	8,783,299
Bonds payable-current portion	-	24,520,000	24,520,000
Capital lease obligations-current	-	-	-
Total Current Liabilities	<u>15,205,383</u>	<u>39,760,014</u>	<u>54,965,398</u>
Non-current Liabilities:			
Deposits	-	-	-
Notes payable	-	153,344,686	153,344,686
Bonds payable	-	752,257,231	752,257,231
Capital lease obligations	-	55,734,058	55,734,058
Total Non-current Liabilities	<u>-</u>	<u>961,335,976</u>	<u>961,335,976</u>
Total Liabilities	<u><u>\$ 15,205,383</u></u>	<u><u>\$ 1,001,095,990</u></u>	<u><u>\$ 1,016,301,373</u></u>
Fund Balance-			
August 31, 2015 Unaudited	132,558,268	313,969,646	446,527,914
Revenues Over Expenditures			
Unrestricted	29,275,792		29,275,792
Restricted	982,314		982,314
Net Investment in Plant		4,558,705	4,558,705
Total Fund Balances, Unaudited	<u><u>\$ 162,816,374</u></u>	<u><u>\$ 318,528,351</u></u>	<u><u>\$ 481,344,725</u></u>
Total Liabilities & Fund Balances	<u><u>\$ 178,021,758</u></u>	<u><u>\$ 1,319,624,341</u></u>	<u><u>\$ 1,497,646,099</u></u>

¹ Includes Unrestricted, Restricted, Loan & Endowment, Scholarship, Agency and Auxiliary Funds.

² Includes Unexpended Plant, Retirement of Debt and Investment in Plant Funds.

Houston Community College

Exemptions & Waivers Through September 30, 2015

Account	FY 2014-15		FY 2015-16
	End of Year Activity	Year-to-Date Activity thru 09/30/2014	Year-to-Date Activity thru 09/30/2015
<i>Tuition</i>			
<i>Budget:</i>			
Adjusted Budget FY 2015-16, Net			\$ 40,308,204
<i>Revenues Received:</i>			
Tuition	45,771,753	19,909,413	20,033,908
<i>Waivers & Exemptions:</i>			
Dual Credit & Early College HS	(5,045,017)	(2,096,435)	(2,142,107)
Other	(1,603,037)	(716,569)	(569,381)
Total Waivers & Exemptions	(6,648,054)	(2,813,004)	(2,711,488)
Total Tuition Revenue, Net	\$ 39,123,700	\$ 17,096,409	\$ 17,322,420
<i>Tuition - Extended Learning</i>			
<i>Budget:</i>			
Budget FY 2015-16, Net			\$ 6,565,665
<i>Revenues Received:</i>			
Tuition	8,931,465	2,606,784	2,704,331
<i>Waivers & Exemptions:</i>			
Department of Corrections	(2,021,386)	(140,175)	(110,660)
Total EL Tuition Revenue, Net	\$ 6,910,079	\$ 2,466,609	\$ 2,593,671

Exemptions & Waivers	FY 2014-15		FY 2015-16		Actuals % Inc/(Dec)YTD vs. PriorYTD
	End of Year Activity	Year-to-Date Activity thru 09/30/2014	Year-to-Date Activity thru 09/30/2015		
Dept of Corrections	\$ 1,946,863	\$ 140,175	\$ 110,660		-21.1%
Dual Credit Waiver	3,562,408	2,039,665	1,197,982		-41.3%
Early College High School	1,482,609	56,770	944,125		1563.1%
<i>Other:</i>					
Employee Fee Exemptions	61,121	24,033	23,538		-2.1%
Firemen	12,870	6,876	2,020		-70.6%
Hazelwood	942,773	443,337	296,744		-33.1%
Deaf & Blind	190,174	77,885	89,948		15.5%
High Ranking Hi SCH Grad	1,805	1,235	775		-37.2%
Child of Disabled Vet ETC	7,264	5,086	1,444		0.0%
Nonres Teach/Research Asst	6,363	2,655	80		-97.0%
Nonres Competitive Scholar	8,558	1,239	-		-100.0%
Senior Citizens	13,668	6,269	5,305		-15.4%
Scholarship Distribution	2,800	-	-		0.0%
A VISA Waiver (Non-Alien Waiver)	888	-	-		0.0%
Foster Children-Resident	247,117	129,816	73,062		-43.7%
Undocumented Students	5,723	3,174	1,062		0.0%
TX Tomorrow Waiver	6,076	-	-		0.0%
Surviving Spouse/Children	-	-	1,681		0.0%
Peace Officer Exemption	3,868	187	615		229.8%
Adopted Student Waiver	91,719	14,777	73,107		0.0%
Stipends	250	-	-		0.0%
Total Other Exemptions	1,603,037	716,569	569,381		-20.5%
Grand Total Exemptions & Waivers	\$ 8,594,917	\$ 2,953,179	\$ 2,822,148		-4.4%

APPENDIX



Strategic Plan 2012-2015

Creating Opportunities for Our Shared Future

Approved by the HCC Board of Trustees, June 2012

Mission:

Houston Community College is an open-admission, public institution of higher education offering a high-quality, affordable education for academic advancement, workforce training, career and economic development, and lifelong learning to prepare individuals in our diverse communities for life and work in a global and technological society.

Vision:

HCC will be a leader in providing high quality, innovative education leading to student success and completion of workforce and academic programs. We will be responsive to community needs and drive economic development in the communities we serve.

Guiding Principles:

Our Guiding Principles direct our interactions with students, the internal and external communities we serve, and each other, giving focus to our primary purpose: devotion to the achievement of student success, defined as timely completion of certificates and degrees that drive real accomplishments in the workplace, at universities, and in society.

- **Freedom with Responsibility**
HCC subscribes to and upholds a doctrine of freedom that follows the principle of responsibility.
- **Commitment to Excellence**
HCC believes that a commitment to doing one's very best without regard to position is the starting point of all expressions of excellence and setting of high standards for quality and performance.
- **Respect for the Person**
HCC holds that a principle of community mindfulness begins with respect for oneself and for others. Respect is the framework of personal integrity and provides the tie that binds us together.
- **Sound Stewardship**
Stewardship is the path to fulfilling HCC's Mission and acknowledges our guardianship of its resources and positive impact on the lives of our students and community at large.

Strategic Initiative #1 - Increase Student Completion

HCC currently leads the state and is fifth in the nation in the number of students who complete associate degrees. While we are proud of this fact, we can do better. We will strengthen our efforts and scale up those strategies that have been proven to increase the rates of students' persistence and completion.

HCC will continue to serve as a national Achieving the Dream (ATD) Leader College and work hand in hand with our high school partners to ensure more students enter our doors college-ready and leave well-prepared for successful transition to jobs, careers, and further education.

- Action 1.1:** Improve student preparation for higher education and transition to careers
- Action 1.2:** Improve academic success of students in their first semester
- Action 1.3:** Revamp developmental education to ensure greater success with more efficient delivery
- Action 1.4:** Improve students' persistence rates from one semester to the next
- Action 1.5:** Ensure students complete their programs of study and transition successfully to jobs/careers or further education

Strategic Initiative #2 – Respond to Business and Industry

As the supplier of skilled workers to business and industry, we have a responsibility to build partnerships and to develop the means to respond quickly with the creation and design of programs and student-learning outcomes that meet their requirements.

The employer is our customer. Our clear responsibility to both employers and to students is to narrow the jobs gap and the skills gap for both of these stakeholders.

- Action 2.1:** Engage industry leaders in dialogue to identify present and future needs
- Action 2.2:** Improve the infrastructure of workforce programs (instruction, curriculum, facilities, and equipment) to meet the business and industry needs
- Action 2.3:** Ensure students have access to information and support services to complete career and technical education programs

Strategic Initiative #3 – Develop 21st Century Learners

HCC must prepare our students to become citizens and workers capable of productive and meaningful participation in the 21st century. Core competencies of critical thinking, effective communications, quantitative reasoning, teamwork, personal responsibility, and social responsibility must be taught in all of our instructional programs.

All classrooms at HCC should meet minimum technology standards, and all faculty must be trained and supported in using effective teaching and learning strategies to promote success for students in their learning today as well as throughout their lifetime.

- Action 3.1:** Ensure adoption and commitment by HCC to 21st century core curriculum skills as defined by the Texas Higher Education Coordinating Board (THECB)
- Action 3.2:** Create new platforms and methodologies to teach and support students using effective methods of course delivery, teaching practices,
- Action 3.3:** Provide an environment conducive to optimal learning that includes consideration of facilities, technology, equipment, materials, accessibility, and concern for students

Strategic Initiative #4 – Support Faculty/Staff Professional Development and Student Leadership Development

HCC has celebrated its 40th year by enrolling and graduating more students than ever before. To ensure we continue to thrive as an essential and relevant institution for the educational development of our students and the economic development of our community, we must prepare students, faculty, and staff for the leadership roles of tomorrow.

We will do this in multiple ways – through the expansion of external resources and support, purposeful mentoring of leadership candidates, infusion of opportunities for leadership development in our instructional programs, student services, extracurricular activities, and human resources.

- Action 4.1:** Develop a system-wide strategy to encourage leadership development for students
- Action 4.2:** Develop a system-wide strategy for ongoing professional and leadership development for faculty

- Action 4.3:** Develop a system-wide strategy for provision of professional and leadership development for HCC personnel at all levels and functions of the organization

Strategic Initiative #5 - Support Innovation

HCC recognizes that in the near term there will be continuing economic turmoil to challenge the funding and stability of the institution. We also recognize that continuous technical challenges will create disruptions and opportunities in the delivery and transfer of knowledge and data.

To counter and overcome these difficulties, we must be an institution where innovation is valued and promoted. However, nothing will be accepted merely on the basis of custom, anecdote, or fad – everything we do must be proven to have long-term value in terms of strengthening our institutional resilience and capacity to serve our students and our community.

- Action 5.1:** Reduce HCC’s reliance on debt to maximize the use of operating dollars for strengthening teaching and learning capabilities
- Action 5.2:** Leverage current and new grant opportunities to improve the institution’s capability to respond to our teaching and learning needs
- Action 5.3:** Expand opportunities for the HCC Foundation to fund capital projects, program excellence, and faculty development
- Action 5.4:** Optimize technology and capital assets through planning for business continuity, disaster recovery, replacements, training, and environmental sustainability

Strategic Initiative #6 – Support Entrepreneurialism

Houston is an entrepreneurial, “opportunity city” where taking a risk, failing, and starting over again are valued. HCC is the “Opportunity College” and is grassroots in its approach to serving its constituents. Therefore, HCC is committed to strategic thinking that not only respects students wherever they are, but also inspires and gives them the tools and confidence to follow their dreams.

HCC will commit to an entrepreneurial culture within the organization to serve as an example of the “spirit of Houston.” For this institution, fostering a culture that encourages inspiration and dreaming helps students actualize their potential.

- Action 6.1:** Encourage an entrepreneurial culture among all members of the HCC family
- Action 6.2:** Develop and implement promising practices that nurture and reward a spirit of entrepreneurialism throughout the institution

Action 6.3: Strengthen HCC assessment and institutional effectiveness (IE) processes and activities

Strategic Initiative #7 – Leverage Partnerships

Houston is a global leader. The diversity of our economic structure and our willingness to embrace and value the partnerships encourage innovation. HCC is a principle partner for educational and economic opportunities, enhancing and advancing the community's quality of life. HCC is a catalyst for creating jobs.

Former U.S. Secretary of Defense Robert M. Gates described foreign language education, study abroad, and the recruitment of foreign students to U.S. campuses as key strategies in promoting America's national security and economic interests. While addressing the audience at the 2012 NAFSA conference in Houston, Gates stated, "Our economic future depends on Americans who can work successfully in an international setting."

According to an American Council on Higher Education Blue Ribbon Panel on Global Engagement (November, 2011), "It is important that college graduates, whatever their location, be not only globally competitive but also globally competent, understanding their roles as citizens and workers in an international context. While identifying common problems, we might also discover common solutions (p.6)."¹

Action 7.1: Identify and secure new local partnerships capable of improving the institution's capacity, performance, and resilience

Action 7.2: Identify and secure new regional and state partnerships capable of improving the institution's capacity, performance, and resilience

Action 7.3: Identify and secure new international partnerships capable of improving the institutions' capacity, performance, and resilience

Attachments provided under separate cover.

PROPOSED
ALIGNMENT OF
HOUSTON COMMUNITY
COLLEGE POLICIES
WITH TASB LOCAL
POLICIES

THIS PROJECT IS IN DRAFT FORM

TASB LEGAL & LOCAL POLICY*

MODIFIED INDEX

SECTION A: BASIC DISTRICT FOUNDATIONS

- AA-AD: COLLEGE STATUS, MISSION AND SERVICES AREAS
- AF-AFA: INSTITUTIONAL EFFECTIVENESS

SECTION B: LOCAL GOVERNANCE

- BA-BAA: BOARD STATUS AND DUTIES
- BBA-BBI: MEMBERS AND ELECTIONS
- BCA-BCG: INTERNAL ORGANIZATION
- BD-BE BOARD MEETINGS
- BF-BFE: CHANCELLOR ROLE, CONTRACT, AND AUTHORITY
- BGA-BCG: ADMINISTRATIVE ORGANIZATION
- BH-BI: ADMINISTRATIVE RULES AND REPORTS

SECTION C: BUSINESS SUPPORT SERVICES

- CAA-CAO: APPROPRIATIONS AND REVENUE
- CB: DEPOSITORY OF FUNDS
- CC: ANNUAL OPERATING BUDGET
- CD-CDE: ACCOUNTING
- CF-CFH: PURCHASING AND ACQUISITION
- CG-CGC: SAFETY
- CH-CHE: SITE MANAGEMENT
- CI-CIBB: EQUIPMENT AND SUPPLIES
- CJ-CJA: TRANSPORTATION MANAGEMENT
- CK-CKF: INSURANCE ANNUITIES AND MANAGEMENT
- CLA-CMF: FACILITIES AND CONSTRUCTION
- CR-CT: TECHNOLOGY RESOURCES, INFORMATION SECURITY, AND INTELLECTUAL PROPERTY
- CQ: AUXILIARY ENTERPRISES

*The policy coding series under each section is based on TASB Legal and Local policy when combined.

- CR-CT: TECHNOLOGY RESOURCES, INFORMATION SECURITY, AND INTELLECTUAL PROPERTY

SECTION D: PERSONNEL

- DAA-DBF: EQUAL EMPLOYMENT OPPORTUNITIES AND EMPLOYMENT REQUIREMENTS
- DC-DDA: EMPLOYMENT PRACTICES
- DE-DEE COMPENSATION AND BENEFITS
- DG-DIA: EMPLOYEE RIGHTS AND PRIVILEGES, AND EMPLOYEE STANDARDS OF CONDUCT
- DF: RETIREMENT PROGRAMS
- DM-DMC: TERMINATION OF EMPLOYMENT
- DJ-DLC: ASSIGNMENTS, PROFESSIONAL DEVELOPMENT AND EMPLOYEE PERFORMANCE

SECTION E: INSTRUCTION

- EA: SCHOOL YEAR AND CALENDAR
- EBA-EBB: ALTERNATE METHODS OF INSTRUCTION
- ECC- INSTRUCTIONAL ARRANGEMENTS
- EDA-EDAA: INSTRUCTIONAL RESOURCES AND MATERIALS
- EE-EFCF: CURRICULUM DESIGN, PROGRAMS AND COURSES
- EG-EGC ACADEMIC ACHIEVEMENT
- EJA-EJC: MISCELLANEOUS INSTRUCTIONAL POLICIES
- EI: TESTING PROGRAMS

SECTION F: STUDENTS

- FA-FAA EQUAL EDUCATIONAL OPPORTUNITY
- FB-FC: ADMISSIONS AND ATTENDANCE
- FD-FEB: TUITION AND FEES; FINANCING EDUCATION
- FFAA-FFE: WELLNESS AND HEALTH SERVICES, STUDENT WELFARE AND SUPPORT
- FG: STUDENT HOUSING

*The policy coding series under each section is based on TASB Legal and Local policy when combined.

- FI: SOLICITATIONS
- FJ: STUDENT RECORDS
- FK-FKC: STUDENT ACTIVITIES
- FL-FM: STUDENT CONDUCT, RIGHTS, AND RESPONSIBILITIES; DISCIPLINE AND PENALTIES

SECTION G: COMMUNITY AND GOVERNMENT RELATIONS

- GAA-GL: PUBLIC INFORMATION AND COMMUNITY RELATIONS

COLLEGE DISTRICT NAME AND DEFINITIONS

AB
(LOCAL)

The corporate name of this college, as provided by law, is

Houston Community College System District, herein referred to as
“the College District.”

ADD POLICY

MISSION

The College District is an open-admission public institution of higher education offering a high-quality, affordable education for academic advancement, workforce training, career development, and lifelong learning to prepare individuals in our diverse communities for life and work in a global and technological society.

The official title of the governing body of the College District shall be the _____, Board of Trustees of the Houston Community College, herein referred to as "the Board." The Board constitutes a body corporate and has the exclusive power, consistent with state and federal trust law, to govern and oversee the management of the programs offered by the College. All authority not vested by the laws of the state in the Texas Higher Education Coordinating Board, the Southern Association of Colleges and Schools, the Texas Education Agency, or other accrediting entities is reserved to the Board. The Board, in its efforts to represent the community it serves, governs the College through the administration, to promote education for the benefit of the entire community.

BOARD MEMBERS
ELECTIONS

BBB
(LOCAL)

ELECTION DATES

The election of Board members shall be on the uniform election date in November~~[C-election day]~~.

MEMBERSHIP

The Board shall consist of nine~~[C065]~~ members.

METHOD OF
ELECTION

Board members shall be elected by single-member districts~~[C-method of election]~~. The College District is divided into nine geographic districts numbered I through IX. Positions on the Board are designated by the geographic district numbers.

TRUSTEE TERMS

A Trustee shall serve a term of six years.

SCHEDULE OF
ELECTIONS

The terms of three members will expire on the last day of December of each odd-numbered year, as follows:

DISTRICTS
I, II, AND VII

2007, 2013, 2019, and every six years thereafter.

DISTRICTS
III, VI, AND VIII

2009, 2015, 2021, and every six years thereafter.

DISTRICTS
IV, V, AND IX

2011, 2017, 2023, and every six years thereafter..

LEGAL GUIDANCE

The General Counsel of the College District shall provide legal guidance in accordance with the governing laws and shall maintain College District rules regarding the conduct of elections.

The Board recognizes its responsibility to be actively and continuously engaged in developing individual Board member's skills and knowledge by keeping them abreast of new developments in fiduciary, governance, and ethics laws, norms and best practices. The Board shall, therefore, have an orientation and development process in place. Board members may also attend regional, state, or national conventions, conferences, and workshops, and will be reimbursed for reasonable travel expenses for attendance at such as provided in the Board Policy BBG (LOCAL) and the Board Bylaws. On an annual basis, Board Counsel will review all policies that address Board operations and will carry out (with assistance from General Counsel as needed), any necessary training for the Trustees and Staff, as follows:

- (1) General Requirement. Each Trustee shall participate in the HCC Annual Trustee Orientation program, a training session of at least four hours conducted by Board counsel and other independent professionals, as needed. The program will consist of at least one hour of ethics training and one hour of finance training. Board members who do not complete this annual training by March of each year shall be ineligible to serve as a Board officer or as Chair of a committee until the training is completed.
- (2) Mandatory Open Government Training. Each Trustee shall, pursuant to Texas law, complete two hours of open government training, one hour each on open meetings and the public information act. This training must be completed within 90 days of being sworn in to serve. The Office of the Attorney General provides free online or video training to satisfy this requirement.
- (3) Mandatory Financial Training. Within the first two years of service, each Trustee shall, pursuant to Texas law, complete a training segment that includes information about best practices in campus financial management, financial ratio analysis, and case studies using financial indicators. The minutes of the last regular meeting of the calendar year must reflect whether each required member completed the training. Training via electronic means is also acceptable.

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

BOARD AUTHORITY

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

TRANSACTIONING
BUSINESS

Official Board action shall be taken only in meetings that comply with the Open Meetings Act. The affirmative vote of a majority of all Board members shall be required to transact business. [See BD] Each action of the Board supported by the majority is binding on the whole Board.

INDIVIDUAL
AUTHORITY FOR
COMMITTING THE
BOARD

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

INDIVIDUAL ACCESS
TO INFORMATION

An individual Board member, acting in his or her official capacity, shall have the right to seek information pertaining to College District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information Chapter of the Government Code. [See GAA]

LIMITATIONS

Individual members shall not have access to confidential student records unless the member is acting in his or her official capacity and has a legitimate educational interest in the records in accordance with policies FJ(LEGAL) and (LOCAL).

REQUESTS FOR
RECORDS

~~Individual members shall seek access to records or request copies of records from the [G head of district/college/ESC, initial upper case] Chancellor or other designated custodian of records. When a custodian of records other than the [G head of district/college/ESC, initial upper case] Chancellor provides access to records or copies of records to individual Board members, the provider shall inform the [G head of district/college/ESC, initial upper case] Chancellor of the records provided.~~

The College District is committed to assuring open and public access to all records of the College District to the extent permitted by law. Board members shall follow the procedure set forth in the Board Bylaws regarding requests for access to College District records.

REQUESTS FOR
REPORTS

Directives to the ~~Chancellor~~[G head of district/college/ESC, initial upper case] or other College District staff regarding the preparation of reports that will, in the opinion of the ~~Chancellor~~[G head of dis-

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

	<p>istrict/college/ESC, initial upper case, require excessive staff time or expense shall be authorized by action of the Board.</p>
CONFIDENTIALITY	<p>At the time Board members are provided access to confidential records or to reports compiled from such records, the [G head of district/college/ESC, initial upper case]<u>Chancellor</u> or other College District employee shall advise them of their responsibility to comply with confidentiality requirements.</p>
REFERRING COMPLAINTS	<p>If employees, students, or citizens bring a concern or complaint to an individual Board member, he or she shall refer them to the <u>Chancellor</u> [G head of district/college/ESC, initial upper case] or designee, who shall proceed according to appropriate Board policy <u>and the Board Bylaws</u>. [See DGBA, FLD, and GB]</p> <p>When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.</p>
STAFF AUTHORITY	<p>Except as authorized by these policies, no employee or agent shall have the authority to bind the College District contractually.</p>

STATEMENT OF
ETHICS

As a member of the Board, I will strive to improve community college education, and to that end I shall adhere to the following ethical standards:

1. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Bring about desired changes through legal and ethical procedures, upholding and enforcing all applicable statutes, regulations, and court decisions pertaining to community colleges.
3. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the College District to the ~~Chief Executive Officer~~Chancellor.
4. Work with other Board members to establish effective policies and practices prohibiting unlawful discrimination, including conduct that constitutes sexual harassment.
5. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings.
6. Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
7. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community.
8. Communicate to other Board members and the ~~Chief Executive Officer~~Chancellor expressions of public reaction to Board policies and college programs.
9. Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the Texas Association of Community Colleges, the American Association of Community Colleges, and the Association of Community College Trustees.
10. Support the employment of those persons best qualified to serve as college staff, and insist on a regular and impartial evaluation of all staff.
11. Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain.

12. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.
13. Remember always that my first and greatest concern must be the educational welfare of the students attending the college.

REFERENCE: derived from *National School Boards Association*

CODE OF CONDUCT

The Board of Trustees has adopted the following Code of Conduct for Trustees and Senior Staff:

1. Identify and disclose any actual or potential conflict of interest, and act at all times for the general public good, regardless of personal relationships or business interests. Although Texas law allows the election of a Trustee who has a spousal or other familial relation with an employee of the college, neither a Trustee nor the employee related to him or her may take advantage of the relationship to obtain favorable consideration, to influence operational matters, or to gain access to information not available under the Texas Public Information Act.
2. Keep well-informed on Board-related issues, and attend and participate actively in meetings of the Board and its committees.
3. Encourage and engage in open and honest discussion in making Board decisions, respect differences of opinion, and keep an open mind until each Trustee has had an opportunity to address the Board.
4. Respect the Board's collective decision-making process, and accurately report and explain Board votes and policies.
5. Act on behalf of the Board only with the official authorization of a majority of the total membership of the Board.
6. Respect the authority and responsibilities of college employees and external contractors, empowering them to work without interference.
7. Maintain the confidentiality of privileged information, as outlined in the Texas Public Information Act and the Texas Open Meetings Act.

8. Refrain from any attempt to influence any operational decision, including but not limited to individual admissions, personnel, or purchasing decisions, except when the decision is an agenda topic at an official Board meeting. Specifically, Board members may not have any communications about a grievance with any person who has a grievance pending.
9. Resist any attempt at undue influence from political, religious or other external bodies and protect the institution from such influence. Board members must also report attempts of such improper external influence to the appropriate legal counsel.
10. Exercise a "refer" approach to the Chancellor only with respect to communications from potential vendors and subcontractors about college business outside the prohibited communications period.
11. Board members are prohibited from suggesting or recommending subcontractors to vendors at any time, regardless of when the communication occurs.
12. Request only authorized, legitimate reimbursement of college-related expenses.
13. Interact with Trustees, employees, students, and other citizens in a manner that creates and sustains mutual respect.
14. Complete the annual Conflict of Interest Certification.

PROHIBITED
COMMUNICATIONS/
POLITICAL
CONTRIBUTIONS

Except as provided below, the following communications, whether written, oral, electronic, or otherwise, regarding a particular invitation for bids ("IFB"), request for proposals ("RFP"), request for qualifications ("RFQ"), employment application or other solicitation are prohibited:

- a. Between a potential vendor, subcontractor, service provider, bidder, broker, offeror, lobbyist or consultant and any Trustee, Senior Staff, or any member of a selection or evaluation committee;
- b. Between any Trustee or Senior Staff and any member of a selection or evaluation committee;
- c. Between any Trustee and administrator or employee regarding the subject matter of the proposed solicitation or contract; and
- d. Political contributions to a Trustee or candidate during the prohibited period from potential vendors, subcontractors, service providers, bidders, brokers, officers, lobbyists or consultants.

The communications/political contributions prohibition period shall begin on the date that the IFB, RFQ, RFP or other solicitation is issued, published or posted. The HCC Executive Director of Purchasing will email notification of the beginning and ending of the prohibited communications/political contributions period to each Trustee and Senior Staff Member. The communications/political contributions prohibition period shall terminate thirty days after the contract is executed by the Chancellor or his or her designee or when a determination is made that the contract will not be awarded.

The Executive Director of Purchasing shall include in the solicitation documents a statement disclosing the requirements of this policy. The statement shall be conspicuously written in a separate section of the solicitation.

The communications/political contributions prohibition shall not apply to the following:

- a. Official communications between the potential vendor and appropriate staff or administration at a duly noticed pre-bid or pre-proposal conference.
- b. Communications with Senior Staff, whose official job duties may require communication regarding the specific bid, request for proposal, request for qualifications, employment application or solicitation under consideration, including pre-bid or pre-proposal communications.

- c. Any communications allowed by the HCC Procurement Manual.
- d. Nothing contained herein shall prohibit any person or entity from publicly addressing the Board during any duly-noticed public meeting, in accordance with applicable Board policies, regarding action on the contract.

MECHANISMS FOR
ENFORCEMENT

The mechanisms for enforcement of ~~Board ethics~~ BBF(LOCAL) AND BBFB (LOCAL) ethics policies are:

- a. Board members must report an alleged ethics policy violation to Board Counsel and Senior Staff must report such alleged violations to the General Counsel.
- b. Any person may allege, in writing, noncompliance with ethics policy requirements to the Board Chair (or the Vice-Chair if the Chair is the target of the allegation) or to the Chancellor if it involves a member of the Senior Staff.
- c. The Board shall be advised when any allegation of a violation of ethics policy is made.
- d. The Chair, Vice-Chair or Chancellor, as appropriate, will undertake a process to resolve the complaint.
- e. The Chair may initiate an independent investigation of a written complaint after receiving approval from a majority of the Board. Upon approval, the Chair shall consult with Board Counsel, then name an independent third party to investigate the complaint within the parameters set by the Board. Further, the Chair shall provide regular updates to the Board through the named investigator.
- f. If the Board finds a violation of ethics policy, it can reprimand or censure the Board member, the only sanctions available under Texas law.
- g. If the Chancellor finds a violation of Board ethics policy by a member of Senior Staff, the Chancellor shall take appropriate action under the HCC human resources policies.
- h. After an evidentiary hearing, a majority vote of the total membership of the Board may disqualify a vendor from participation in any solicitation or contract for up to one (1) year for violating any Board ethics policy.

PROHIBITED
BENEFITS

For the protection of the integrity of the College District, Trustees and Senior Staff shall not:

- a. Accept or solicit any gift, favor or service that might tend to influence him/her in the performance of official duties or that might be offered with the intent to influence his/her official conduct.
- b. Accept employment or engage in a business that would require the release or use of information obtained in the performance of official duties.
- c. Trustees and Senior Staff will comply with the HCC Governance policies and Texas law requiring the filing of a Conflicts Disclosure Statement or a conflict of interest affidavit under the appropriate circumstances, and no later than August 31st of each academic year will sign a Conflict of Interest Certification and submit it to the board services office.

POLITICAL
ACTIVITIES

A member of the Board, as well as the Board as a whole, shall not expend or authorize the expenditure of any statutorily restricted funds for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure. However, it is permissible for the Board to use or authorize the use of funds to provide information and education regarding certain matters.

MISUSE OF
OFFICIAL
INFORMATION

A member of the Board shall not use the office of Trustee to obtain or use official information in any unlawful way.

PROHIBITED
CONTRACTS/
PROHIBITED
PURCHASES

The College District shall not contract with a business entity in which a Board Member, Senior Staff Member, or a relative of a Board member or Senior Staff Member within the first degree of consanguinity or affinity, has any pecuniary interest.

Further, the College District shall not contract with a business entity that employs, hires, or contracts with, in any capacity, including but not limited to, a subcontractor, employee, consultant, advisor or independent contractor, a Board Member or a Senior Staff Member.

Further, the College District shall not contract with a business entity that employs an Officer or Director who is a relative of a Board member or a Senior Staff Member within the first degree of consanguinity or affinity.

The Executive Director of Purchasing shall include in the solicitation documents a statement disclosing the requirements of this policy. The statement shall be conspicuously written in a separate section of the solicitation.

Absent other legal requirements, all contracts entered into by the College District in violation of this policy shall be voided within 30 days of notice of the violation.

These provisions do not affect Board Members' legal obligations to comply with Chapters 171 (Conflict of Interest Affidavit) and 176 (Conflict Disclosure Statement) of the Texas Local Government Code, Chapter 573 of the Texas Government Code (Nepotism), or any other Texas statutes, except to the extent that these provisions are more restrictive.

DEFINITIONS

"BUSINESS
ENTITY"

"Business Entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law. Tex. Loc. Gov't Code 171. Business entity" shall not include a corporation or a subsidiary or division of a corporation whose shares are listed on a national or regional stock exchange or traded in the over-the-counter market. "Business entity" shall not include non-profit corporations or religious, educational, and governmental institutions, except that private, for-profit educational institutions are included in the definition of Business entity.

"DIRECTOR"

Director" is defined as an appointed or elected member of the board of directors of a company who, with other directors, has the responsibility for determining and implementing the company's policy, and as the company's agent, can bind the company with valid contracts. Two individuals are related to each other by affinity if:

1. They are married to each other; or
2. The spouse of one of the individuals is related by consanguinity to the other individual.

The ending of a marriage by divorce or the death of a spouse ends relationships by affinity created by that marriage unless a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives.

"OFFICER"

"Officer" is defined as a person appointed by the board of directors of a company to manage the day-to-day business of the company and carry out the policies set by the board. An officer includes, but is not limited to, a chief executive officer (CEO), president, chief operating officer (COO), chief financial officer (CFO), vice-president, or other senior company official, as determined by the Board.

"SENIOR STAFF"

"Senior Staff" is defined as:

1. Any member of the Chancellor's Advisory Council;

2. HCC employees classified as E-10 and above;
3. All procurement and purchasing personnel;
4. Any employee who participates on an evaluation or selection committee for any HCC solicitation for goods or services; and
5. Any employee who participates in the evaluation of goods or services provided by a vendor or contractor.

“EXCLUDED
ENTITY”

The provisions of this policy shall not apply to contracts with the following entities:

- a. A corporation or a subsidiary or division of a corporation whose shares are listed on a national or regional stock exchange or traded in the over-the-counter market; and
- b. Non-profit corporations, religious, educational, and governmental institutions.

PROHIBITED
COMMUNICATIONS/
POLITICAL
CONTRIBUTIONS

Except as provided below, the following communications, whether written, oral, electronic, or otherwise, regarding a particular invitation for bids ("IFB"), request for proposals ("RFP"), request for qualifications ("RFQ"), employment application or other solicitation are prohibited:

- a. Between a potential vendor, subcontractor, service provider, bidder, broker, offeror, lobbyist or consultant and any Trustee, Senior Staff, or any member of a selection or evaluation committee;
- b. Between any Trustee or Senior Staff and any member of a selection or evaluation committee;
- c. Between any Trustee and administrator or employee regarding the subject matter of the proposed solicitation or contract; and
- d. Political contributions to a Trustee or candidate during the prohibited period from potential vendors, subcontractors, service providers, bidders, brokers, officers, lobbyists or consultants.

The communications/political contributions prohibition period shall begin on the date that the IFB, RFQ, RFP or other solicitation is issued, published or posted. The HCC Executive Director of Purchasing will email notification of the beginning and ending of the prohibited communications/political contributions period to each Trustee and Senior Staff Member. The communications/political contributions prohibition period shall terminate thirty days after the contract is executed by the Chancellor or his or her designee or when a determination is made that the contract will not be awarded.

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- b. Communications with Senior Staff, whose official job duties may require communication regarding the specific bid, request for proposal, request for qualifications, employment application or solicitation under consideration, including pre-bid or pre-proposal communications.

c. Any communications allowed by the HCC Procurement Manual.

d. Nothing contained herein shall prohibit any person or entity from publicly addressing the Board during any duly-noticed public meeting, in accordance with applicable Board policies, regarding action on the contract.

MECHANISMS FOR
ENFORCEMENT

The mechanisms for enforcement of Board ethics policies are:

a. Board members must report an alleged ethics policy violation to Board Counsel and Senior Staff must report such alleged violations to the General Counsel.

b. Any person may allege, in writing, noncompliance with ethics policy requirements to the Board Chair (or the Vice-Chair if the Chair is the target of the allegation) or to the Chancellor if it involves a member of the Senior Staff.

c. The Board shall be advised when any allegation of a violation of ethics policy is made.

d. The Chair, Vice-Chair or Chancellor, as appropriate, will undertake a process to resolve the complaint.

e. The Chair may initiate an independent investigation of a written complaint after receiving approval from a majority of the Board. Upon approval, the Chair shall consult with Board Counsel, then name an independent third party to investigate the complaint within the parameters set by the Board. Further, the Chair shall provide regular updates to the Board through the named investigator.

f. If the Board finds a violation of ethics policy, it can reprimand or censure the Board member, the only sanctions available under Texas law.

g. If the Chancellor finds a violation of Board ethics policy by a member of Senior Staff, the Chancellor shall take appropriate action under the HCC human resources policies.

h. After an evidentiary hearing, a majority vote of the total membership of the Board may disqualify a vendor from participation in any solicitation or contract for up to one (1) year for violating any Board ethics policy.

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For the protection of the integrity of the College District, Trustees and Senior Staff shall not:

- a. Accept or solicit any gift, favor or service that might tend to influence him/her in the performance of official duties or that might be offered with the intent to influence his/her official conduct.
- b. Accept employment or engage in a business that would require the release or use of information obtained in the performance of official duties.
- c. Trustees and Senior Staff will comply with the HCC Governance policies and Texas law requiring the filing of a Conflicts Disclosure Statement or a conflict of interest affidavit under the appropriate circumstances, and no later than August 31st of each academic year will sign a Conflict of Interest Certification and submit it to the board services office.

POLITICAL
ACTIVITIES

A member of the Board, as well as the Board as a whole, shall not expend or authorize the expenditure of any statutorily restricted funds for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure. However, it is permissible for the Board to use or authorize the use of funds to provide information and education regarding certain matters.

MISUSE OF
OFFICIAL
INFORMATION

A member of the Board shall not use the office of Trustee to obtain or use official information in any unlawful way.

PROHIBITED
CONTRACTS/
PROHIBITED
PURCHASES

The College District shall not contract with a business entity in which a Board Member, Senior Staff Member, or a relative of a Board member or Senior Staff Member within the first degree of consanguinity or affinity, has any pecuniary interest.

Further, the College District shall not contract with a business entity that employs, hires, or contracts with, in any capacity, including but not limited to, a subcontractor, employee, consultant, advisor or independent contractor, a Board Member or a Senior Staff Member.

Further, the College District shall not contract with a business entity that employs an Officer or Director who is a relative of a Board member or a Senior Staff Member within the first degree of consanguinity or affinity.

The Executive Director of Purchasing shall include in the solicitation documents a statement disclosing the requirements of this policy. The statement shall be conspicuously written in a separate section of the solicitation.

Absent other legal requirements, all contracts entered into by the College District in violation of this policy shall be voided within 30 days of notice of the violation.

These provisions do not affect Board Members' legal obligations to comply with Chapters 171 (Conflict of Interest Affidavit) and 176 (Conflict Disclosure Statement) of the Texas Local Government Code, Chapter 573 of the Texas Government Code (Nepotism), or any other Texas statutes, except to the extent that these provisions are more restrictive.

DEFINITIONS

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ENTITY"

"Business entity" shall not include a corporation or a subsidiary or division of a corporation whose shares are listed on a national or regional stock exchange or traded in the over-the-counter market. "Business entity" shall not include non-profit corporations or religious, educational, and governmental institutions, except that private, for-profit educational institutions are included in the definition of Business entity.

"DIRECTOR"

"Director" is defined as an appointed or elected member of the board of directors of a company who, with other directors, has the responsibility for determining and implementing the company's policy, and as the company's agent, can bind the company with valid contracts. Two individuals are related to each other by affinity if:

1. They are married to each other; or
2. The spouse of one of the individuals is related by consanguinity to the other individual.

The ending of a marriage by divorce or the death of a spouse ends relationships by affinity created by that marriage unless a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives.

"OFFICER"

"Officer" is defined as a person appointed by the board of directors of a company to manage the day-to-day business of the company and carry out the policies set by the board. An officer includes, but is not limited to, a chief executive officer (CEO), president, chief operating officer (COO), chief financial officer (CFO), vice-president, or other senior company official, as determined by the Board.

"SENIOR STAFF"

"Senior Staff" is defined as:

1. Any member of the Chancellor's Advisory Council;
2. HCC employees classified as E-10 and above;
3. All procurement and purchasing personnel;

4. Any employee who participates on an evaluation or selection committee for any HCC solicitation for goods or services; and
5. Any employee who participates in the evaluation of goods or services provided by a vendor or contractor.

BOARD MEMBERS

COMPENSATION AND EXPENSE TRAVEL AND EXPENSE REIMBURSEMENT

BBG
(LOCAL)

BOARD MEMBER TRAVEL

Board members shall be reimbursed for reasonable expenses incurred in carrying out Board business and for reasonable expenses incurred while attending meetings and conventions as official representatives of the Board.

An amount for Board member travel expense reimbursement shall be approved in the budget each year.

Board members in good standing shall be permitted to travel at the expense of the College District to those meetings, functions and activities that are for a public purpose and are necessary in the conduct of the College District.

A Board member in good standing is not indebted to, nor owes money to the College District for any reason.

"Public purpose" is defined as an activity that adds value to or benefits the College as a whole by supporting the educational functions and mission of the College District.

EXPENSE REIMBURSEMENT

The following guidelines shall be applied to the reimbursement of travel expenses incurred by Board members:

(a) Board members must obtain prior express Board approval for all travel payment and/or reimbursement in excess of the guidelines listed herein, and for all other travel payment and/or reimbursement for expenses related to activities not included on the approved list (See BBH(Local). If time constraints do not allow for board approval prior to the conference or event, the Board Chair is authorized to approve the Board Members' travel.

(b) Board members shall be reimbursed for reasonable expenses incurred in carrying out Board business at the Board's request and for reasonable expenses incurred while attending meetings and conventions as official representatives of the Board or the College District. All requested reimbursable expenses, including tips, bus, taxi, shuttle or other ground transportation, must be supported by receipts. Where receipts are not available, the Board member shall submit a notarized affidavit verifying expenses.

(c) Only expenses of Board members only may be reimbursed. Travel expenses for spouses and/or other travel companions who accompany Board members to any such meetings and conventions are not subject to reimbursement by the College District. Personal expenses and alcoholic beverages are not reimbursable.

(d) Air Travel - Air travel is to be based on economy fare with advanced booking. If travel is booked in a class more expensive

than the economy fare, the difference in the fare booked and the economy fare is non-payable and/or non-reimbursable by the College District. Air travel paid by a Board member cannot be reimbursed until after travel has been completed. Airline luggage fees are reimbursable based on actual cost for up to two pieces of checked luggage.

(e) Advances - Requests for advances for out-of-town travel will be based on an amount equal to 75% of the per diem allowance rates for meals and must be requested with a Travel Advance Form. The Board chair, or in his or her absence, the Chancellor, must approve and execute the Travel Advance Form. The Board Services office shall not process a requisition for a requested travel advance that has not been approved and executed. Where a travel advance is obtained and the actual travel expense incurred is less than the amount advanced, the difference in the advanced amount and the actual expenses incurred must be paid to the College District within 30 days of the date on which travel concludes. Board members are considered not in good standing and therefore are ineligible for additional advances or disbursements where money owed from a prior advance is outstanding or when the Expense Reimbursement Form is not executed within 30 days of the completion of travel.

(f) Meals – The meal per diem is \$75 or the actual expense, whichever is less.

(g) Registration Fees – Registration fees for local and out-of-town conventions, conferences and workshops are reimbursable and/or payable by the College District.

(h) Lodging – The maximum allowable rate for lodging payment and/or reimbursement is the single room occupancy (plus tax) cost or, if applicable, the published conference rate. Where available, "government rates" should be requested. Upgrades from single room occupancy are at the Trustee's expense, and therefore, are not reimbursable. The Board Services Office may authorize payment for hotel room charges for Trustees only. Other hotel charges for allowable expenses will be reimbursed separately. If a Trustee chooses to stay at a hotel other than the conference hotel and there is availability at the conference hotel, reimbursement will be paid at the single room occupancy rate for the conference hotel.

(i) Airport Parking – Payment and/or reimbursement for airport parking in the city of departure and/or destination city is based on actual cost.

(j) Ground Transportation in City of Departure – Taxicab, shuttle bus, toll road fares, etc. are payable and/or reimbursable based on actual cost.

(k) Ground Transportation in Destination City – Taxicab, car rental (subject to Item 12 (l) below), shuttle bus, subway, toll road fares, etc. are payable and/or reimbursable based on actual cost. The least expensive of these modes of ground transportation should be used whenever possible.

(l) Car Rental – Payment and/or reimbursement for a full-size car rental is allowed based on actual cost.

(m) Mileage – Payment and/or reimbursement for mileage incurred as a result of use of a personal vehicle will be consistent with the IRS standard and paid at the IRS standard mileage reimbursement rate. See www.irs.gov.

(n) All receipts and requests for reimbursement shall be submitted to the manager of Board Services within 30 days of the completion of the travel. Receipts and requests for reimbursement submitted more than 30 days after the completion of the travel shall not be eligible for reimbursement.

(o) In-District Travel - Expenses for attendance at in-district functions which are of direct benefit to the College District may be reimbursed. No lodging fees shall be paid or reimbursed to Board members for in-district travel; however actual parking fees and transportation costs may be reimbursed for attendance at functions in connection with College-related business.

REPORTS ON BOARD TRAVEL

The Board Governance Committee will make a semi-annual report (based on the College's fiscal year) at the committee of the whole meeting indicating the amount, the event/travel and the requesting Trustee for each travel expenditure since the last report. A final report will be made at the end of each fiscal year.

EMERGENCY SITUATIONS

Emergency situations involving Trustees' travel will be handled on a case-by-case basis by the requiring the Trustee to contact the Board Chair or the Chancellor. Emergency travel expenditures will be ratified by the Board at the next regular board meeting.

METHOD OF REIMBURSEMENT

Reimbursement shall be made by one of the following methods, as determined by the Board:

1. Reimbursement for use of personal car at the mileage rate currently approved by the Board, or the actual cost of com-

mercial transportation, plus parking and taxi fares and expenses for lodging, meals, and other incidental expenses. Board members shall file an Expense Reimbursement Form with the Office of Board Services and attach receipts documenting actual expenses for which reimbursement is requested.

2. A set amount approved in advance for reasonable expenditures to be incurred on a particular trip. Board members shall file an Expense Reimbursement Form, with receipts, accounting for amounts actually expended. Any excess shall be refunded to the College District, within 30 days of completed travel, or the Board Member will be considered not in good standing and therefore ineligible for travel at College expense.

Board members may attend regional, state, or national conventions, conferences, and workshops. Reimbursement for reasonable travel expenses for attendance at such conventions, conferences, and workshops shall be made by the College District when attendance is authorized and deemed by the Board to be necessary or desirable in carrying out the educational functions of the College District.

APPROVED
CONVENTIONS,
CONFERENCES,
WORKSHOPS

The Board has approved a list of activities that appear to meet the statutory requirement of being "necessary in the conduct of the College." This list includes conferences, seminars, retreats, workshops, and meetings of or sponsored by the following:

1. American Association of Community Colleges (AACC);
2. Association of Community College Trustees (ACCT);
3. Association of Governing Boards;
4. Board of Trustee Institute;
5. Community College Association of Texas Trustees;
6. National Association for Community College Entrepreneurship;
7. Texas Community College Trustees and Administrators;
8. Texas Higher Education Coordinating Board;
9. Texas Community College Trustee Association;
10. National Association of Latino Elected and Appointed Officials (NALEO) Foundation;
11. Congressional Black Caucus (CBC) Foundation's Annual Legislative Conference; and
12. National Association of College and University Business Officers (NACUBO).

Attendance by a Board member at any function other than those included on the approved list with the anticipation of reimbursement by the College must have prior Board approval at a regularly scheduled meeting. If time constraints do not allow for board approval prior to the conference or event, the Board Chair is authorized to approve the Board Members' travel.

Board members may receive reimbursement for the cost of travel and for the actual days of the conference plus travel time one day prior to the conference and one day following the conference. Ad-

ditional travel days will be at the Trustee's expense and is not reimbursable.

Administrative and internal control procedures shall be developed by the Board Services Office for the implementation and monitoring of compliance with this policy. The Board shall have the final responsibility for determining compliance with this policy.

Note: For employee, student, and community use of College District technology resources, see CR.

TECHNOLOGY RESOURCES	For purposes of this policy, "technology resources" means electronic communication systems and electronic equipment.
AVAILABILITY OF ACCESS	Access to the College District's technology resources, including the Internet, shall be made available to Board members primarily for official duties and in accordance with administrative regulations.
LIMITED PERSONAL USE	Limited personal use of the College District's technology resources shall be permitted if the use: <ol style="list-style-type: none">1. Imposes no tangible cost on the College District; and2. Does not unduly burden the College District's technology resources.
ACCEPTABLE USE	A Board member shall be required to acknowledge receipt and understanding of the user agreement governing use of the College District's technology resources and shall agree in writing to allow monitoring of his or her use. Noncompliance may result in suspension of access or termination of privileges. Violations of law may result in criminal prosecution.
MONITORED USE	Electronic mail transmissions and other use of the College District's technology resources by a Board member shall not be considered private. The [G head of district/college/ESC, initial upper case] Chancellor or designee shall be authorized to monitor the College District's technology resources at any time to ensure appropriate use.
DISCLAIMER OF LIABILITY	The College District shall not be liable for a Board member's inappropriate use of technology resources, violations of copyright restrictions or other laws, mistakes or negligence, or costs incurred. The College District shall not be responsible for ensuring the availability of the College District's technology resources or the accuracy, appropriateness, or usability of any information found on the Internet.
RECORDS RETENTION	A Board member shall retain electronic records, whether created or maintained using the College District's technology resources or using personal technology resources, in accordance with the College District's record management program. [See BBE, CIA]

BOARD OFFICERS AND OFFICIALS
DUTIES AND REQUIREMENTS OF BOARD CHAIR

BCAB
(LOCAL)

The Board Chair shall:

- a. Preside over meetings of the Board pursuant to Robert's Rules of Order.
- b. Appoint all committees, committee chairs and designated alternates.
- c. Serve as ex-officio voting member of all Board committees.
- d. Call special meetings of the Board.
- e. Perform duties and functions prescribed by the Board and authorized by the Texas Education Code.
- f. Call and provide proper notice for a meeting of the Board to adopt a budget for the succeeding fiscal year.
- g. Sign all legal documents, including contracts, warrants, vouchers and reports, as required by state or federal law, or a current edition of Board policy.
- h. Decide all questions of order in accordance with Roberts Rules of Order, Newly Revised, as modified by Board policy and/or laws. However, said rules may be suspended by a two-thirds vote of the Board's total membership.
- i. Promote Board unity and share all information with other Board members in a timely fashion.

Should a vacancy be declared in the Board Chair position, the Board shall elect a permanent replacement to fill the remainder of the term.

BOARD OFFICERS AND OFFICIALS
DUTIES AND REQUIREMENTS OF BOARD VICE CHAIR

BCAC
(LOCAL)

The Vice-Chair of the Board shall:

- a. Act in the capacity and perform the duties of the Chair of the Board in the event of the absence, death, resignation, disability, or disqualification, and shall continue to serve in an interim capacity only.
- b. Become Chair only upon being elected to the position.
- c. Perform other duties as prescribed by the Board.
- d. Sign or attest to, all legal documents, in the absence of the Secretary, as required by state or federal law or Board policy.
- e. Promote board unity and share all information with other board members in a timely fashion.

BOARD OFFICERS AND OFFICIALS
DUTIES AND REQUIREMENTS OF SECRETARY

BCAD
(LOCAL)

The Secretary of the Board shall:

- 1.Keep records of all important transactions and file budgets, forms, and reports at the proper times and in the proper offices, as required by law.
- 2.Sign, or attest to, all legal documents, as required by state or federal law or Board policy.
- 3.Promote board unity and share all information with other board members in a timely fashion.

BOARD INTERNAL ORGANIZATION
BOARD COMMITTEES

BCB
(LOCAL)

The Board may establish such standing and ad hoc committees as it deems necessary for the welfare of the College. See the Board Bylaws for additional information.

Community Advisory Committees are appointed by the Board for the purpose of improving the College District and may be dissolved by Board resolution upon completion of the Committee's task. Committee members shall be selected to represent a variety of ethnic groups and organizations and to provide the College District with advice on programs, facilities, student retention, recruitment and fundraising. Recommendations from these Committees shall be forwarded to the Chancellor for consideration and future action. These Committees shall function as purely advisory bodies and shall not have power to supervise or control public business or policy.

GENERAL COUNSEL

A report of legal advice received shall be presented to the Board when deemed appropriate by the Chancellor or upon request of the Board.

The General Counsel shall provide legal advice to the Chancellor. The General Counsel shall be appointed by the Chancellor and shall report directly to the Chancellor, with access to the Board. Any employment contract with the General Counsel shall be approved in accordance with Board policy. The General Counsel shall attend all Board and Board committee meetings. Duties of the General Counsel include:

- a. Provide legal advice and counsel to the Chancellor, administration and faculty.
- b. Maintain the College District's policies and recommend amendments, as needed.
- c. Handle routine legal matters for or on behalf of the College District.
- d. Perform other legal services as may be required by the Board or assigned by the Chancellor.

OUTSIDE COUNSEL

Upon recommendation of the General Counsel, the Chancellor may employ outside counsel to represent the College District in legal matters. Services to be performed and reasonable compensation to be paid to outside counsel shall be set forth in an engagement letter between the College District and the College District's outside attorney or attorneys.

BOARD COUNSEL

The Board Counsel shall provide legal advice to the Board. The Board Counsel shall be appointed by the Board, shall report directly to the Board (with access to the Chancellor), and may be dismissed or reassigned by the Board without cause. The Board Counsel shall represent the College District in all assigned legal matters. The Board Counsel shall attend all Board and Board committee meetings. Duties of the Board Counsel include:

- a. Provide advice and counsel to the Board.
- b. Maintain the Board bylaws and certain Board policies and procedures, and recommend amendments, as needed.
- c. Handle assigned legal matters for or on behalf of the College District, such as preparation of legal opinions as requested by the Board or the Chancellor.
- d. Render legal services in connection with assigned legal matters.

e. Perform any other legal services as may be required by the Board or requested by the Chancellor.

~~The Board shall retain an attorney or attorneys, as necessary, to serve as the College District's legal counsel and representatives in matters requiring legal services. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract between the Board and the attorney or attorneys.~~

~~In accordance with the written contract, individual Board members shall channel legal inquiries through the or Board designee, as appropriate, when advice or information from the College District's legal counsel is sought.~~

~~Staff requests for legal advice from the College District's legal counsel shall be submitted through the or designee.~~

~~A report of legal advice received shall be presented to the Board when deemed appropriate by the administration or upon request of the Board.~~

BOARD SELF-
EVALUATION

The Board shall plan and conduct, at least annually, a thorough self-evaluation. This evaluation may be conducted in a regular meeting, a special meeting, or in a workshop setting.

The yearly review shall include an analysis of:

1. Board ~~procedures~~Bylaws.
2. Board member training.
3. Conflict resolution.
4. Working relationships with the ~~College President~~Chancellor.
5. Conduct of Board meetings.
6. Long-range planning and goal setting.
7. Relationship with the community.
8. An assessment of Board expenditures and savings for the year.
9. An estimation of Board budgetary needs for the following year.
10. An evaluation of Board accomplishments in setting policy, uniting the community in and out of the College District, managing debt, and improving the College District.
11. An assessment of Board Governance and Operations.
- ~~7.~~12. An assessment of Board Office functions (Board office staff shall be evaluation by the Chancellor).

In the month or months before the discussion, the Board as a whole shall:

1. Review the Board's goals for the current year to ensure that all Trustees are familiar with Board priorities.
2. Reaffirm the purposes of the self-evaluation so that all Board members understand the desired outcomes of the exercise.
3. Review or select an evaluation instrument, and adapt the instrument to ensure that it will yield the desired information on Board performance.
4. Identify and collect any information or materials the Board might need in conducting its self-evaluation. This material might include documentation on College District goals for the current year, reports of the Board's success and progress in meeting these goals, records of Board meetings and community participation, newspaper clippings, and the like.

5. Have each Board member complete the evaluation instrument separately, several weeks in advance of the discussion.
6. Tabulate individual responses to the instrument, and provide a copy of the tabulation to each Board member.

BOARD MEETINGS

BD
(LOCAL)

MEETING PLACE
AND TIME

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

REGULAR
MEETINGS

Regular meetings of the Board shall typically be held on the ~~[C032]~~third Thursday of each month at the HCC Building, 3100 Main Street~~[C033]~~. Such meetings may be recessed from day to day until the completion of business. When determined necessary and for the convenience of Board members, the Board ~~President~~Chair may change the date, time, or location of a regular meeting with proper notice.

SPECIAL OR
EMERGENCY
MEETINGS

The Board ~~President~~Chair shall call a special meeting at the Board ~~President~~Chair's discretion, or by the independent requests of three (3) members of the Board who must call for the meeting in writing, specifying the date, time, place, and purpose of the meeting. Special meetings must be duly posted on request by [C037] members of the Board.

The Board ~~President~~Chair shall call an emergency meeting when it is determined by the Board ~~President~~Chair, or by the independent requests of three (3)~~[C038]~~ members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting. Emergency meetings must be duly posted.

AGENDA

~~PREPARATION
SUBMISSION OF
TOPICS~~

At the direction of the Board Chair, the Chancellor shall prepare and present an agenda at least 7 calendar days prior to the regular Board meeting, having followed the agenda preparation process established by the Board. A Board member may request that a subject be included on the agenda for a meeting. The deadline for submitting items for inclusion on the agenda is [C bd mtg-regular agenda-closing] day before regular meetings and [C bd mtg-special agenda-closing] day before special meetings.

~~SUBMISSION OF
TOPICS~~PREPARATI
ON

An item shall be added to the agenda by the written request of three (3) Board members submitted to the Chancellor or Board Chair at least seven (7) days prior to the meeting.

Either the Board Chair or the Chancellor, at his or her discretion, may pull any item noticed for discussion and/or action from the agenda without further action by the Board unless that item has been added by the written request of three (3) Board members, in accordance with the procedures outlined above. The [G head of district/college/ESC, initial upper case] shall compile for review by the Board President all topics timely submitted by Board members, topics requested by the Board, and topics suggested by the [G head of district/college/ESC, initial upper case].

The Board President and the [G head of district/college/ESC, initial upper case] shall confer regarding the proposed topics, and the

	<p>Board President shall determine the topics for the official meeting agenda. The Board President shall ensure that any topic the Board or individual Board members have requested be addressed are either on the meeting agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not refuse to assign a topic requested by a Board member to an agenda and, once assigned, shall not have the authority to remove the topic from the agenda without that Board member's specific authorization.</p>
CONSENT AGENDA	<p>When the agenda is prepared, the Board President<u>Chair</u> shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.</p>
NOTICE TO MEMBERS	<p>Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least two hours prior to the time of an emergency meeting.</p>
CLOSED MEETING	<p>Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, as provided by law. The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BDA]</p>
ORDER OF BUSINESS	<p>The The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members present<u>Chancellor and the Board Chair shall decide the order of business for meetings.</u></p>
RULES OF ORDER	<p>The Board shall observe the parliamentary procedures as found in <i>Robert's Rules of Order, Newly Revised</i>, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present<u>a two-thirds vote of the entire membership of the Board.</u></p>
VOTING	<p>Voting shall be by voice vote or show of hands, as directed by the Board President<u>Chair</u>. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. <u>Each member's vote, or failure to vote, shall be recorded by name. Only members present in person may vote. Ab-</u></p>

MINUTES

sent members may listen to the proceedings by electronic media, but may not vote on the proceedings. No proxy votes shall be allowed. Other than situations in which a two-thirds vote is required, a majority vote of the total membership of the Board will be required in order for the Board to act.

Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board PresidentChair and the Board Secretary.

The official minutes of the Board shall be retained on file in the office of ~~the [G head of district/college/ESC, initial upper case]~~Board Services and shall be available for examination during regular office hours.

DISCUSSIONS AND
LIMITATION

Discussions shall be addressed to the Board PresidentChair and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board PresidentChair shall halt discussion that does not apply to the business before the Board.

The Board PresidentChair shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Board PresidentChair shall not interfere with debate so long as members wish to address themselves to an item under consideration.

LIMIT ON
PARTICIPATION

Audience participation at a Board meeting is limited to the public comment portion of the meeting designated for that purpose. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

PUBLIC COMMENT

At regular meetings the Board shall allot a portion of the meeting to hear ~~persons~~ citizens who desire to make comments to the Board during the "Hearing of Citizens" portion of the agenda. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer or designee at least twenty-four hours before the meeting begins, and shall indicate the topic about which they wish to speak. .In the alternative, citizens may present written comments for the Board's consideration. Any written comments must be received at least twenty-four hours before the meeting begins. However, no complaint against an employee shall be heard unless complaint or grievance procedures are followed, and the item is properly scheduled on the agenda. All employees must exhaust internal administrative and grievance procedures prior to addressing the Board

No presentation shall exceed four ~~five~~ minutes. Delegations of more than five persons shall appoint one person to present their views before the Board.

BOARD'S
RESPONSE

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

COMPLAINTS AND
CONCERNS

The presiding officer or designee shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate policy (see list below) to seek resolution:

Employee complaints: DGBA

Student complaints: FLD

Public complaints: GB

DISRUPTION

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any person continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting.

Within the context of current law, the College District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the College District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

HARMONY WITH LAW	No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.
SEVERABILITY	If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application. To this end the provisions of this policy manual are declared to be severable.
POLICY DEVELOPMENT	<p>Policies and policy amendments may be initiated by the [G head of district/college/ESC, initial upper case]Chancellor, Board members, College District personnel, students, or community citizens, but generally shall be recommended for the Board's consideration by the [G head of district/college/ESC, initial upper case]Chancellor.</p> <p><u>The General Counsel of the College District is responsible for maintaining and updating the College District's policies, as needed.</u></p>
ADOPTION	<p>The Board shall have the sole right to adopt policies. Proposed local policies or amendments introduced and recommended to the Board at one meeting shall not be adopted until a subsequent meeting. Emergency adoption, however, may occur in one meeting if special circumstances demand an immediate response.</p> <p>Local policies shall become effective upon Board adoption or at a future date designated by the Board at the time of adoption.</p>
OFFICIAL POLICY MANUAL	The Board shall designate one copy of the local policy manual as the official policy manual of the College District. The official copy shall be kept in the [G head of district/college/ESC, initial upper case] Chancellor's office, and the [G head of district/college/ESC, initial upper case] Chancellor or designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the College District's policy manual.
TASB LOCALIZED UPDATES	After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained

by the College District. If discrepancies occur between different copies of the manual distributed throughout the College District, the version contained in the official policy manual shall be regarded as authoritative.

NON-COMPLIANCE

Noncompliance with policies may result in termination of employment or dismissal from an academic program, as appropriate.

BYLAWS

The Board Bylaws, which establish the internal management and procedures of the Board, shall be maintained by the Board's Counsel.

CHIEF EXECUTIVE OFFICER
QUALIFICATIONS AND DUTIES

BFA
(LOCAL)

DUTIES

The Board employs the Chancellor, who is the chief executive officer of the College District, by a written contract which will govern the terms of employment. The Chancellor shall recommend the organizational plan for the College District.

The Chancellor has the authority to hire all at-will personnel. Employees with a written contract shall be employed upon Board approval.

The Chancellor performs all duties relating to the day to day operations of the College District, including, but not limited to, the following:

1. Developing a qualified administrative organization and providing the College District with academic and fund-raising leadership.
2. Preparing the annual budget and submitting it to the Board for approval;
3. Establishing administrative relationships among members of the College District community.
4. Preparing and approving the curriculum.
5. Appointing campus committees, as needed.
6. Preparing the agenda for Board meetings in coordination with the Board Chair and making regular reports to the Board regarding the status of the College District.
7. Promoting College District political effectiveness at the state and local levels.
8. Supervising the development and implementation of a system to evaluate faculty and staff.
9. In coordination with Board Counsel and the General Counsel, assisting the Board in policy development, its yearly self-assessment and meeting its own training requirements.
10. Forging a relationship of mutual respect with each Trustee.
11. Understanding each district of the College District and its educational needs.
12. Enforcing fiduciary and academic accountability of the College District to the general public.
13. Promoting College District unity at all levels, emphasizing equality, diversity, and respect for all individuals.
14. Interpreting the College District to the community.

CHIEF EXECUTIVE OFFICER
QUALIFICATIONS AND DUTIES

BFA
(LOCAL)

15. Providing the Trustees with important information before all others and having background information and research compiled on issues of particular importance to the Board, with sufficient time for study by Trustees before a vote.
16. Serving as the official spokesperson for the College District.
17. Maintaining open channels of communication throughout the College District.
18. Handling employee disciplinary issues, including termination when appropriate.
19. In the event of a catastrophe, emergency, or natural disaster affecting the College District, contracting for the replacement, construction, or repair of College District equipment or facilities if emergency replacement, construction, or repair is necessary for the health and safety of College District students and staff.
20. Enhancing the image and well-being of the College District.

CHIEF EXECUTIVE OFFICER
RETIREMENT OR RESIGNATION

BFD
(LOCAL)

RESIGNATION

The Chancellor may resign at any time mutually agreeable with the Board.

WRITTEN EVALUATION	<p>The Board shall prepare a written evaluation of the [G head of district/college/ESC, initial upper case] <u>Chancellor</u> at annual or more frequent intervals. The written evaluation instrument shall be based on the job description of the [G head of district/college/ESC, initial upper case] <u>Chancellor</u> and performance goals and shall be adopted by the Board.</p> <p>The Board shall furnish the [G head of district/college/ESC, initial upper case] <u>Chancellor</u> with a copy of the completed evaluation and shall discuss the evaluation with the [G head of district/college/ESC, initial upper case] <u>Chancellor</u> in a closed meeting in accordance with the Texas Open Meetings Act.</p>
OBJECTIVES	<p>The Board shall strive to accomplish the following objectives in completing the evaluation of the [G head of district/college/ESC, initial upper case] <u>Chancellor</u>:</p> <ol style="list-style-type: none"><li data-bbox="560 829 1443 903">1. Clarify the [G head of district/college/ESC, initial upper case] <u>Chancellor</u>'s role, as seen by the Board.<li data-bbox="560 924 1443 1018">2. Develop and sustain a harmonious working relationship between the Board and the [G head of district/college/ESC, initial upper case] <u>Chancellor</u>.<li data-bbox="560 1039 1443 1186">3. Ensure excellence in the College District's administrative leadership by establishing appropriate performance objectives and priorities for the [G head of district/college/ESC, initial upper case] <u>Chancellor</u>.
INFORMAL EVALUATION	<p>The Board may at any time conduct and communicate oral evaluations to augment its written evaluations.</p>

ADD POLICY

The organizational structure of the College District shall encompass a system of cooperating college designed to fulfill the College District's mission. The ~~administration~~ Chancellor shall have the authority to amend the structure of the departments within each college as deemed necessary and appropriate.

A department shall be defined as an area of individual or related teaching disciplines and an organizational unit within each college responsible for delivering educational services.

Organizational charts for the various colleges within the College District shall be maintained in administrative regulations.

ADD POLICY

In order to provide the most effective operation of the College District and to maintain open communication and decision making opportunities, the Board recognizes the following:

1. The faculty senate, the staff councils, the College Office Personnel Association (COPA), and other employee groups shall have the right to gather for the purpose of discussing issues and concerns of particular importance to the individual groups.
2. The faculty senate and other recognized employee organizations shall have a written constitution and an elected or appointed leader or leaders who will facilitate the work of the component group and serve as the communications link with the administration.

Since the faculty senate represents employee interests, this organization shall have a representative on the Chancellor's executive team. -The Chancellor shall ensure that various employee groups are appropriately represented on committees.

ADMINISTRATIVE RULES AND REGULATIONS

BH
(LOCAL)

- DEVELOPMENT | The ~~[G head of district/college/ESC, initial upper case]~~Chancellor and administrative staff shall be responsible for developing and enforcing procedures for the operation of the College District. These procedures shall constitute the administrative regulations of the College District and shall consist of guidelines, handbooks, manuals, forms, and any other documents defining standard operating procedures.
- | The ~~[G head of district/college/ESC, initial upper case]~~Chancellor or designee shall ensure that administrative regulations are kept up to date and are consistent with Board policy. The ~~[G head of district/college/ESC, initial upper case]~~Chancellor or designee shall resolve any discrepancies among conflicting administrative regulations. In case of conflict between administrative regulations and policy, policy shall prevail.
- NO BOARD ACTION Administrative regulations are subject to Board review but shall not be adopted by the Board.
- AVAILABILITY All administrative regulations shall be made accessible to staff, students, and the public as required by law or Board policy.

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

DEBT MANAGEMENT The purpose of the College District's Debt Management Policy is to establish and maintain well-defined debt management guidelines for issuing new debt, as well as managing outstanding debt. This Policy will allow the College District to sustain a strong debt management program, achieve the lowest borrowing costs and maintain the greatest management flexibility.

The College District's Debt Management Policy applies to all debt instruments issued by the College District or secured with revenues of the College District (PFC bonds) regardless of the purpose for which issued or the funding source for repayment. These instruments include but are not limited to General Obligation Bonds, Maintenance Tax Notes, Contractual Obligations, Revenue Bonds and Lease Revenue Bonds.

OBJECTIVE The primary objective is to ensure prudent debt management practices which:

1. Maintain financial stability
2. Preserve public trust
3. Minimize costs to taxpayers
4. Minimize borrowing costs
5. Preserve access to financial markets

AVAILABLE
BORROWING
METHODS The College District can utilize the following types of debt as approved by the Texas Education Code and the Texas Government Code:

GENERAL OBLIGATION
BONDS "(GO BONDS"
OR "LIMITED TAX
DEBT") The Texas Education Code § 130.122 authorizes the College District to issue bonds for the construction, acquisition, and equipment of school buildings and the purchase of necessary sites for school buildings. The College District secures these bonds through levying, pledging, assessing and collecting annual ad valorem taxes sufficient to pay the principal and interest on the bonds as they become due, provided that the annual bond tax shall never exceed 50 cents on the \$100 valuation of taxable property in the College District. The combined rate for bond taxes and maintenance taxes shall never exceed the aggregate of \$1 on the \$100 valuation of taxable property in the College District. Bonds may be issued in various series or issues and shall mature serially or otherwise not more than 40 years from their issuance date, and shall bear interest at the rate established by the Board of Trustees, and may be redeemed before maturity. The bonds require voter approval to be issued (§ 130.122 (b)) and the elections must be conducted on uniform election dates in May and November.

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

MAINTENANCE TAX
NOTES ("MTN")

The College District may pledge any available funds of the College District, including the proceeds of its maintenance tax, to secure negotiable maintenance tax notes under § 45.108 and §130.084, Texas Education Code. The proceeds of these notes may be used for any capital maintenance expenditure including environmental clean-up and asbestos removal programs or maintenance, repair, rehabilitation, or replacement of heating, air conditioning, water, sanitation, roofing, flooring, electric or other building College Districts of existing school properties. Notes issued pursuant to this section may not at any time exceed 75% of the previous year's income, may be issued only after a budget has been adopted for the current school year, and must mature not more than 20 years from their issuance date. Voter approval is not required.

CONTRACTUAL
OBLIGATIONS

The College District is authorized to incur contractual obligations under Chapter 271, Local Government Code to pay for computers, furniture and other moveable personal property. These contractual obligations are payable from maintenance taxes. The maturity of a contractual obligation may not exceed 25 years. Voter approval is not required.

LEASE REVENUE
BONDS

The College District has formed a Public Property Finance Corporation under Chapter 303, Local Government Code. This corporation has the authority to issue bonds to construct any necessary facilities for the College District without an election. These bonds are secured by lease payments, payable from any lawfully available funds of the College District that are subject to annual appropriations.

REVENUE BONDS
(SENIOR LIEN AND
JUNIOR LIEN)

Under § 130.123, Texas Education Code, the College District is authorized to issue revenue bonds to provide funds to acquire, purchase, construct, improve, renovate, enlarge, equip, operate, and/or maintain any property, buildings, structures, activities, or operations of any nature. The bonds are payable from and secured by pledge of certain Pledge Revenues, as defined and provided in the board resolution, which Pledged Revenues include General Fees, Laboratory Fees, Miscellaneous Fees, Out-of-District Fees, Technology Fees, Continuing Education Fees, Tuition (not exceeding 25% of total tuition collection), and any other fees, revenues, or receipts of the College District. Voter approval is not required.

REFUNDING BONDS

Chapter 1207, Texas Government Code, authorizes school districts to refund or refinance all or any part of the College District's outstanding bonds and matured or unmatured but unpaid interest on those bonds payable from ad valorem taxes by issuing refunding bonds payable from ad valorem taxes. Voter approval is generally not required.

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

DEBT FINANCING GUIDELINES	The College District will consider all possible debt structures which, allow for flexibility in responding to future needs, efficiently utilize available debt capacity, continue to emphasize credit considerations, and match well with the useful life of the assets for which debt is incurred.
DEFINTIIONS	Debt is a financing tool which should be judiciously used within the College District's legal, financial and debt market capacities.
DEBT	The creation of debt occurs when a governing body incurs a financial obligation that is over a period greater than the current year.
CASH FLOW FINANCINGS	Cash flow financings that are issued in anticipation of the receipt of revenues, and the tax dollars are levied, appropriated, and expected to be received in the fiscal year in which the notes are issued. Tax Anticipation Notes are payable from current year revenues and, therefore, do not constitute debt.
SHORT-TERM DEBT	For purposes of this policy, short-term debt refers to debt with a repayment term of less than five (5) years.
LONG-TERM DEBT	For purposes of this policy, long-term debt refers to debt with a repayment term greater than the maximum term of short-term debt, up to the maximum term allowable by law.
CONDITIONS FOR WHICH SHORT-TERM DEBT MAY BE ISSUED	Short-term financing will be considered for projects that cannot be funded from available current resources. The repayment term of any issue will be the greater of five (5) years or the longest useful life of any asset class purchased from the proceeds of the issue. The total amount financed may not exceed 10% of operating revenue.
CONDITIONS FOR WHICH LONG-TERM DEBT MAY BE ISSUED	Long-Term debt may be issued to finance major capital improvements: i.e. to purchase facility/venue sites, to finance infrastructure improvements, construction of new facilities, significant expansions of existing facilities, extensive remodeling of existing structures and the equipping thereof. Depending upon the location of the facilities, one or more of the following options may apply: <ol style="list-style-type: none">1. General Obligation Bonds – Capital requirements for the construction, acquisition, and equipping of buildings, and the purchase of necessary sites for buildings will be identified through the College District's Master Planning activities. Capital improvements recommended as a result of the Master Planning process are formalized in a capital improvement program (CIP) subject to voter approval. The capital planning process may incorporate demographic data, facility planning data, and debt financing data from the College District's Financial Advisor, architects and other professionals. General obligation bonds are intended to

provide long-term financing for facilities in the College District's taxing jurisdiction.

While General Obligation Bonds are the preferred method for the College District to finance its CIP, it is impractical to conduct a bond election for each project individually. As such, the College District will consider alternate financing methods for projects that are located within either the taxing jurisdiction or service area of the College District.

- 2. Lease Revenue Bonds** - Capital requirements for the construction, acquisition, and equipping of buildings, and the purchase of necessary sites for buildings will be identified through the College District's Master Planning activities. If the College District needs a new facility within its taxing jurisdiction and it is not practical to hold a bond election for this single project, then the College District will request that the PFC finance the facility.
- 3. Revenue Bonds (Senior Lien and Junior Lien)** - Capital requirements for the construction, acquisition, and equipping of buildings, and the purchase of necessary sites for buildings will be identified through the College District's Master Planning activities. Tax supported Bonds can only be issued for projects within the College District's taxing jurisdiction; therefore Revenue Bonds will be issued primarily for projects within the College District's service area but outside the taxing jurisdiction.
- 4. Debt Refunding** – The refinancing and/or restructuring of debt are valuable debt management tools used to provide the College District with debt service savings or debt payment relief. Debt is often restructured through the issuance of refunding bonds. Current refundings occur when the refunding bonds are settled within 90 days of an optional prepayment date. Advance refundings occur when the refundings are settled more than 90 days in advance of an optional prepayment date. Federal restrictions allow an issue to be advance refunded only once on a tax exempt basis. Current refunding transactions may be considered if they produce at least a 3% net present value savings of the par value of the refunded bonds. Advance refunding transactions may be considered when the net present value savings as a percentage of the par amount of refunded bonds is at least 4%. These savings thresholds must be confirmed by the College District's Financial Advisor and be based upon the same maturity schedule as existing debt.

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

RESTRICTIONS/LIMITATIONS OF DEBT ISSUANCE

- 5. Variable Rate Debt** – Variable rate debt, when issued prudently, can help lower the cost of borrowing and provide a hedge against interest rate risk. Interest rates on variable rate debt instruments are at the short end of the yield curve because they are periodically reset (e.g. daily, weekly, or monthly) based on current market conditions. Variable rate debt gives investors the right to “put” securities back to the College District at their discretion at specified future intervals. As a general rule, some rating agencies recommend that variable rate debt not exceed 25% of total bonds outstanding, although other factors may affect their evaluation of the amount they regard as acceptable. The College District may consider issuing variable rate bonds, as variable short-term interest rates are historically lower than long-term fixed rates. Total variable debt will not exceed 20% of the College District’s total outstanding debt.
- 1. Maintenance Tax Notes Limitations** – The total amount of Maintenance Tax Notes outstanding may not at any time exceed 75% of the previous year’s income, may be issued only after a budget has been adopted for the current school year, and must mature not more than 20 years from their date. The maximum maintenance tax rate allowable by statute is \$0.50 per \$100 of taxable assessed valuation.
- 2. General Obligation Bonds Limitations** – The College District will evaluate debt limitations in developing debt issuance plans. The College District is authorized to issue general obligation bonds and levy taxes for repayment subject to voter approval of a proposition under § 130.122(b), Texas Education Code. This section provides for a maximum tax levy of \$0.50 per \$100 of taxable valuation of property in the College District for the support of College District bonded indebtedness.
- 3. Maturity Levels** – The term of debt shall in no case exceed 30 years. The average (weighted) bond maturities shall be kept at or below 20 years.
- 4. Repayment Provisions** – The College District will structure its debt in compliance with all federal, state, and local requirements as to repayment terms and seek to repay its debt in an expeditious manner within the College District’s overall financial objectives and in consideration of the useful life of the project and dedicated repayment revenue sources. The College District will structure its debt with four primary goals: 1) to ensure the earliest possible maturity of the bonds, 2) matching or improving upon the Interest &

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

Sinking (I&S) tax rate assumptions and projections as discussed with the citizens of the College District at the time of the bond election, 3) attempt to maintain a debt service tax rate that is stable and avoids significant year-to-year fluctuations, and 4) maintain or improve the College District's bond ratings.

5. **Debt Ratios** – The College District will also evaluate debt affordability ratios in developing debt issuance plans:
 - a. Debt per Capital (Debt as a % of population service area)
 - b. Debt per Student (Debt as a % of enrollment)
 - c. Debt per Market Value (Debt as a % of net assessed value)
 - d. Debt per Repayment Source
 - e. Debt Service as a % of Budget Expenditures

DEBT ISSUANCE
PROCESS

1. **Preferred Method of Sale** – The College District will sell bonds through negotiated transactions with a preselected team of underwriters, or via competitive sale featuring sealed bids. In a competitive sale, bonds are marketed to a wide spectrum of investment banking (underwriting) firms. Their bids are submitted at a specified time. The underwriter is selected based on the best bid (lowest true interest cost).

For negotiated sales, the College District will select one or more underwriters through a competitive process. This process will include a request for proposals from firms considered appropriate for the underwriting of a particular issue. The Financial Advisor will set criteria deemed appropriate for the evaluation of underwriter proposals and make a recommendation to College District staff based on such criteria. After review and discussion of the proposals and selection criteria by the Board Finance Committee and the Board of Trustees, the Board will select one or more underwriters that it believes will provide the College District with the lowest possible true interest cost.

2. **Private Placements** - Private placements are sold directly to financial institutions. These may be short, medium or long-term, fixed or floating rate. Private placements may be used in lieu of the preferred methods of sale for financing specific assets or programs or refunding of existing debt, when the private placement provides reasonably comparable terms, has a reasonably acceptable structure, and circumstances warrant.

3. External Financial Professionals:

a. Financial Advisor – The Financial Advisor will work with College District staff to:

- Insure that the College District's bonds are issued at the lowest possible interest cost and are structured in accordance with the College District's financing guidelines
- Assist with credit enhancements
- Evaluate the bids submitted and recommend that they be accepted or rejected
- Review draft closing documents and monitor the closing process
- Assist in the preparation of and submit the College District's Annual Disclosure Report in accordance with SEC Rule 15c2-12
- Assist in establishing repayment schedules that complement existing requirements and maintain a repayment pace acceptable to credit rating agencies

b. Bond Counsel – The Bond Counsel will:

- Certify that the College District has the legal authority to issue bonds
- Prepare required orders, resolutions, and tax certificates
- Work with the U.S. Department of Justice-Voting Rights Section to obtain approval of all elections
- Work with the Attorney General to obtain approval of the bond issue
- Provide a legal opinion as to the enforceability and the federal income tax implications of the bonds
- Represent the College District in negotiations related to the issuance of debt
- Coordinate the closing transactions

c. Paying Agent / Registrar – The Paying Agent will:

- Authenticate the bonds
- Send/receive transfers of money at closing

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

- Maintain a listing of bondholders and applicable addresses
 - Receive principal and interest payments from the College District and remit to bondholders
 - Represents bondholders in case of default
- d. **Rating Agencies** – The College District will obtain a credit rating from at least two nationally recognized bond rating agencies on all bond issues. There are currently three nationally recognized rating agencies: Moody’s Investors Service, Standard & Poor’s, and Fitch Ratings, Inc. Rating agencies assign a credit rating to bonds based on rating agency assessment of the College District’s financial position and ability to make full and timely payments of principal and interest, and provide a ratings report to the market prior to the sale.
4. **Timing of Sales** – The Financial Advisor will work with the Chief Financial Officer, the Treasurer and Deputy Treasurer to insure that bond proceeds are available for projects prior to the execution of construction or purchase contracts.
5. **Bond Rating Goals** – The College District will strive to maintain excellent bond ratings through:
- a. Strong financial management practices
 - b. Timely disclosure of annual financial information including the Annual Financial Report prepared by management and attested to by the external auditors
 - c. Maintaining good relationships with bond rating agencies including site visits or meetings in person when required
6. **Disclosure Requirements** – The Securities and Exchange Commission (SEC) regulates both primary disclosure (the initial marketing of bonds) and continuing disclosure (the ongoing information to the market about the status of the issue and issuer). The Securities and Exchange Commission Rule 15c2-12, as amended, requires the College District to provide updated annual financial information within six months of the fiscal year end to designated state and national information repositories. Timely and accurate information can improve the marketability of the College District’s bonds. The College District will work with its Financial Advisor to prepare and file the annual report with each nationally recognized municipal securities information repository (NRMSIR).

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

MANAGEMENT OF
BOND PROCEEDS

When bonds are issued, the proceeds are deposited in various accounts, which may include a construction fund, debt service fund, and an escrow fund in a refunding. Monies allocated to these funds are invested until needed. The investment strategy for each fund will depend, in part, on federal and state statutes and regulations governing the types of instruments permitted to be used, the yield permitted for the fund, and the anticipated drawdown of bond proceeds. Investment of bond proceeds shall comply with the College District's Investment Policy, the Public Funds Investment Act (PFIA) (Texas Government Code 2256), the Public Funds Collateral Act (Texas Government Code 2257), federal and state laws according to the cash flow schedule for capital projects. The Financial Advisor may not bid on investment products.

The College District will incur within six months of the date on which proceeds are issued, a binding obligation to a third party to expend at least five percent of the sale proceeds of the Bonds on a bond project. The College District reasonably expects that work on or acquisition of the project will proceed with due diligence to completion and that the proceeds of the Bonds will be expended on the project within reasonable dispatch. The College District reasonably expects that 85% of the sale proceeds of the Bonds will have been expended on the project prior to the date that is three years after the issue date. Any sale proceeds not expended prior to the date that is three years after the issue date, will be either invested at a yield not "materially higher" or make yield restriction payments, not less often than every fifth anniversary date of the delivery of the Bonds and within 60 days following the final maturity of the Bonds.

MANGEMENT OF DEBT
SERVICE FUND

The College District has created or continued a debt service fund for each issuance (the "Debt Service Fund") and the proceeds from all revenues or taxes levied, assessed, and collected for and on account of bonds are to be deposited in such Fund. The College District expects that taxes levied, assessed and collected for and on account of voted debt will be sufficient each year to pay such debt service.

INTEREST
EARNINGS

Interest earnings in the Debt Service Fund for general obligation bonds will be used for the purpose of paying principal, interest costs, and related fees on current and future debt.

UNRESERVED,
UNDESIGNATE
D FUND
BALANCE

The College District shall target a minimum debt service fund balance of 25% of the annual debt service requirements on all outstanding debt issuance.

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

I & S
(INTEREST
AND SINKING)
TAX RATE

1. **Stabilization** – The College District will call or defease bonds as required by the bond order. The College District may also call or defease additional bonds, if any, in order to stabilize the I&S tax rate or the total tax rate.
2. **Increases** – When required, tax rate increases associated with the issuance of new bonds will be implemented in the current and succeeding fiscal year.

COMPLIANCE

The College District will comply with all statutory regulations in the issuance and structuring of debt obligations.

FEDERAL ARBITRAGE
AND REBATE
COMPLIANCE

The arbitrage rules are statutory rules set forth in the Internal Revenue Code of 1986, as interpreted from time to time by regulations promulgated by the U. S. Treasury Department and rulings by the Internal Revenue Service. Generally, the rules fall into two broad categories, investment rules and rebate rules. The investment rules limit the amount that can be earned by investing bond-related money. The rebate rules are designed to require the local governmental issuer to pay to the United States certain amounts of “arbitrage profit” that may be earned under the investment rules. Both sets of rules require compliance. The College District will take all necessary steps to comply with the requirements that “rebate arbitrage earnings” on the investment of “gross proceeds” of bonds, within the meaning of section 148(f) of the Code be rebated to the federal government. Specifically, the College District will (a) maintain records regarding the investment of the “gross proceeds” of bonds as may be required to calculate such “rebateable arbitrage earnings” separately from records of amounts on deposit in the funds and accounts of the College District which are allocable to other bond issues of the College District, (b) calculate at such intervals as may be required by applicable Regulations, the amount of “rebateable arbitrage earnings,” earned from the investment of “gross proceeds” of bonds and (c), pay, not less often than every fifth anniversary date of the delivery of bonds and within 60 days following the final maturity of bonds, or on such other dates required or permitted by applicable Regulations, all amounts required to be rebated to the federal government. The College District will maintain a copy of any such calculations, and all documentation necessary to produce such calculations or necessary to establish qualification for an exemption from the need to produce such calculations, for at least six years after the close of the final calendar year during which any bond is outstanding. In addition to bond counsel, the College District has contracted with a third-party arbitrage firm to insure that the College District maintains compliance with arbitrage rules.

APPROPRIATIONS AND REVENUE SOURCES
DEBT MANAGEMENT

CAD
(LOCAL)

ANNUAL
DISCLOSURES

Issuers of municipal bonds with an aggregate of \$10 million or more in outstanding debt are required by SEC Rule 15c2-12 as amended, to annually disclose certain operating data as well as audited financial statements. The required secondary market or ongoing disclosure documents are due to the state information depository (SID) and each nationally recognized municipal securities information repository (NRMSIR) within six months of the fiscal year end. The deadline is February 28th following the fiscal year end of August 31st. Accurate and timely filing of ongoing disclosure information is important as it relates to the liquidity of the College District's bonds and insures that the College District has the best results when accessing the capital markets.

There shall be appropriated biennially from money in the state treasury not otherwise appropriated an amount sufficient to supplement local funds for the proper support, maintenance, operation, and improvement of those public junior colleges of Texas that meet the standards prescribed by Education Code Chapter 130. The sum shall be allocated on the basis of contact hours within categories developed, reviewed, and updated by the Coordinating Board. *Education Code 130.003(a)*

REPORTING TO
COMMITTEE/BOARD

The Chief Financial Officer and the Financial Advisor will provide summary debt management reports to the Board Finance Committee at a minimum annually or with every bond sale. The Debt Management Policy will be reviewed on an annual basis and updated and approved by the Board.

APPROPRIATIONS AND REVENUE SOURCES
AD VALOREM TAXES

CAI
(LOCAL)

NO DISCOUNTS OR
SPLIT PAYMENTS

Discount or split payment options shall not be provided for the payment of property taxes in the College District. [See CAI(LEGAL)]

AD VALOREM TAXES
SELECTION AND DUTIES OF CHIEF TAX OFFICIALS

CAIA
(LOCAL)

The College District shall have its taxes assessed by Harris County Tax Appraisal District and collected by Harris County Tax Assessor-Collector.

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

INVESTMENT
AUTHORITY

The ~~Chancellor [G-head of district/college/ESC, initial upper case]~~ or other person designated by Board resolution shall serve as the investment officer of the College District and shall invest College District funds as directed by the Board and in accordance with the College District's written investment policy and generally accepted accounting procedures. All investment transactions except investment pool funds and mutual funds shall be executed on a delivery versus payment basis.

APPROVED
INVESTMENT
INSTRUMENTS

From those investments authorized by law and described further in CAK(LEGAL), the Board shall permit investment of College District funds in only the following investment types, consistent with the strategies and maturities defined in this policy:

1. Obligations of, or guaranteed by, governmental entities as permitted by Government Code 2256.009.
2. Certificates of deposit and share certificates as permitted by Government Code 2256.010.
3. Fully collateralized repurchase agreements permitted by Government Code 2256.011.
4. A securities lending program as permitted by Government Code 2256.0115.
5. Banker's acceptances as permitted by Government Code 2256.012.
6. Commercial paper as permitted by Government Code 2256.013.
7. No-load money market mutual funds and no-load mutual funds as permitted by Government Code 2256.014.
8. A guaranteed investment contract as an investment vehicle for bond proceeds, provided it meets the criteria and eligibility requirements established by Government Code 2256.015.
9. Public funds investment pools as permitted by Government Code 2256.016.

SAFETY AND
INVESTMENT
MANAGEMENT

The main goal of the investment program is to ensure its safety and maximize financial returns within current market conditions in accordance with this policy. Investments shall be made in a manner that ensures the preservation of capital in the overall portfolio, and offsets during a 12-month period any market price losses resulting from interest-rate fluctuations by income received from the balance of the portfolio. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

LIQUIDITY AND
MATURITY

Any internally created pool fund group of the College District shall have a maximum dollar weighted maturity of 180 days. The maximum allowable stated maturity of any other individual investment owned by the College District shall not exceed one year from the time of purchase. The Board may specifically authorize a longer maturity for a given investment, within legal limits.

The College District's investment portfolio shall have sufficient liquidity to meet anticipated cash flow requirements.

DIVERSITY

The investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce risk of loss resulting from overconcentration of assets in a specific class of investments, specific maturity, or specific issuer.

MONITORING MARKET
PRICES

The investment officer shall monitor the investment portfolio and shall keep the Board informed of significant declines in the market value of the College District's investment portfolio. Information sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisors, and representatives/advisors of investment pools or money market funds. Monitoring shall be done [\[C089\]at least quarterly, as required by law, and](#) more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment.

MONITORING RATING
CHANGES

In accordance with Government Code 2256.005(b), the investment officer shall develop a procedure to monitor changes in investment ratings and to liquidate investments that do not maintain satisfactory ratings.

FUNDS / STRATEGIES

Investments of the following fund categories shall be consistent with this policy and in accordance with the strategy defined below.

OPERATING FUNDS

Investment strategies for operating funds (including any commingled pools containing operating funds) shall have as their primary objectives safety, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.

AGENCY FUNDS

Investment strategies for agency funds shall have as their objectives safety, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.

DEBT SERVICE
FUNDS

Investment strategies for debt service funds shall have as their objective sufficient investment liquidity to timely meet debt service payment obligations in accordance with provisions in the bond documents. Maturities longer than one year are authorized provided legal limits are not exceeded.

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

CAPITAL PROJECTS	Investment strategies for capital project funds shall have as their objective sufficient investment liquidity to timely meet capital project obligations. Maturities longer than one year are authorized provided legal limits are not exceeded.
SAFEKEEPING AND CUSTODY	The College District shall retain clearly marked receipts providing proof of the College District's ownership. The College District may delegate, however, to an investment pool the authority to hold legal title as custodian of investments purchased with College District funds by the investment pool.
BROKERS / DEALERS	Prior to handling investments on behalf of the College District, brokers/dealers must submit required written documents in accordance with law. [See SELLERS OF INVESTMENTS, CAK(LEGAL)] Representatives of brokers/dealers shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC), and be in good standing with the Financial Industry Regulatory Authority (FINRA).
SOLICITING BIDS FOR CD'S	In order to get the best return on its investments, the College District may solicit bids for certificates of deposit in writing, by telephone, or electronically, or by a combination of these methods.
INTEREST RATE RISK	<p>To reduce exposure to changes in interest rates that could adversely affect the value of investments, the College District shall use final and weighted-average-maturity limits and diversification.</p> <p>The College District shall monitor interest rate risk using weighted average maturity and specific identification.</p>
INTERNAL CONTROLS	<p>A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the College District. Controls deemed most important shall include:</p> <ol style="list-style-type: none">1. Separation of transaction authority from accounting and recordkeeping and electronic transfer of funds.2. Avoidance of collusion.3. Custodial safekeeping.4. Clear delegation of authority.5. Written confirmation of telephone transactions.

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions, and rationale.
7. Avoidance of bearer-form securities.

These controls shall be reviewed by the College District's independent auditing firm.

PORTFOLIO REPORT

In addition to the quarterly report required by law and signed by the College District's investment officer, a comprehensive report on the investment program and activity shall be presented annually to the Board.

APPROPRIATIONS AND REVENUE SOURCES
SALE, TRADE, OR LEASE OF COLLEGE-OWNED PROPERTY

CAL
(LOCAL)

- | The Board delegates to the Chancellor~~[G head of district/college/ESC, initial upper case]~~ the authority to negotiate the lease of College District property or office space to another political subdivision or an agency of a state or federal government in accordance with state law.
- | The Chancellor ~~[G head of district/college/ESC, initial upper case]~~ shall report the terms of any new lease to the Board at the next regular Board meeting.

APPROPRIATIONS AND REVENUE SOURCES
GRANTS, FUNDS, DONATIONS FROM PRIVATE SOURCES

CAM
(LOCAL)

RESOURCE
DEVELOPMENT

- Applications and requests for funding from external sources shall:
1. Provide support for educational program needs that cannot be met through operational funds;
 2. Be consistent with the College District's mission, vision, goals and priorities; and
 3. Be submitted with the approval of the Chancellor.

INDIRECT COSTS

The College District shall renew and maintain a federal indirect cost rate. College District personnel are encouraged to seek the maximum allowed indirect costs for all grants and contracts.

DEFINITION

Indirect costs represent the expenses of doing business that are not readily identified with a particular grant, contract, project function or activity, but are necessary for the general obligation of the organization and the conduct of activities it performs. Examples of indirect costs are:

1. Maintenance of shared facilities;
2. Depreciation of shared buildings and equipment;
3. Campus-wide or College-wide accounting services;
4. Human Resources;
5. Financial and accounting services;
6. Campus-wide or College-wide library and computing services; and
7. Utilities of shared facilities.

GIFTS GRANT
APPLICATIONS

All grant proposals submitted shall be in compliance with College District policies and procedures, based on identified needs of the colleges, and in alignment and support of the College District's institutional goals and strategic plan.

All College District wide and federal applications will designate the Office of Planning and Institutional Effectiveness with its address as the point of contact for grant documents, negotiations, correspondence, and project operations. Non-governmental applications made by an individual College will designate a contact for project operations and negotiations on all grant documents and correspondence. All bequests of property for the benefit of the College District shall vest the property in the Board. When not specified by the grantor, funds or other property donated, or the income therefrom, may be expended in any manner authorized by statute. The Chancellor [G head of district/college/ESC, initial upper case] shall make recommendations to the Board regarding the acceptance of

GIFTS

CERTIFICATE OF
RECOGNITION
MONETARY DONATIONS
FROM PRIVATE
SOURCES

~~gifts and donations including donor, value, form, and restrictions. The authority to accept gifts shall be vested solely with the Board.~~

Upon review of the General Counsel, the Chancellor, or in his/her absence, the Deputy Chancellor shall sign all governmental contracts on behalf of the Board.

~~The Board shall not accept gifts that discriminate against any person on the grounds of sex, race, color, religion, national origin, or disability.~~

All bequests of property for the benefit of the College District shall vest the property in the Board. When not specified by the grantor, funds or other property donated, or the income therefrom, may be expended in any manner authorized by statute. The Chancellor shall make recommendations to the Board regarding the acceptance of gifts and donations including donor, value, form, and restrictions. The authority to accept gifts shall be vested solely with the Board. The Chancellor shall make recommendations to the Board regarding the acceptance of gifts and donations. The Board may delegate acceptance of gifts to the Chancellor.

The Board shall not accept gifts that discriminate against any person on the grounds of sex, race, color, religion, national origin, or disability.

Monetary donations received from private sources shall be processed through the HCC Foundation (the "Foundation") and shall follow the Foundation's policies and procedures.

The Foundation exclusively supports the philanthropic income and investments of the College. The Foundation serves as a Texas nonprofit corporation and is exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

The Foundation is a fiscal and organizational independent entity from the College District and receives governance through its own Board of Directors. The Foundation Board is made up of business, corporate and community leaders who reside and/or conduct professional endeavors within the boundaries of the College District. College District Board members may serve as ex officio members of the Foundation's Board.

Philanthropic gifts vested in the Foundation require that the donor:

1. Constitutes a public or private funding source;
2. Possesses the intent to make a charitable contribution;
3. Invests the gift irrevocably; and

4. Does not receive any goods or services in exchange for the gift.

~~Any bequests, gifts, or donations made by a donor totaling at least \$10,000 within the calendar year shall be acknowledged with a certificate of recognition.~~

All College District funds shall be deposited in FDIC depository banks in accordance with the College District's depository agreement, investment policy and state law.

ALLOWABLE
COLLATERAL

Eligible securities for collateralization of deposits are those defined as "eligible securities" by the Public Funds Collateral Act.

MONITORING
COLLATERAL
ADEQUACY

The College District shall require monthly reports with market values of pledged securities from all financial institutions with which the College District has collateralized deposits. The investment officers shall monitor adequacy of collateralization levels to verify market values and total collateral positions.

RELEASE OF
PLEGGED
SECURITIES

The investment officer or designee must approve in writing the release or substitution of any securities pledged to the College District that are being held by any organization.

ANNUAL OPERATING BUDGET

CC
(LOCAL)

BUDGET PLANNING	Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the College District's programs and activities and provides the resources to implement them. In the planning process, general educational goals, specific program goals, and alternatives for achieving program goals shall be considered. Budget planning and evaluation are continuous processes and should be a part of each month's activities.
BUDGET PREPARATION	The budget shall conform to Texas Higher Education Coordinating Board requirements and meet the standards of the Commission on Colleges of the Southern Association of Colleges and Schools. <u>The Chancellor or designee shall supervise the development of the budget calendar and the specific plan for budget preparation that ensures appropriate input from all locations and levels of operation within the College District.</u>
BUDGET MEETING	The annual public meeting to discuss the proposed budget shall be conducted as follows: <ol style="list-style-type: none">1. The Board President shall request at the beginning of the meeting that all persons who desire to speak on the proposed budget sign up on the sheet provided.2. Prior to the beginning of the meeting, the Board may establish time limits for speakers.3. Speakers shall confine their remarks to the appropriation of funds as contained in the proposed budget.4. No officer or employee of the College District shall be required to respond to questions from speakers at the meeting.
BUDGET ADOPTION	<u>The Board shall adopt a budget on or before August 31 of every other fiscal year.</u> The adopted budget provides authority to expend funds for the purposes indicated and in accordance with state law, Board policy, and the College District's approved purchasing procedures. The expenditure of funds shall be under the direction of the College President <u>Chancellor</u> or designee who shall ensure that funds are expended in accordance with the adopted budget.
<u>BUDGET AVAILABILITY</u>	<u>After the proposed budget is presented to the Board and prior to its adoption, a copy of the proposed budget shall be available for inspection at the College District's administrative offices during regular business hours.</u>
BUDGET AMENDMENTS	The Board may amend the budget at any time during the fiscal year. The College District shall develop procedures for budget amendments.

ACCOUNTING

CD
(LOCAL)

FINANCIAL STABILITY The College District shall maintain a fund balance of nine (9) to eleven (11) percent of general fund revenue as of August 31 of each year. The Board may modify the fund balance standard as necessary to achieve College District priorities and address unforeseen contingencies.

ACCOUNTING All accounting procedures must be in accordance and comply with Generally Accepted Accounting Principles (GAAP) and other applicable accounting standards, including but not limited to Government Accounting Standards Board (GASB), Financial Accounting Standards Board (FASB), National Association of College and University Business Officers (NACUBO), Texas Higher Education Coordinating Board (THECB), the American Institute of Certified Public Accountants (AICPA), the State of Texas Audit Office (SAO), and other relevant accounting standards.

The accounting department shall prepare accurate annual financial statements reflecting the financial position of the College District. Financial transactions shall be approved in accordance with Board policy and College District procedures.

PETTY CASH FUNDS Petty cash funds may be established only with the approval of the Chancellor and shall be used only to make reimbursements for small purchases of less than \$100.00.

The authorized signatory must approve all disbursements from the petty cash fund. Any improper disbursement from the petty cash fund shall be the responsibility of the disbursing individual.

AGENCY FUNDS Agency funds are monies held by the College District, acting as a custodian or fiscal agent on behalf of a student/staff/faculty organization or on behalf of an individual student that cannot be deposited elsewhere. These accounts are not credited with interest; any interest that may accrue on these accounts shall be retained by the College District to offset the administrative costs associated with maintaining them. The monies are deposited with the College District for safekeeping, to be used or withdrawn by the organizations at will. Individual organizations are prohibited from establishing a bank account in the College District's name.

State and federal appropriated dollars generated from operating dollars cannot be deposited in an agency fund.

SMALL BUSINESS
PARTICIPATION The College District is committed to fostering small business development and will establish a percentage goal of participation annually. The College District shall establish an outreach program to ensure effectiveness of this initiative.

ACCOUNTING

CD
(LOCAL)

STUDENT PAYMENTS The College District shall establish a payment policy for students to make tuition and other payments.

CASHIERS All collections of College District funds will be the responsibility of the officially designated cashier and shall be safeguarded and deposited in the time prescribed by applicable law and College District procedures.

~~EMPLOYEE TRAVEL
EXPENSES~~ ~~Employees shall be entitled to reimbursement for their ordinary and necessary expenses incurred in performing their duties, to the extent authorized by law and permitted by the Board. All travel outside of the College shall be authorized by the employee's supervisor prior to occurrence. The Chancellor shall establish procedures and standards for travel and expense reimbursement~~

~~In the absence of controlling employment contracts addressing travel and expenses, the Chancellor will develop guidelines that shall be applied to the reimbursement of travel expenses incurred by employees.~~

Houston Community College
101506

ACCOUNTING

CD
(LOCAL)

Periodic financial reports shall be submitted to the Board outlining the progress of the budget to that date and reporting on the status of all District funds and District accounts. These financial and budget progress reports shall indicate all receipts and their sources for the period, expenditures and their classification for the period, and the various fund balances at the beginning and the end of the period.

Annual financial reports shall be prepared in accordance with the Annual Financial Reporting requirements for Texas Public Community and Junior Colleges issued by the Texas Higher Education Coordinating Board. In addition, it shall conform, where applicable, to the following requirements:

1. General Accepted Accounting Principles (GAAP)
2. Governmental Accounting Standards Board (GASB)
3. Financial Accounting Standards Board (FASB)
4. State of Texas Audit Office (SAO)

An annual audited financial report shall be approved by the Board in the time prescribed by law.

BOARD AUDIT
COMMITTEE

The Board may form an audit committee to assist the Board in exercising its oversight responsibilities for fair presentation of the College District's annual financial statement audit and other audit engagements.

EXTERNAL AUDITOR

The Board shall select an auditing firm for a designated period through a Request for Proposal (RFP) or an engagement letter that outlines the Board's expectations for the annual audit and ensures that the audit firm follows the guidelines and standards of the American Institute of Certified Public Accountants (AICPA) and the Governmental Accounting Standards Board (GASB).

The annual audit of all funds shall be made to determine:

1. The adequacy of the Board's fiscal policies.
2. The execution of those fiscal policies.
3. A check and review of the College District's fiscal actions for the preceding year.

The External Auditor shall be an independent and objective party to provide advice to the Board. The External Auditor shall be appointed by the Board, upon the recommendation of the Chancellor, and shall report directly to the Board, with access to the Chancellor. The Board will periodically evaluate the performance of the External Auditor and may dismiss or assign a new External Auditor at any time with or without cause. All engagement letters with the External Auditor shall be signed by the Board Chairperson. The Board shall select an auditing firm for a designated period, not to exceed five (5) years, and shall rotate External Auditors every five (5) years.

1. An auditing firm selected by the Board as External Auditor is not eligible to submit a proposal immediately following any period during which it was engaged by the Board as External Auditor. The selected External Auditor may not serve simultaneously as the Internal Auditor.

2. The Board shall outline its expectations regarding the annual financial statement audit and performance audit, if requested, and as may be directed by the Board. The Board also may arrange for self-requested audits to perform specific audit services. The External Auditor shall evaluate all financial operations of the College and prepare reports to the Board. Among the duties of the External Auditor are:

a) to perform audit activities necessary to assure that College District resources are being properly managed and accounted for,

ANNUAL AUDIT
REPORT

that the College District has effective and adequate internal controls, and that internal operating controls are reliable.

b) _____ to assure that the College District is complying with approved policies and statutory requirements.

c) _____ to develop an annual audit plan for the College District to present to the Chancellor and the Audit Committee of the Board for approval.

d) _____ to perform all duties in accordance with the Standards for the Professional Practice of Internal Auditing, the Code of Ethics, the Statements on Internal Auditing Standards, and the Statement of Responsibilities of Internal Auditing, each as established by the Institute of Internal Auditors.

e) _____ to meet regularly with the Board to review audits performed, audits in progress, and future audits, as requested by the Board.

A comprehensive audit report of all funds and accounts of the College District, including a management letter, shall be submitted annually to the Board. A copy of the independent audit shall become a part of the Board's official minutes and shall be available to the public for inspection during regular office hours. The Board must approve an annual audit report for the fiscal year. This report shall be filed with the Texas Higher Education Coordinating Board prior to January 1 next following the close of the fiscal year for which the audit was made. Three copies of the audit shall be submitted to the Coordinating Board and required copies submitted to other governmental agencies.

Periodically, the Chancellor shall submit reports to the Board evaluating the work of the College District's external auditor.

INTERNAL AUDITS

All College District accounts shall be subject to internal audit as deemed appropriate. The objective of internal accounting control is to provide reasonable assurance as to the safeguarding of assets against loss from unauthorized use or disposition and to evaluate the reliability of financial records for preparing financial statements and maintaining accountability for assets. Findings of such audits shall be reported to the Board.

The Internal Auditor shall provide advice to the Chancellor and the Board, and shall work under the day to day supervision of the Chancellor. The Internal Auditor shall be selected by the Board from candidates approved and provided by the Chancellor. The Chancellor shall recommend three (3) names to the Board as the finalists, each with a minimum of ten (10) years of experience as a full-time Auditor. The Internal Auditor shall be evaluated by the Chancellor after consultation with the Audit Committee and may

only be dismissed by the Chancellor after obtaining approval of the Board. Duties of the Internal Auditor are to:

1. Coordinate audit efforts with those of the External Auditor.
2. Perform all duties in accordance with the Standards for the Professional Practice of Internal Auditing, the Code of Ethics, the Statements on Internal Auditing Standards, and the Statement of Responsibilities of Internal Auditing, each as established by the Institute of Internal Auditors.
3. Meet regularly with the Board and the Audit Committee to review audits performed, audits in progress, and future audits.
4. Conduct independent, protective and constructive audits so as to review effectiveness of controls, financial records, and operations.
5. Analyze data obtained for evidence of deficiencies in controls, duplication of effort, or lack of compliance with College District policies and procedures.
6. Prepare reports and make recommendations on findings to the Chancellor and the Board.
7. Provide audit education and Internal Control training.
8. Offer advisory services, Control Self-Assessment (CSA) services, and workshops.

INVESTIGATION
RESPONSIBILITIES

The internal audit department is responsible for the initial factual investigation of College District audit issues and shall promptly notify the General Counsel and the Chancellor within 24 hours of the initiation of the review. The Chancellor shall immediately notify the Chairperson of the Board. If any person who would otherwise be notified is a fact witness in the investigation, he or she shall not be involved in the administrative oversight or reporting of the investigation. Once a factual investigation establishes fraud, or a violation of law, the General Counsel shall communicate it to the Chancellor, and the Chancellor, in turn, shall immediately communicate the findings to the Board. The Board will determine whether to initiate an external investigation.

Decisions to turn the matter over to law enforcement authorities and/or regulatory agencies for independent investigation, and all final decisions regarding the disposition of the case, shall be made by the Chancellor, in consultation with the Board.

NON-RETALIATION

CONFIDENTIALITY

Any employee or student who reports suspected fraudulent activity, in good faith, shall be protected against any retaliation for making such a report. The reporting member of the campus community shall refrain from confrontation with the suspect, further examination of the incident, or further discussion of the incident with anyone other than the employee's or student's supervisor or others involved in the resulting review or investigation. Persons found to be making frivolous claims under this policy will be disciplined, up to and including discharge of employment for an employee, or expulsion for a student.

The Director of Internal Audit may accept and initiate an investigation, on a confidential basis, from a College District employee or student who suspects dishonest or fraudulent activity. Results of investigations conducted by the internal audit department shall be disclosed to and discussed with only the Board, the Chancellor, and those persons associated with the College District who have a legitimate need to know based on the performance of their job duties and responsibilities.

FRAUD

The College District prohibits fraud and financial impropriety in the actions of its Board members, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the College District.

Paydays will be established by the Chancellor. If the payday falls on a weekend, holiday, or other non-business day, the payday shall be the prior business day.

STATE EMPLOYEE
CHARITABLE
CONTRIBUTION
PROGRAM

By April 1 of each year the Board shall decide whether to participate in the state employee charitable contribution (SECC) program for the following fiscal year.

ADDITIONAL
AMOUNTS

In addition to legally required deductions, the Board has determined it to serve a public purpose and benefit employees to permit voluntary deductions for:

1. Approved insurance programs;
2. Annuities/deferred compensation programs;
3. College District cafeteria plan options authorized by the Internal Revenue Service;
4. Area credit unions as specified in administrative procedures; and
5. Charitable organizations as approved by the Board. If the Board participates in the SECC program, an employee may choose not to participate in the program and may authorize a deduction(s) for charitable organizations approved by the Board.

To qualify for a deduction listed above, the employee must submit a request in writing, specifying the category of the deduction, the amount to be deducted, and the entity to which the deducted amount is to be transferred, in accordance with administrative procedures. The procedures must address:

1. Enrollment periods, if any; and
2. Any administrative fee to cover the cost of making a deduction.

EXCESS LEAVE

Deductions shall be made for unauthorized leave or leave taken in excess of earned leave. [See DEC]

As public servants, all College District employees are required to maintain the highest ethical standards and shall perform their duties in accordance with College District finance policies and state and federal law. College District employees are prohibited from engaging in any activities that constitute the offenses of bribery, corruption, corrupt influence, perjury, abuse of office, and other offenses that violate state or federal law.

All College District funds and resources shall be used for institutional purposes. Improper use of institutional funds and resources, including, but not limited to, unauthorized or personal use or abuse of timekeeping and time entry, shall not be tolerated. Violators will be prosecuted to the fullest extent of the law; employees shall also be subject to disciplinary action, up to and including termination.

All Board members, employees, vendors, contractors, consultants, volunteers, and any other parties who are involved in the College District's financial transactions shall act with integrity and diligence in duties involving the College District's fiscal resources.

Note: See the following policies and/or administrative regulations regarding conflicts of interest, ethics, and financial oversight:

- Code of ethics:
for Board members—BBF
for employees—DH
- Financial conflicts of interest:
for public officials—BBFA
for all employees—DBD
- Systems for monitoring the College District's investment program: CAK
- Budget planning and evaluation: CC
- Compliance with accounting regulations: CDC
- Criminal history record information for employees: DC
- Disciplinary action for fraud by employees: DCC and DM series

FRAUD AND
FINANCIAL
IMPROPRIETY

The College District prohibits fraud and financial impropriety, as defined below, in the actions of its Board members, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the College District.

DEFINITION	<p>Fraud and financial impropriety shall include but not be limited to:</p> <ol style="list-style-type: none">1. Forgery or unauthorized alteration of any document or account belonging to the College District.2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.3. Misappropriation of funds, securities, supplies, or other College District assets, including employee time.4. Impropriety in the handling of money or reporting of College District financial transactions.5. Profiteering as a result of insider knowledge of College District information or activities.6. Unauthorized disclosure of confidential or proprietary information to outside parties.7. Unauthorized disclosure of investment activities engaged in or contemplated by the College District.8. Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the College District, except as otherwise permitted by law or College District policy. [See DBD]9. Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment.10. Failing to provide financial records required by state or local entities.11. Failure to disclose conflicts of interest as required by law or College District policy.12. Any other dishonest act regarding the finances of the College District.
FINANCIAL CONTROLS AND OVERSIGHT	<p>Each employee who supervises or prepares College District financial reports or transactions shall set an example of honest and ethical behavior and shall actively monitor his or her area of responsibility for fraud and financial impropriety.</p>
FRAUD PREVENTION	<p>The Chancellor [G head of district/college/ESC, initial upper case] or designee shall maintain a system of internal controls to deter and monitor for fraud or financial impropriety in the College District.</p>
REPORTS	<p>Any person who suspects fraud or financial impropriety in the College District shall report the suspicions immediately to any supervi-</p>

	<p>sor, the Chancellor [G head of district/college/ESC, initial upper case] or designee, the Board President, or local law enforcement.</p> <p>Reports of suspected fraud or financial impropriety shall be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. All employees involved in an investigation shall be advised to keep information about the investigation confidential.</p>
PROTECTION FROM RETALIATION	<p>Neither the Board nor any College District employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety. [See DG]</p>
FRAUD INVESTIGATIONS	<p>In coordination with legal counsel and other internal or external departments or agencies, as appropriate, the Chancellor [G head of district/college/ESC, initial upper case], Board Chairperson President, or a designee shall promptly investigate reports of potential fraud or financial impropriety.</p>
RESPONSE	<p>If an investigation substantiates a report of fraud or financial impropriety, the Chancellor [G head of district/college/ESC, initial upper case] or designee shall promptly inform the Board of the report, the investigation, and any responsive action taken or recommended by the administration.</p> <p>If an employee is found to have committed fraud or financial impropriety, the Chancellor [G head of district/college/ESC, initial upper case] or designee shall take or recommend appropriate disciplinary action, which may include termination of employment. If a contractor or vendor is found to have committed fraud or financial impropriety, the College District shall take appropriate action, which may include cancellation of the College District's relationship with the contractor or vendor.</p> <p>When circumstances warrant, the Board, Chancellor [G head of district/college/ESC, initial upper case], or designee may refer matters to appropriate law enforcement or regulatory authorities. In cases involving monetary loss to the College District, the College District may seek to recover lost or misappropriated funds.</p> <p>The final disposition of the matter and any decision to file a criminal complaint or to refer the matter to the appropriate law enforcement or regulatory agency for independent investigation shall be made in consultation with legal counsel.</p>
ANALYSIS OF FRAUD	<p>After any investigation substantiates a report of fraud or financial impropriety, the Chancellor [G head of district/college/ESC, initial upper case] or designee shall analyze conditions or factors that may have contributed to the fraudulent or improper activity. The Chancellor [G head of district/college/ESC, initial upper case] or</p>

designee shall ensure that appropriate administrative procedures are developed and implemented to prevent future misconduct. These measures shall be presented to the Board for review.

PURCHASING
AUTHORITY

The Board delegates to the Chancellor~~[G head of district/college/ESC, initial upper case]~~ or designee the authority to determine the method of purchasing, in accordance with CF(LEGAL), and to authorize any purchase necessary and appropriate for the ongoing operations of the College District in accordance with Board policy, state law and the College District budget to make budgeted purchases. Any purchases not included in the budget shall be taken to the Board for approval.

The Chancellor shall establish effective and efficient purchasing procedures in the HCC Procurement Procedures Manual.

Regardless of the transactional form of the purchase, each purchase must be approved in advance by the appropriate budget manager or authorized designee, and funds must be available in the appropriate budget.

The following types of contracts require the approval of the Board:

1. Employment contracts;
2. Purchases or sales of real property;
3. Leases with a term exceeding one year (including options to renew) that have a cumulative expenditure of \$75,000 or more over the contract term;
4. Revenue leases and revenue rental agreements exceeding a term of five years (including options to renew);
5. Contracts involving the sale of intellectual property or technology transfer;
6. Purchase contracts to include any expenditure made by the College District valued at \$75,000 and above, excluding legal services; and
7. Cooperative, interlocal, and job order contracts valued at \$500,000 and above.

Any contracts requiring approval of the Board may be required to be reviewed and approved in advance by Board Counsel, as determined by the Board Chair in consultation with the Board.

SIGNATORY
AUTHORITY

The Board grants the Chancellor authority to initiate and execute contracts valued at up to \$75,000.00. College presidents are authorized to initiate and execute contracts valued up to \$25,000. All contracts shall be executed in accordance with College District policy and procedures.

DEFINITIONS
CONTRACTS

The Chancellor has the authority to negotiate, execute, and administer contracts, legal documents and instruments for and on behalf of the College District subject to Board approval, where required.

Contracts are defined as agreements that legally bind the College District, including but are not limited to goods and services agreements, memoranda of understanding, settlement agreements, letters of intent, leases, rental agreements, grant awards, purchase orders, sole source contracts, cooperative contracts, interlocal contracts and job order contracts.

PURCHASE
CONTRACTS

Purchase contracts are any contracts that require an expenditure of College funds regardless of the funding source. The Chancellor has authority to initiate and execute purchase contracts valued up to \$75,000. Contracts valued above \$75,000 require Board approval prior to the Chancellor's execution. The Chancellor has authority to initiate and execute cooperative contracts, interlocal contracts, and job order contracts valued up to \$500,000 upon annual reporting of expenditures to the Board. Cooperative agreements, interlocal agreements, and job order contracts valued at \$500,000 and above require Board approval prior to the Chancellor's execution.

COMPETITIVE
BIDDING

If competitive bidding is chosen as the purchasing method, the ~~Chancellor~~G head of district/college/ESC, initial upper case or designee shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with ~~Board-adopted rules~~administrative regulations. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The College District may reject any and all bids.

COMPETITIVE SEALED
PROPOSALS

If competitive sealed proposals are chosen as the purchasing method, the ~~Chancellor~~G head of district/college/ESC, initial upper case or designee shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with ~~Board-adopted rules~~administrative regulations. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time for opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

	The College District may reject any and all proposals.
ELECTRONIC BIDS OR PROPOSALS	Bids or proposals that the College District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.
RESPONSIBILITY FOR DEBTS	<p>The Board shall assume responsibility for debts incurred in the name of the College District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the College District's purchasing procedures.</p> <p>[See CC] <u>All vendors are charged with the responsibility to confirm an individual or an organization's authority before any purchase, contract or debt is incurred. The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts. Personal use of College District funds is strictly prohibited. The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control; persons making unauthorized purchases shall assume full responsibility for all such debts.</u></p>
PURCHASE COMMITMENTS	All purchase commitments shall be made by the <u>Chancellor</u> head of district/college/ESC, initial upper case or designee, in accordance with administrative procedures, including the <u>College District's purchasing HCC Procurement Procedures Manual</u> .
PERSONAL PURCHASES	College District employees shall not be permitted to make purchases for personal use through the College District's business office.
<u>CONTRACTS AND PURCHASE ORDERS</u>	<p><u>Contracting procedures are to be developed by the General Counsel. The procedures shall define appropriate channels for review and approval of formal agreements or contracts between the College District and another party, including the authorization to sign. "Contract" is defined as an agreement between two or more parties that is intended to have legal effect. Any individual wishing to enter into negotiations for contracts must fully comply with the Contract Review Procedure.</u></p> <p><u>All College District purchases shall be made through purchase order, contract, procurement card, or direct payment, subject to budget availability. A purchase order is a contract that legally binds the College District to purchase goods and services. Purchase orders may not extend beyond the duration of the fiscal year unless approved by the Chancellor. Complete records of contracts and</u></p>

	<p><u>agreements for which College District funds are expended will be maintained in the appropriate office. The purchasing office is the central repository of all purchase orders.</u></p> <p><u>Employees who exercise discretion in the procurement process shall recuse themselves from any matter involving an entity in which the employee or a person to whom the College District employee is related within the first degree of consanguinity or the first degree of affinity holds a substantial interest. For the purposes of this policy, "substantial interest" is defined as that term is defined by state conflict of interest laws.</u></p>
<p><u>RESPONSIBILITY OF COLLEGE DISTRICT EMPLOYEES</u></p>	<p><u>All College District employees engaged in the purchasing processes are to conduct themselves fairly, objectively, and will observe the confidentiality of the decision-making and award processes so as to serve the best interests of the College District.</u></p>
<p><u>VENDOR RELATIONS</u></p>	<p><u>Vendors shall be paid in a timely manner according to state law and College District guidelines. The Texas Ethics Commission has adopted a conflict of interest questionnaire that requires a vendor to disclose the vendors' business relationships and certain gifts or income provided to local government officers and/or their family members.</u></p> <p><u>The College District records administrator shall maintain a list of local government officers of the entity and shall make that list available to the public and any vendor who may be required to file a conflict of interest questionnaire.</u></p> <p><u>These completed questionnaires are subject to the Texas Public Information Act and shall also be made available on the College District's website.</u></p> <p><u>The power to contract on behalf of the College District is vested in the Board and no contract or agreement shall be entered into without approval of the Board unless the authority to contract is expressly delegated in this policy. Delegations of contractual authority to various personnel who are specified in this policy are necessary and appropriate for the timely, efficient administration of the College District. The following guidelines should be rigidly adhered to and strictly construed to prevent unauthorized transactions and activities.</u></p>
<p><u>DELEGATION OF CONTRACTUAL AUTHORITY</u></p>	<p><u>The Chancellor may delegate authority to negotiate, execute, and administer any and all contracts, legal documents and instruments for and on behalf of the College District. The Chancellor shall enact a procedure to delegate this authority.</u></p>

DELINQUENT
FRANCHISE TAXES

No employee or agent of the College District has the authority to enter into any contract on behalf of the College District, except as otherwise expressly provided by this Policy. If a College District employee signs a contract without authority, or falsely represents to a third party that he or she has authority to sign a contract, the employee may be held personally responsible to the third party under Texas law. An agreement that is not expressed in writing and approved and executed in accordance with this Policy shall not be binding on or enforceable against the College District.

Any employee who signs a contract or seeks to bind the College District to an agreement in violation of this Policy may be subject to discipline, up to and including discharge of employment.

Each corporation contracting with the College District shall certify that its franchise taxes are current. If the corporation is exempt from payment of franchise taxes or is an out-of-state corporation not subject to Texas franchise tax, it shall certify a statement to that effect. Making a false statement as to corporate franchise tax status shall be considered a material breach of the contract and shall be grounds for cancellation of the contract.

COMPREHENSIVE
SAFETY PROGRAM

The College District shall take every reasonable precaution regarding the safety of its employees, students, visitors, and all others with whom it conducts business. A designated administrator shall be responsible for developing, implementing, and promoting a comprehensive safety program.

The general areas of responsibility include, but are not limited to, the following:

EMERGENCY
STRATEGIES

1. Guidelines and procedures for responding effectively and efficiently to emergencies and any potential threats.

LOSS PREVENTION
STRATEGIES

2. Program activities intended to reduce the frequency of accident and injury, including:

a. Inspecting work areas and equipment.

b. Training frontline and supervisory staff.

c. Establishing safe work procedures and regulations and training employees in safe work practices.

d. Prohibiting smoking outside of designated areas.

e. Establishing safety rules for all instructional programs.

e.f. Providing for appropriate fire escapes and evacuation procedures for each building.

d.g. Reporting, investigating, and reviewing accidents.

e.h. Promoting responsibility for District property on the part of students, employees, and the community.

LOSS CONTROL
STRATEGIES

3. Program activities intended to reduce the ultimate cost of accidents and injuries through investigation and documentation.

LOSS FINANCING
STRATEGIES

4. Program activities that identify and develop prudent methods of financing loss costs on an annual basis, including the purchase of commercial insurance, self-insured retentions, and risk pooling.

VEHICULAR SAFETY
STRATEGIES

5. Driver education programs, when available.

6. Vehicle safety programs.

7. Traffic safety programs and studies related to employees, students, and the community.

7.8. Prohibiting smoking in College District vehicles.

INFORMATION
MANAGEMENT

The Chancellor or designee shall be responsible for the collection, storage, and analysis of relevant operational and historical data

required to develop sound procedures for implementation and operation of the comprehensive safety program.

SAFETY PROGRAM
EMERGENCY PLANS AND ALERTS

CGC
(LOCAL)

EMERGENCY
OPERATIONS PLAN

In accordance with state requirements, the College District shall maintain a multihazard emergency operations plan that provides for appropriate employee training, coordination with state and local entities, and implementation of a safety and security audit. The Chancellor is authorized to take any needed action to ensure the safety and well-being of employees, students, and the public during emergency events, natural disasters or man-made catastrophic events to include facility closures and expenditures of funds above signature authority. When such emergency expenditures occur, they will be presented for ratification at the next regular Board meeting.

EMERGENCY
RESPONSE AND
EVACUATION
PROCEDURES

In accordance with federal law, the College District shall maintain effective emergency response and evacuation procedures that can be implemented on short notice and that will ensure optimum safety for students and personnel.

EMERGENCY ALERT
SYSTEM

In accordance with state requirements, the College District shall maintain an emergency alert system that provides for timely notification to students, faculty, and staff of emergencies affecting the College District or its students and employees.

SITE MANAGEMENT
SECURITY

CHA
(LOCAL)

COLLEGE DISTRICT
POLICE DEPARTMENT

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a College District police department and shall employ and commission peace officers to provide a safe and orderly environment for all who utilize the facilities of the College District, to protect the rights of such individuals, and to preserve the peace by enforcing federal, state, and local laws.

JURISDICTION

The primary jurisdiction of College District peace officers shall include all counties in which property is owned, leased, rented, or otherwise under the control of the College District. Outside of his or her primary jurisdiction, a College District police officer is vested with all powers, privileges, and immunities of peace officers and may arrest any person who violates the laws of the state.

OFFICERS

The College District shall employ commissioned peace officers to enforce laws applicable to the College District. All police officers employed by the College District shall be licensed by the Texas Commission on Law Enforcement (TCOLE) and shall possess a valid Texas driver's license. Officers shall comply with all rules and procedures applicable to other College District employees, except to the extent of any conflict with this policy. In the event of such conflict, this policy controls. The Chief of Police is authorized to establish the schedule of work for all police department personnel under the control of the College District.

GENERAL ORDERS

The Chief of Police shall develop General Orders that will be approved by the Chancellor. These orders shall provide the College District police officers with the operational instructions needed to perform their duties at the College District. These General Orders will include disciplinary actions for failure to follow or comply with all rules and procedures applicable to other College District employees as well as their own specific rules, statutes, laws and obligations as sworn officers.

POLICE AUTHORITY

While within the jurisdiction set out in this policy, peace officers employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. College District peace officers shall ~~have the authority to devote their on-duty time to performing administrative or law enforcement duties~~ related to College District business, including, but not limited to, the safety and welfare of students and others and the protection of property. College District peace officers shall:

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

TEMPORARY
ASSIGNMENT

College District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.

LIMITATIONS ON
OUTSIDE
EMPLOYMENT

No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the Chief of Police and Chancellor~~[G head of district/college/ESC, initial upper case]~~ or designee. College District police officers, with the exception of the Chief of Police, may obtain secondary employment in any lawful capacity, so long as the outside employment does not interfere with the officers' duties and responsibilities to the College District and such outside employ-

	<p><u>ment does not occur during the time at which the officer is scheduled to work for the College District. Any secondary employment of the Chief of Police shall be approved by the Chancellor. No officer shall work a secondary job that creates a conflict of interest or would discredit the College District. College District police officers are prohibited from wearing the official Houston Community College District police uniform while engaged in outside employment.</u></p>
RELATIONSHIP WITH OUTSIDE AGENCIES	<p>The College District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The Cchief of Ppolice and the Chancellor[G-head of district/college/ESC, initial upper case] or designee shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.</p>
USE OF FORCE	<p>The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual<u>General Orders. The use of excessive force is expressly forbidden.</u></p>
HIGH-SPEED PURSUIT	<p>Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual<u>General Orders. College District police officers will make every reasonable effort to apprehend a fleeing suspect who has committed a felony and to respond to emergency calls quickly and safely. The pursuit or call response should never be carried to such an extent as to endanger the lives of the general public, suspect, or the officer. No pursuit shall be initiated or continued on or off property owned or under the control of the College District unless a police supervisor approves such pursuit. Pursuits shall not be initiated for minor traffic violations or non-felonious crimes against property.</u></p>
VIDEO MONITORING	<p>Video equipment shall be used on a College District police car for safety purposes whenever the flashing lights on a car are in use.</p>
ACCESS TO RECORDINGS	<p>Recordings shall be considered law enforcement records, shall remain in the custody of the Cchief of Ppolice, and shall be maintained as required by the department regulations manual and law.</p>
OFFICER TRAINING	<p>All College District officers shall receive at least the minimum amount of continuing education required by the Texas Commission on Law Enforcement (TCOLE).</p>

SITE MANAGEMENT
SECURITY

CHA
(LOCAL)

DEPARTMENT
REGULATIONS
MANUAL

To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The Chief of Police and the Chancellor~~[G head of district/college/ESC, initial upper case]~~ or designee shall review the manual annually and make any appropriate revisions.

RACIAL PROFILING

The Chief of Police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Peace officers employed by the College District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin. Pursuant to the Texas Code of Criminal Procedure, racial or ethnic profiling by College District peace officers is strictly prohibited.

COMPLAINTS

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

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

DISCIPLINARY ACTION

Individuals employed by the College District as police officers are subject to College District policy. Any police officer who violates College District policy or department rules or regulations is subject to disciplinary action, including, but not limited to, suspension with or without pay, reprimand, or termination.

SITE MANAGEMENT
TRAFFIC AND PARKING CONTROLS

CHC
(LOCAL)

TRAFFIC AND
PARKING

The operation of a motor vehicle or bicycle on the property of the College District is a privilege granted by the College District and is not an inherent right of any employee, student, or visitor. The College District shall adopt rules and regulations regarding the operation and parking of vehicles on the grounds, streets, driveways, alleys, and any other property under the control of the College District.

College District police shall be responsible for enforcing parking and traffic regulations.

SITE MANAGEMENT
MAIL AND DELIVERY

CHE
(LOCAL)

USE OF INTERNAL
MAIL SYSTEM

The College District mail system for delivering items between College District buildings shall not be available for use other than official school business. With the permission of the ~~Chancellor~~~~head of district/college/ESC, initial upper case~~ or designee, internal mailboxes at an individual campus may be used by campus employees and school-sponsored or school support groups affiliated with that campus. [See also GF]

All mail and parcel services sent or received shall be administered through the HCC Mail Center.

EQUIPMENT AND SUPPLIES MANAGEMENT

CI
(LOCAL)

PROPERTY
MANAGEMENT

The College District shall ensure management controls are placed on all property, as appropriate, based on its value and nature. The Chancellor shall define the control levels and procedures in accordance with generally accepted accounting principles and relevant law.

The College District shall establish a records management program in accordance with the requirements of the Local Government Code, the related policies and standards of the State Library and Archives Commission, and accepted records management procedures. The Chancellor is the official custodian of records for the College District and may designate records managers, as necessary, to perform records management duties.

The Chancellor [~~G head of district/college/ESC, initial upper case~~] or designee shall oversee the performance of records management functions prescribed by state and federal law:

- Records Management Officer, as prescribed by Local Government Code 203.023
- Records Administrator, as prescribed by Local Government Code 176.001 and 176.007 [See BBFA and CFE]
- Officer for Public Information, as prescribed by Government Code 552.201–.205 [See GAB]
- Public Information Coordinator, as prescribed by Government Code 552.012 [See BBD]

DOCUMENT
DESTRUCTION
PRACTICES

The records management program shall include all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of the College District. Records shall be created, used, maintained, stored, or disposed of in accordance with the records management program.

The College District shall follow its records management program regarding document destruction. However, the College District shall preserve documents, including electronically stored information, and suspend routine record destruction practices as applicable according to procedures developed by the records management officer:

1. In the event of pending or reasonably anticipated litigation;
2. In the event of an investigation by a federal agency or department or any bankruptcy case; or
3. In the event of a public information request.

Notification shall be given to appropriate staff of any applicable obligations to suspend routine record destruction practices.

A custodian of records shall be designated for each department. The custodians of records shall perform their duties in accordance with state law and the policies and procedures of the College District's records management program. Responsibilities of the custo-

WEBSITE POSTINGS

dians of records include the preservation, destruction, or other disposition of records, in accordance with the program.

The College District's records management program shall address the length of time documents will be posted on the College District's website when the law does not specify a posting period.

EQUIPMENT AND SUPPLIES MANAGEMENT
DISPOSAL OF PROPERTY

CIB
(LOCAL)

DISPOSAL OF
ABANDONED OR
UNCLAIMED
PERSONAL
PROPERTY

The ~~C-authorized administrator~~ chief facilities officer is authorized to dispose of abandoned and unclaimed personal property in accordance with College District regulations. These regulations shall address, but not be limited to, the following topics:

Comment [v1]: Confirm who this would be

1. Notices of lost and found locations posted at appropriate places or described in College District publications and that include procedures for reclaiming lost articles and time frames for the College District to dispose of unclaimed property.
2. A range of options for locating owners of abandoned property that is not turned in to a lost and found location. These options may address such items as abandoned cars or other large items.
3. Disposal procedures including donations to charity or student organizations, sales, and auctions.

Any monies realized from disposal of unclaimed or abandoned personal property shall be deposited in the College District's general fund.

[For the applicability of the abandoned property procedures under Property Code Chapter 76, see CD]

DISPOSAL OF COLLEGE
DISTRICT OWNED
PROPERTY

Only the Chancellor shall have the authority to dispose of College District owned property. The Chancellor shall develop procedures to ensure that disposal of College District owned property is made in the manner that provides the best value to the College.

Any unauthorized disposal of College District owned property constitutes a violation of policy.

RETIREMENT OR SALE
OF SURPLUS
PROPERTY

The College District may dispose of surplus property by sale or trade-in providing that such goods are disposed of in accordance with applicable federal, state and local laws.

EQUIPMENT AND SUPPLIES MANAGEMENT
USE OF COLLEGE DISTRICT OWNED EQUIPMENT

CIBA
(LOCAL)

PERMITTED
EMPLOYEE USE OF
COLLEGE DISTRICT
OWNED EQUIPMENT

College District owned equipment may occasionally be released to an employee to be used away from the primary work area. Procedures and guidelines shall be developed and implemented by the Chancellor and must be followed to ensure that use of College District equipment is authorized.

Comment [v1]: B.2.3.8

1. Equipment shall be used for designated and authorized College District purposes only;
2. Equipment may not be removed from the premises on a permanent basis, but may be used for specific designated project purposes; and
3. Individuals shall be responsible for the safe and proper care of any equipment, taking the same level of professional care as expected on the job site.

Supervisors' permission must be obtained for each separate removal of equipment from the job site, and the approving supervisor shall be responsible for maintaining and verifying that any off-site equipment has been inventoried, and is being properly used.

THEFT, DAMAGE OF
PROPERTY OR
EQUIPMENT

Each College District employee shall be responsible for immediately reporting any discovery of loss or damage to College District equipment or property. Such reports shall be made to the College District Police Department within 24 hours of discovery of loss.

Comment [v2]: B.2.3.6

ADOPTED:

1 of 1

The College District shall design and maintain a fixed asset management program to meet the following objectives:

1. Comply with generally accepted accounting principles as promulgated by the Governmental Accounting Standards Board
2. Comply with federal and state grant regulations
3. Maintain appropriate stewardship of the location and value of fixed assets
4. Maintain preventive maintenance records and warranty information
5. Maintain records for risk management concerns
6. Plan for asset replacement or enhancement in the capital budgeting process
7. Avoid unnecessary purchases by identifying assets that can be shared or utilized by other departments; and
8. Coordinate the disposal of fixed assets which are obsolete, depleted, or no longer meet the needs and requirements of the College.

Authorized Fixed Asset Officer

The Chancellor or his or her designee shall serve as the fixed asset coordinator for the College District. He/she shall be responsible for designing and maintaining the fixed asset management program.

TRANSPORTATION MANAGEMENT

CJ
(LOCAL)

MODES OF
TRANSPORTATION

Modes of transportation used for student travel shall include, but are not be limited to, cars, vans, and buses. Travel arrangements for student groups shall be made in accordance with administrative regulations.

DRIVER
REQUIREMENTS

A driver who is transporting students in College District-owned or -leased vehicles must:

1. Be an employee of the College District.
2. Hold a valid driver's license appropriate for the vehicle to be driven. A driver of a commercial motor vehicle must have a commercial driver's license.
3. Have an acceptable driving record.

SAFETY STANDARDS

The driver shall ensure that the number of passengers does not exceed the designed capacity of the vehicle and that each passenger is secured by a safety belt, if provided.

DRIVER FATIGUE

A driver shall not drive for more than [C098] consecutive hours without taking a [C099]-minute break or relief from driving.

Comment [v1]: How many?

Comment [v2]: How long? Consult with Risk Management or Fleet Management for safety/industry standards.

USE OF COLLEGE
DISTRICT OWNED
VEHICLES

College District owned vehicles shall not be used by any employee for personal trips, and the motor vehicle insurance purchased by the College District shall not cover such use. College District owned vehicles may be available for official travel by employees or student organizations provided the driver of the vehicle is authorized under the approved list of drivers covered under the motor vehicle insurance purchased by the College District. The Chancellor shall develop guidelines regarding use of College District owned vehicles.

Comment [v3]: HCC B.1.8.4

TRANSPORTATION MANAGEMENT
MAINTENANCE OF VEHICLES

CJA
(LOCAL)

RECORD OF ANNUAL
INSPECTION

Each College District location shall maintain records evidencing the annual inspection of its vehicle fleet according to the standards as set forth by the uniform act regulating traffic on the highways. These records shall be maintained at each location, as well as with the Risk Management department for the College District.

INSURANCE AND ANNUITIES MANAGEMENT

CK
(LOCAL)

PROPERTY/CASUALTY
INSURANCE
PROGRAM

The College District's property/casualty insurance program shall be designed to insure College District property, equipment and other contents of buildings, including cash, and to provide coverage for special perils that are unique to the operation of the College District. The risk management department shall, in consultation with an appropriate insurance agent and/or consultant, ensure appropriate and adequate insurance coverage. The risk management department shall develop and maintain procedures for reporting damage, losses, and other acts covered by the insurance program.

The College District shall purchase insurance and pay the cost of any deductible owed under such insurance, to protect itself and Board members or officers, including but not limited to the Chancellor and General Counsel, from the cost and expense of defending litigation brought against them individually for acts or omissions committed by them in the good faith discharge of their official duties.

The College District may purchase insurance and pay the cost of any deductible owed under such insurance to protect itself and its employees from the cost and expense of defending litigation brought against them individually for acts or omissions committed by them in the good faith discharge of their official duties.

Any insurance purchased by the College District under the foregoing provisions may indemnify its Board members, officers and employees from awards of damages only where the College District was or might have been held liable for the same damages. The College District may not purchase insurance to indemnify its Board members, officers or employees in situations where it is not itself exposed, actually or potentially, to a similar liability.

Payments made under the provisions of this policy may be paid from any funds of the College District.

“Officers” for the purpose of this policy shall mean any corporate officer of the College District whether or not an employee, and any president, chancellor, vice chancellor, general counsel or other comparable executive administrator of the College District.

INSURANCE AND ANNUITIES MANAGEMENT
WORKER'S COMPENSATION

CKE
(LOCAL)

WORKER'S
COMPENSATION
OFFSET

The College District shall provide workers' compensation coverage as required by the Texas Workers' Compensation Act. Any employee who experiences an on-the job injury shall report the injury in accordance with established procedures.

Comment [v1]: HCC B.1.8.2

The Board has adopted the offset option provided by law, whereby an employee absent because of a job-related illness or injury may choose to:

1.Receive workers' compensation wage benefits only; or

2.Use available paid leave in proportional amounts to supplement workers' compensation wage benefits, up to the regular pre-injury weekly wage.

The employee shall indicate if he or she chooses to use available paid leave in this circumstance and, if so, may choose to discontinue use at any time. An employee who chooses to use paid leave during a workers' compensation absence may be required to endorse workers' compensation payments to "HCC Risk Management," in order to facilitate processing of payroll.

If a workers' compensation absence extends beyond the employee's Family and Medical Leave (FMLA), if applicable, the College District may fill the employee's position.

MODIFIED DUTY
PROGRAM

The College District is committed to maintaining a Modified Duty Program for employees who have been injured during the course and scope of employment or who have experienced on-the job injury.

Comment [v2]: HCC B.1.8.3

The Modified Duty Program for on-the-job injuries will be administered through Human Resources. The Modified Duty Program shall provide for:

1.Modifying the employee's regular assignment on a temporary basis, to the extent practicable, so that the physical demands are consistent with the restrictions imposed by the physician; or

2.Depending upon the availability of appropriate positions, assigning the employee other duties consistent with the physician's restrictions.

INSURANCE AND ANNUITIES MANAGEMENT
WORKER'S COMPENSATION

CKE
(LOCAL)

Modified duty shall be granted according to procedures established by the College District. Such procedures shall require the employee to submit written documentation from a licensed physician that expressly describes the employee's abilities and limitations.

INSURANCE AND ANNUITIES MANAGEMENT
UNEMPLOYMENT INSURANCE

CKF
(LOCAL)

LETTERS OF
REASONABLE
ASSURANCE

The College District shall issue letters of reasonable assurance, as appropriate, to employees in positions requiring less than 12 months of service whose services are anticipated to be needed at the beginning of the following school year.

FACILITIES STANDARDS

CLA
(LOCAL)

MAINTENANCE AND OPERATIONS

The College District shall ensure that its facilities are safe, comfortable, and hygienic for students, faculty, employees, and the general public.

Comment [v1]: HCC B.2.3.1

The College District shall establish a facilities maintenance program that will ensure a safe, clean, and comfortable environment that is conducive to learning. Consistent maintenance standards shall be employed throughout the College District. Periodic assessments of the condition of College District facilities shall be conducted.

FACILITIES PLANNING AND RENOVATION

The College District shall operate a continuing Capital Improvement Program based on the needs of the College District, taking into account enrollment, operations, and acquisition of property. Facility planning will be inclusive of program needs and facilities standards in a manner consistent with the master plan. The master plan shall be continually reviewed and shall be revised based on College District needs or at least every five years.

Comment [v2]: HCC B.2.3.2

ADOPTED:

1 of 1

FACILITIES STANDARDS
NAMING OPPORTUNITY

CLAA
(LOCAL)

OVERVIEW

Recognizing the importance of community and corporate involvement in education, the Board encourages donations to support the construction, renovation, or acquisition of District-owned property. The Board, at its discretion, may consider naming new or existing property after major donors, provided such naming serves to advance, and is not in conflict with, the College District's mission of educating students. This policy sets forth general parameters to be utilized with respect to term limit and permanent naming at the College District.

Comment [v1]: HCC B.2.10

Without limitation, this policy shall apply to the "naming of items" including buildings, facilities, open spaces, or portions thereof or items therein; educational departments or titled positions such as chairs and professorships; scholarships and programs; and any other thing where the naming thereof is believed to advance the educational or financial objectives of the College District.

Comment [v2]: Recommended addition

NAMING
OPPORTUNITY
GENERALLY

All naming requests should support that the honoree or donor meets the highest values and societal standards. -Naming is usually appropriate only when a gift of significant financial value is received for the benefit of the College District, directly or through the HCC Foundation. Significance is to be measured relative to the value and nature of the thing to be named. All permanently named facilities and programs should be reviewed and approved by the Chancellor or the Board upon the recommendation of the College Foundation, where appropriate, and ultimately subject to the approval requirements listed within this policy.

Comment [v3]: Recommended addition

HONORIFIC NAMING

In appropriate circumstances, to be determined by a majority vote of the Board, the naming of items may occur in the absence of a significant financial gift in order to honor persons or entities who have made extraordinary contributions to College District or the communities it serves and if such naming is deemed to advance the educational and financial objectives of the College District. The merits of naming in the absence of financial contribution should weigh the contributions of the proposed honoree against the nature and value of the thing to be named.

HONOREES

Donors or honorees may be individuals, corporations, foundations, or any other legal entity. In all instances, the appropriateness of naming should be considered in light of the reputation, community standing, and public actions of the individual, family, or entity whose name is to be utilized, and whether such naming will both bring honor to and be consistent with the mission of the College District.

FACILITIES STANDARDS
NAMING OPPORTUNITY

CLAA
(LOCAL)

The naming of items implies a promise to the donor or honoree that the naming shall be maintained so long as the thing named remains in existence or in the service of the College District. When and if that condition ceases to exist, an appropriate alternative means of continuing the recognition of the donor or honoree will be determined.

RECORD KEEPING

The HCC Foundation, College District and each college is responsible for maintaining a record of named rooms, buildings, ground and other spaces. The HCC Foundation is responsible for maintaining a record of endowed funds.

PROCEDURES AND GUIDELINES

The general naming procedures and guidelines must be approved by the Chancellor and must be followed system wide.

Comment [v4]: Recommended revision.

APPROVAL LEVELS

The administrative level of approval required with respect to all naming of items whether physical facilities (e.g.; buildings, grounds, rooms) or non- physical items (e.g., programs, institutes) -- shall depend upon the amount of the gift and/or the value of the thing to be named, as follows:

1. if the value of the related gift or thing to be named exceeds \$500,000, by the Board;
2. if the value of the related gift or thing to be named is less than \$500,000 by the Chancellor;

CONFIDENTIALITY

Any proposed naming should remain confidential, unless otherwise disclosed by law, during the review and approval process. There should be minimal communication about the proposed prior to final approval. Such communications should be limited to those necessary to the evaluation and approval process.

LEGAL

Each gift and naming commitment must be reviewed by the Office of General Counsel carefully for compliance with applicable laws and ethical principles, especially where there is some direct or indirect business or other continuing relationship between the College District, its officers, trustees, or employees, and the donor or proposed honoree. Questions regarding the applicability of state or federal law, issues of conflict of interest or other ethical considerations should be referred to Office of General Counsel during the approval process. Guidance should also be sought in the national guidelines of CASE (Council for Advancement and Support of Edu-

TYPES OF GIFTS FOR NAMING COMMITMENTS

ation) with regard to questions about definitions of philanthropy, gifts or grants.

Any combinations of gifts, pledges, and irrevocable deferred gift arrangements may be considered for naming commitments. With respect to deferred gifts, while the naming commitment may be immediate, the value of the gift appropriate to the naming of a specific thing should be set at a higher level commensurate with the extent of delay involved in acquiring access to the gift.

All gifts must be paid in full prior to the official naming opportunity to take effect, unless otherwise decided by a majority vote of the Board.

NAMING OF PHYSICAL FACILITIES

Buildings, campus grounds, or other campus facilities will generally not be named for individuals currently employed by the College District, unless a donor(s) provides a sufficient gift in honor of that individual.

When the person to be honored is living and no financial gift is being provided, at least three years should pass since any formal association with the College District. Such affiliation includes time spent as a student; as a compensated member of the faculty or staff; or as a member of the Board of Trustees.

Naming a building, wing, room, or lecture hall can be difficult, depending on size, age, prestige, location, original cost, etc. However, general rules of thumb are:

1. Older existing facilities (more than 10 years old) funded with public money should be named only in exchange for gift commitments of at least 20 percent of the building's current value or replacement cost. Total costs include: architectural, planning, and construction; fees; site clearance and landscaping; furnishing; and equipment.
2. Newer existing facilities (less than 10 years old) funded with public money should be named only in exchange for gift commitments of at least 25 percent of the building's current value or replacement cost. Total costs include: architectural, planning, and construction; fees; site clearance and landscaping; furnishing; and equipment.
3. Unscheduled or unplanned facilities that a donor wishes to have constructed will require a 100 percent gift commitment, plus an endowed maintenance fund.

FACILITIES STANDARDS
NAMING OPPORTUNITY

CLAA
(LOCAL)

NAMING OF
PROGRAMS OR
OTHER INTANGIBLE
ITEMS

4. The minimum gift for a “naming commitment” should be approximately \$25,000 for small physical spaces such as classrooms, offices and seminar rooms.

Comment [v5]: Recommended addition.

In order to name a center, institute, program or academic unit, the amount of money should be proportional to the amount of endowment (principal x 5% annual payout) that would be necessary to sustain the program on a permanent basis. In order to permanently name most distinguished programs, a gift commitment of at least \$2.5 million in generating \$ 125, 0000 annually for expenditures is typically required.

Exceptions may be considered where an academic program is being named for someone of unparalleled scholarly distinction and the naming will bring great honor to the program so that the naming enhancement adds value to the program, and serves to attract additional financial resources.

From time to time, minimum gift commitments and other monetary standards to be followed with respect to the naming of programs, departments, institutes, chairs and professorships, and other intangible items may be modified. Actions in this regard shall be commensurate with the letter and spirit of this policy.

FACILITIES CONSTRUCTION

CM
(LOCAL)

COMPLIANCE WITH
LAW

The ~~Chancellor~~ ~~[G head of district/college/ESC, initial upper case]~~ or designee shall establish procedures ensuring that all facilities within the College District comply with applicable laws and local building codes.

CONSTRUCTION
CONTRACTS

No construction, with the exception of routine maintenance, shall be initiated without Board or Chancellor approval, as appropriate.

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$50,000. To assist the Board, the ~~[G head of district/college/ESC, initial upper case]~~ Chancellor shall recommend the project delivery/contract award method that he or she determines provides the best value to the College District. [See CM series]

For construction contracts valued at or above ~~\$75,000~~ ~~[G value of construction contract]~~, the ~~[G head of district/college/ESC, initial upper case]~~ Chancellor shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the ~~[G head of district/college/ESC, initial upper case]~~ Chancellor and consistent with law and policy. [See also CF]

CHANGE ORDERS

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

Change orders valued at or above ~~[G change order amt]~~ the Chancellor's signature authority shall require Board approval prior to executing any changes in plans, construction, or cost of the facility. The ~~[G head of district/college/ESC, initial upper case]~~ Chancellor shall be authorized to approve change orders of a lesser amount. The Chancellor shall report to the Board quarterly regarding change orders approved within his or her authority.

Retainage on all construction contracts shall be at least five percent (5%) of the cost of work.

ALTERATIONS/
MODIFICATIONS

No College District facility shall be altered or modified in any way without prior approval of the Chancellor. For purposes of this policy, modifications and alterations include but are not limited to moving walls, electrical outlets, doors, and etc.

PROJECT
ADMINISTRATION

All construction projects shall be administered by the ~~[G head of district/college/ESC, initial upper case]~~ Chancellor or designee.

FACILITIES CONSTRUCTION

CM
(LOCAL)

| The ~~[G head of district/college/ESC, initial upper case]~~ Chancellor or designee shall keep the Board informed concerning construction projects and also shall provide information to the general public.

FINAL PAYMENT

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

FACILITIES CONSTRUCTION
COMPETITIVE BIDDING

CMA
(LOCAL)

SPECIFICATIONS	The [G head of district/college/ESC, initial upper case] <u>Chancellor</u> or designee shall ensure that detailed specifications are prepared for any construction project for which competitive bids are sought.
BID PROCESS	All bids shall be submitted in sealed envelopes, plainly marked with the name of the bid and the time of the bid opening. Bids shall be opened at the time specified. All interested parties shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.
SAFETY RECORD	If the College District considers the safety record of bidders in determining to whom to award a contract, the safety record shall be defined as a bidder's OSHA (Occupational Safety and Health Administration) inspection logs for the last three years, a loss analysis from the bidder's insurance carrier, and a loss history covering all lines of insurance coverage carried by the bidder.

FACILITIES CONSTRUCTION
COMPETITIVE SEALED PROPOSALS

CMB
(LOCAL)

SPECIFICATIONS	The [G head of district/college/ESC, initial upper case] Chancellor or designee shall prepare a request for proposals for any construction project for which competitive sealed proposals are sought.
PROCESS	All proposals shall be submitted in sealed envelopes, plainly marked with the name of the proposal and the time of the deadline for submission. Proposals shall be opened at the time specified. All offerors shall be invited to attend the proposal opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.
WITHDRAWAL AND LATE PROPOSALS	Any proposal may be withdrawn prior to the scheduled time for opening. Proposals received after the specified time shall not be considered.
PROPOSAL ACCEPTANCE	The College District may reject any and all proposals.
SAFETY RECORD	If the safety record of offerors is considered in selecting a proposal, the record shall be defined as an offeror's OSHA (Occupational Safety and Health Administration) inspection logs for the last three years, a loss analysis from the offeror's insurance carrier, and a loss history covering all lines of insurance coverage carried by the offeror.

FACILITIES COLLEGE DISTRICT AUXILIARY ENTERPRISES

CQ

(LOCAL)

AUXILIARY ENTERPRISES

Auxiliary enterprises may be established with the intent of being self-supporting activities, primarily to provide non-instructional services for sale to students, faculty, and staff. Fees are charged for the product or services provided. The general public may be incidentally served by the auxiliary enterprises. Auxiliary enterprises include, but are not limited to, such activities as bookstores, food courts, copy centers, television stations, childcare centers, health/fitness centers, facilities rental, activity and conference areas, student housing, and other similar operations.

Comment [v1]: Hcc B.2.6.1

All activities established within the Auxiliary Enterprise fund are designed to assist in the financial stability of the institution and will operate in a fiscally responsible and solvent manner.

PROVISION OF SERVICES

The College District is expected to provide its students and community with services appropriate to the performance of its mission as established by its founding charter or as directed by the Coordinating Board.

Comment [v2]: HCC B.2.6.2

SALES OF SERVICES

The College District may provide services to its campus communities provided that:

Comment [v3]: b.2.6.3

1. The services satisfy educationally related needs such as campus newspapers, bookstores, cafeterias, fitness centers or other similar services.
2. The services satisfy educationally related needs such as campus newspapers, bookstores, cafeterias, fitness centers or other similar services.

The College District shall not provide services or goods to persons other than members of the campus community unless:

1. It fulfills the College's public service mission; or
2. It is incidental to the performance of the College District's educational activities (e.g., concerts, theater performances or similar activities); or
3. It consists of recreational, cultural, and athletic events; public service radio and TV broadcasting; events or functions which have as their principal purpose the improvement of relations between the College District and the public; or
4. It is an authorized fundraising activity.

ADOPTED:

1 of 1

TECHNOLOGY RESOURCES

CR
(LOCAL)

Note: For Board member use of College District technology resources, see BBI.

For purposes of this policy, "technology resources" means electronic communication systems and electronic equipment.

AVAILABILITY OF ACCESS

The College District acquires, develops, and maintains computers, computer systems, networks, and other electronic communications resources. These computing and communications resources are reserved for College District related purposes, including direct and indirect support of the College District's instruction, research, and service missions; of administrative functions; of student and campus life activities; and of the free exchange of ideas among members of the College District community and between the College District and the wider local, national, and world communities. The Chancellor shall establish procedures and regulations for Information Technology and the use of IT resources. Access to the College District's technology resources, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations.

Comment [v1]: HCC B.2.9

LIMITED PERSONAL USE

Limited personal use of the College District's technology resources shall be permitted if the use:

1. Imposes no tangible cost on the College District;
2. Does not unduly burden the College District's technology resources; and
3. Has no adverse effect on an employee's job performance or on a student's academic performance.

USE BY MEMBERS OF THE PUBLIC

Access to the College District's technology resources, including the Internet, shall be made available to members of the public, in accordance with administrative regulations. Such use shall be permitted so long as the use:

1. Imposes no tangible cost on the College District; and
2. Does not unduly burden the College District's technology resources.

ACCEPTABLE USE

The Chancellor [G head of district/college/ESC, initial upper case] or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the College District and with law and policy.

Access to the College District's technology resources is a privilege, not a right. All users shall be required to acknowledge receipt and

TECHNOLOGY RESOURCES

CR
(LOCAL)

understanding of all administrative regulations governing use of the College District's technology resources and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines. Noncompliance may result in suspension of access or termination of privileges and other disciplinary action consistent with College District policies. [See DH, FL series, and FM series] Violations of law may result in criminal prosecution as well as disciplinary action by the College District.

[Compliance with this policy and College District procedures shall be strictly enforced. Violations may result in disciplinary action, up to and including, termination. The Chancellor may appoint a committee to investigate and address violation of this policy or related procedures, guidelines, or user agreements.](#)

MONITORED USE

Electronic mail transmissions and other use of the College District's technology resources by students, employees, and members of the public shall not be considered private. Designated College District staff shall be authorized to monitor the College District's technology resources at any time to ensure appropriate use.

DISCLAIMER OF LIABILITY

The College District shall not be liable for users' inappropriate use of the College District's technology resources, violations of copyright restrictions or other laws, users' mistakes or negligence, and costs incurred by users. The College District shall not be responsible for ensuring the availability of the College District's technology resources or the accuracy, appropriateness, or usability of any information found on the Internet.

RECORD RETENTION

A College District employee shall retain electronic records, whether created or maintained using the College District's technology resources or using personal technology resources, in accordance with the College District's record management program. [See CIA]

INFORMATION
SECURITY PROGRAM

The Chancellor ~~[G head of district/college/ESC, initial upper case]~~ shall approve an information security program designed to address the security of the College District's information resources against unauthorized or accidental modification, destruction, or disclosure. This program shall also address accessibility, privacy, and security of the College District's Web site, information resources, associated processes, systems and networks.

The College District recognizes that its sensitive personal information, information resources and the associated processes, systems and networks are valuable assets and that their effective management has important implications not only for the College District, but for its clients, as well. It is the policy of the College District to protect the security and privacy of its sensitive personal information, information resources, and to make information accessible as required by law. The College District shall maintain the confidentiality, integrity and availability of sensitive personal information and information resources by complying with applicable federal and state laws, policies, and procedures. The Chancellor shall establish procedures and regulations for the security of sensitive personal information (including students, faculty and staff) and information resources.

PURPOSE

The College District's sensitive personal information and information resources are vital academic and administrative assets which require appropriate safeguards. Computer systems, networks, and data are vulnerable to a variety of threats. These threats have the potential to compromise the integrity, availability, and confidentiality of the information used by the college to conduct its day-to-day business.

Effective security management programs must be employed to eliminate or mitigate the risks posed by potential threats to the College District's sensitive personal information and information resources. Measures must be taken to protect these resources against unauthorized access, disclosure, modification or destruction whether accidental or deliberate.

REPONSIBILITIES

Chancellor has designated the Office of Security for Administration and Technology (OSAT) to be responsible for enforcing this policy.

SANCTIONS FOR
VIOLATION/ENFORCE
MENT

Compliance with this policy and applicable procedures shall be strictly enforced. Violations may result in disciplinary action, up to and including termination.

SECURITY BREACH
NOTIFICATION

The Chancellor may appoint a committee to investigate and address violation of this policy or related procedures, guidelines, or user agreements.-

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

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

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

IDENTITY THEFT
PROGRAM

Since the College District provides short-term student loans, an installment tuition plan for students, and similar activities, the College District, in its capacity as a creditor, desires to protect existing consumers, reduce risk from identity fraud, and minimize potential damage from fraudulent new and existing accounts with the least possible impact on business operations by initiating and maintaining an identity theft program as required by the Fair and Accurate Credit Transactions Act of 2003 (FACTA).

IDENTITY THEFT
STRATEGIES

Program activities intended to detect, prevent, and mitigate identity theft include:

1. Identifying relevant patterns, practices, and specific forms of activity that are "red flags" signaling possible identity theft and incorporating those red flags into the program;
2. Detecting red flags that have been incorporated into the program;
3. Responding appropriately to any red flags that are detected to prevent and mitigate identity theft; and
4. Updating the program periodically to reflect changes in risks from identity theft.

DELEGATION OF
AUTHORITY

The Chancellor shall be authorized to promulgate regulations to implement this program.

ACCESS BY
INDIVIDUALS WITH
DISABILITIES

| The Chancellor ~~[G head of district/college/ESC, initial upper case]~~ or designee shall develop procedures to ensure that individuals with disabilities have access to the College District's electronic and information resources similar to individuals without disabilities.

INTELLECTUAL PROPERTY

CT
(LOCAL)

INTELLECTUAL
PROPERTY

All copyrights, trademarks, and other intellectual property rights shall remain with the College District at all times.

Intellectual property not considered instructional material that is conceived, created, or developed or that results from research supported by a grant or contract with an external agency or by private gift to the College District shall be deemed the property of the College District unless applicable laws or governmental regulations specifically provide otherwise.

STUDENTS

A student shall retain all rights to work created as part of instruction or using College District technology resources.

EMPLOYEES

COLLEGE
DISTRICT
OWNERSHIP

As an agent of the College District, an employee, including a student employee, shall not have rights to work he or she creates on College District time or using College District technology resources. The College District shall own any work or work product created by a College District employee in the course and scope of his or her employment, including the right to obtain copyrights.

EMPLOYEE
OWNERSHIP

If the employee obtains a patent for such work, the employee shall grant a non-exclusive, non-transferable, perpetual, royalty-free, College District-wide license to the College District for use of the patented work. A College District employee shall own any work or work product produced on his or her own time, away from his or her job and with personal equipment and materials, including the right to obtain patents or copyrights.

PERMISSION

A College District employee may apply to the Chancellor/G head of district/college/ESC, initial upper case or designee to use College District materials and equipment in his or her creative projects, provided the employee agrees either 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. College District materials do not include student work, all rights to which are retained by the student.

WORKS FOR HIRE

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 shall own the work product created under the agreement, as permitted by copyright law. Independent contractors shall comply with copyright law in all works commissioned.

Comment [v1]: 1.Royalties are an element of the HCC policy on IP, E.2.3

Most published scholarly works written by members of the faculty or students are the property of the author. In instances where the College pays the full or a substantial part of the costs of production and/or publication, such as work produced as part of the employee's designated workload or the students' course or program assignments, **arrangements concerning the ownership of the copyright and the division of any royalties** must be submitted to the HCC Committee on Copyright and Intellectual Property according to procedures established by the Chancellor.

Comment [v2]: 2.A reasonably complete and detailed disclosure of intellectual property for **assigning ownership rights and/or requesting a fair and equitable arrangement for joint ownership for the mutual benefit of the faculty and/or students and the College, sharing of royalties or reimbursement to the College of its costs and support** must be submitted to the HCC Committee on Copyright and Intellectual Property prior to beginning the work creating intellectual property. Disclosure of reimbursement figures will be made to all affected employees and/or students.

INTELLECTUAL PROPERTY

CT
(LOCAL)

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 shall also immediately terminate. All such persons shall 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.

COPYRIGHT

Unless the proposed use of a copyrighted work is an exception under the "fair use" guidelines maintained by the ~~Chancellor/G head of district/college/ESC, initial upper case~~ or designee, the College District shall 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 College District technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with College District technology resources. No person shall use the College District's technology resources to post, publicize, or duplicate information in violation of copyright law. The Board shall direct the ~~Chancellor/G head of district/college/ESC, initial upper case~~ or designee to employ all reasonable measures to prevent the use of College District technology resources in violation of the law. All persons using College District technology resources in violation of law shall 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, including motion pictures and other audiovisual works, must be used in the course of face-to-face teaching activities as defined by law.

DESIGNATED
AGENT

The College District shall designate an agent to receive notification of alleged online copyright infringement and shall notify the U.S. Copyright Office of the designated agent's identity. The College District shall include on its Web site 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 shall take all actions necessary to remedy any violation. The College District shall 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.

INTELLECTUAL PROPERTY

CT
(LOCAL)

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 grants 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. The ~~Chancellor~~~~[G head of district/college/ESC, initial upper case]~~ or designee shall 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 regulations.

PUBLIC USE

Members of the general public, outside organizations, vendors, commercial manufacturers, wholesalers, and retailers shall not use College District trademarks without the written permission of the ~~Chancellor~~~~[G head of district/college/ESC, initial upper case]~~ or designee. Any production of merchandise 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 trademarks without appropriate authorization shall be subject to legal action.

EMPLOYMENT OBJECTIVES
EQUAL EMPLOYMENT OPPORTUNITY

DAA
(LOCAL)

EQUAL EMPLOYMENT OPPORTUNITIES

The College District Board of Trustees is committed to ensuring that its employment standards, procedures and practices are applied in a manner that provides equal opportunities without regard to race, color, religion, sex, gender identity and gender expression, national origin, age, disability, sexual orientation, or veteran status.

The Board values its employees and their contributions, promotes opportunities for their professional growth and development, and provides a positive working and learning environment that encourages diversity, innovation and creativity, and inclusion.

Comment [v1]: HCC C.2

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

DBB
(LOCAL)

COMMUNICABLE
DISEASES

The College District Board of Trustees supports and requires an environment that does not discriminate in employment against any employee solely on the grounds that the employee has a communicable disease. Members of the faculty, administration, or staff shall not be denied access to College District facilities or campus activities solely on the grounds that they have a communicable disease. The College District reserves the right to exclude or restrict a person with a communicable disease from its facilities, programs, and functions, or take appropriate employment action, if the College District makes a medically based determination that the person constitutes a direct threat to the health or safety of others, or if by reason of the communicable disease or infection, the person is unable to perform the duties of the job.

Comment [v1]: HCC C.13

EXAMINATIONS
DURING
EMPLOYMENT

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

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

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

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

If the impairment does interfere with the employee's ability to perform essential job functions or poses a direct threat, the {Chancellor} or designee shall determine whether the employee has a disability and, if so, whether the disability requires reasonable accommodation, including the use of available leave. The granting of additional unpaid leave may be a reasonable accommodation in some circumstances. If the employee does not have a disability,

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

DBB
(LOCAL)

| the [Chancellor] or designee shall evaluate the employee's eligibility for leave. [See DEC(LOCAL)]

[See DAA for information on disabilities and reasonable accommodation]

OTHER
REQUIREMENTS

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

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

DISCLOSURE
GENERAL STANDARD

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation, including additional employment, or relationship that in any way creates a ~~potential-substantial~~ conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the College District. Employees who believe they may have a conflict of interest shall disclose that interest to the Chancellor or designee, who shall take any action necessary to ensure the College District's best interests are protected.

Comment [v1]: HCC C.4.2

SPECIFIC
DISCLOSURES
SUBSTANTIAL
INTEREST

The {Chancellor} shall file an affidavit with the Board Services Chairperson/President, disclosing a substantial interest, as defined by Local Government Code 171.002, in any business or real property that the {Chancellor} or any of his or her relatives in the first degree may have.

Any other employee who is in a position to affect a financial decision involving any business entity or real property in which the employee has a substantial interest as defined by Local Government Code 171.002 shall file an affidavit with the {Chancellor}; however, the employee shall not be required to file an affidavit for the substantial interest of a relative.

INTEREST IN
PROPERTY

The {Chancellor} shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.

CONFLICTS
DISCLOSURE
STATEMENT

Conflict Disclosure Statements shall be filed as promulgated by the Texas Ethics Commission, as specified by Local Government Code 176.003-004, and as prescribed by policy BBFA. The {Chancellor}, as required by law, and the ~~[insert title of any other administrator that must file conflicts disclosure statement]~~, as required by the Board, shall file conflicts disclosure statements as promulgated by the Texas Ethics Commission and as specified by Local Government Code 176.003-.004. [See BBFA]

GIFTS

An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities. [See CDE]

ENDORSEMENTS

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the employee during nonschool hours, unless the product, material, or service is recommended, endorsed, or required for a course the employee teaches and is reasonably related to the subject matter of the course and the course syllabus.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

No employee shall require students to purchase a specific brand of supplies if other brands are equal and suitable for the intended instructional purpose.

SALES

An employee shall not use his or her position with the College District to attempt to sell products or services, unless the products or services are recommended, endorsed, or required for a course the employee teaches and are reasonably related to the subject matter of the course and the course syllabus.

NEPOTISM STANDARD

The College District shall not employ an individual who is related to a member of the College District Board of Trustees by blood (consanguinity) within the third degree, or by marriage (affinity) within the second degree, except as permitted by the state nepotism laws, Chapter 573, Texas Government Code.

An applicant, whether internal or external, shall not be hired by the College District in any full-time, part-time, or temporary position when the applicant would directly or indirectly be supervised by, or be supervisory to, a current college employee who is related to the applicant within the third degree of consanguinity or second degree of affinity as defined by the state nepotism statutes.

CONSENSUAL
RELATIONSHIP

Individuals with teaching, supervisory, advisory, or evaluative responsibility over other employees or students and/or student employees must recognize and respect the ethical and professional boundaries that exist in such situations. Consensual relationship shall mean a mutually acceptable, romantic, dating and/or sexual relationship between an individual with supervisory, teaching, evaluation or advisory authority and an employee, student and/or student employee who is directly or indirectly supervised, taught, evaluated or advised by that individual. Consensual relationships may create conflicts of interest and/or appearances of impropriety that impair the integrity of academic and employment decisions.

The College District prohibits consensual relationships between an individual with supervisory, teaching, evaluation or advisory authority and an employee, student and/or student employee who is directly or indirectly supervised, taught, evaluated or advised by that individual, unless the relationship has been disclosed by the employee and a plan to mitigate any conflict has been approved by the Chief Human Resources Officer or designee and documented in writing. Such disclosure must occur prior to the commencement of the relationship or, if the relationship exists, with as much advance notice as possible prior to the supervisor accepting supervisory authority.

Examples of consensual relationships include, but are not limited to:

1. A faculty member and a student who is enrolled in the faculty member's course, who is enrolled in a program for which a course taught by the faculty member is a requirement, who is an advisee of the faculty member, or whose academic work is being supervised, directly or indirectly, by the faculty member.
2. An employee and a student if the employee is in a position to evaluate or otherwise influence, directly or indirectly, the student's education, employment, or participation in other programs or activities.
3. A supervisor and an employee under the person's direct or indirect supervision; division/department chair/head and a faculty member in the same division/department or an administrator and an employee in an office/department under that administrator's direction.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
NONSCHOOL EMPLOYMENT

DBF
(LOCAL)

An employee shall disclose in writing to his or her immediate supervisor any outside employment that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the College District.

EMPLOYMENT PRACTICES

DC
(LOCAL)

<u>HIRING PRACTICES</u>	<u>The College District Board of Trustees does not support preferential treatment in any employment practice and hiring policies and practices must be administered fairly and equitably.</u>
<u>POSTING VACANCIES</u>	The {Chancellor} or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current College District employees may apply for any vacancy for which they have appropriate qualifications.
APPLICATIONS	All applicants shall complete the application form supplied by the College District. Information on applications shall be confirmed before a contract is offered for a contractual position and before hiring or as soon as possible thereafter for a noncontractual position.
EMPLOYMENT OF CONTRACTUAL PERSONNEL	<u>The Board may establish separate procedures and criteria for hiring the Chancellor. Faculty and qualifying senior-level administrative staff shall be employed pursuant to written employment/contractual agreements.</u> The {Chancellor} has sole authority to make recommendations to the Board regarding the selection of contractual personnel. The Board retains final authority for employment of contractual personnel. [See DCA]
EMPLOYMENT OF NONCONTRACTUAL PERSONNEL	The Board delegates to the {Chancellor} final authority to employ and dismiss noncontractual employees on an at-will basis. [See DCC]
<u>EMPLOYMENT OFFER</u>	<u>Only the Chancellor or designee has authority to communicate an offer of employment. Oral representations by college personnel other than the Chancellor or designee are not binding on the Board or the College District. The Chancellor shall designate in writing those individuals who are authorized to communicate employment offers.</u>
<u>CONTRACT RENEWAL</u>	<u>Contracted employment for one (1) or more years does not create any entitlement to employment beyond the current term of the current contract. Renewal of a contract is not automatic. Continued employment on a contractual basis requires approval by the Chancellor and execution of a new contract by the affected employee.</u>

Comment [v1]: C.3

Comment [v2]: HCC C.3

Comment [v3]: HCC C.5.1

Comment [v4]: HCC C.5.1

EMPLOYMENT PRACTICES

DC
(LOCAL)

DATE ISSUED: 2/19/2014
UPDATE 29
DC(LOCAL)-AJC

ADOPTED:

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PERSONNEL POSITIONS
QUALIFICATIONS AND DUTIES

DDA
(LOCAL)

The [Chancellor] or designee shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.

COMPENSATION AND BENEFITS
EMPLOYEE COMPENSATION AND BENEFITS

DE
(LOCAL)

EMPLOYEE
COMPENSATION

The Board strives to provide competitive pay for faculty and staff. Compensation for all employees shall be administered consistently and fairly. College District pay practices are based on the compensation practices of Texas urban community colleges, comparable U. S. community colleges, and the local market.

The Chancellor shall annually recommend to the Board of Trustees pay and budget plans for the entire system.

Comment [v1]: HCC C.14

BENEFITS

The Board ensures that the College District complies with the eligibility rules for various benefits as prescribed by state and federal law. These programs may include health insurance, dental insurance, life insurance and retirement benefits.

Benefits provided by the College District shall be reviewed periodically and amended, as necessary, by the Board upon recommendation of the Chancellor.

Comment [v2]: C.15

COMPENSATION AND BENEFITS
SALARIES AND WAGES

DEA
(LOCAL)

Personnel shall be paid according to a salary schedule or wage scale adopted by the Board after a recommendation by the [Chancellor].

When determining an employee's placement on the College District's salary schedule or wage scale, the employee's position, responsibilities, experience, education, and years of service shall be considered.

MID-YEAR PAY
INCREASES

CONTRACT
EMPLOYEES

A contract employee's pay shall not be increased after performance on the contract has begun unless there is a change in the employee's job assignment or duties that warrants additional compensation. Any such changes in pay during the term of the contract shall require Board approval.

NONCONTRACT
EMPLOYEES

The [Chancellor] may grant a pay increase to a noncontract employee after duties have begun only when there is a change in the employee's job assignment or duties, or when an adjustment in the market value of the job warrants additional compensation. The [Chancellor] shall report any such pay increases to the Board at the next regular meeting.

CLASSIFICATION OF
POSITIONS

The [Chancellor] or designee shall determine the classification of positions or employees as "exempt" or "nonexempt" for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

EXEMPT

The College District shall pay employees who are exempt from the overtime pay requirements of the FLSA on a salary basis. The salaries of these employees are intended to cover all hours worked, and the College District shall not make deductions that are prohibited under the FLSA.

An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the College District's attention, through the College District's complaint policy. [See DGBA] If improper deductions are confirmed, the College District shall reimburse the employee and take steps to ensure future compliance with the FLSA.

NONEXEMPT

Nonexempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. An employee who is paid on a salary basis shall be paid for a 40-hour workweek and shall not earn additional pay unless the employee works more than 40 hours.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works over-

COMPENSATION AND BENEFITS
SALARIES AND WAGES

DEA
(LOCAL)

time without prior approval is subject to discipline but shall be compensated in accordance with the FLSA.

WORKWEEK DEFINED For purposes of FLSA compliance, the workweek for College District employees shall be [*insert workweek following this style rule: begin on Sunday at 12:00 a.m and end on Saturday at 11:59 p.m*].

COMPENSATORY TIME ACCRUAL At the College District's option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

Compensatory time earned by nonexempt employees may not accrue beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of overtime, the employee shall be required to use compensatory time or, at the College District's option, shall receive overtime pay.

USE An employee shall use compensatory time within the duty year in which it is earned. If an employee has any unused compensatory time remaining at the end of a fiscal year, the employee shall receive overtime pay.

Compensatory time may be used at either the employee's or the College District's option. An employee may use compensatory time in accordance with the College District's leave policies and if such use does not unduly disrupt the operations of the College District. [See DEC(LOCAL)] The College District may require an employee to use compensatory time when in the best interest of the College District.

GIFTS, GRANTS, AND DONATIONS FOR SALARY SUPPLEMENTS The College District shall not accept gifts, grants, donations, or other consideration designated for use as salary supplements.

COMPENSATION AND BENEFITS
LEAVE

DEC
(LOCAL)

LEAVE AND
ABSENCES

The Board ensures that a comprehensive and systematic program of leave is provided, including religious holy days, for all benefits-eligible employees of the College District. The College District shall not discriminate or penalize in any way an employee who is absent from work for the observance of a religious holy day and gives proper notice of that absence. However, the employee will use a personal business day to report such absence.

Comment [v1]: C.16

FAMILY AND MEDICAL
LEAVE

The Family and Medical Leave Act of 1993 (FMLA) provides up to twelve (12) weeks of unpaid leave in a twelve (12) month period to eligible employees for:

Comment [v2]: C.17

1. Childbirth;
2. Adoption or foster care;
3. Caring for a seriously ill spouse, son, daughter or parent; or
4. Tending to the employee's own serious health condition.

This policy shall be administered in accordance with the FMLA of 1993, implementing regulations, and HCC procedures. Workers' compensation leave shall be used concurrently with FMLA leave. Comprehensive sick leave days, when applicable, will be used concurrently with FMLA leave. For additional information regarding FMLA, employees may request forms and guidance from the Human Resources Benefits department.

ADOPTED:

1 of 1

COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

DEE
(LOCAL)

~~TRAVEL~~

REIMBURSEMENT

Employees shall be entitled to reimbursement for their ordinary and necessary expenses incurred in performing their duties, to the extent authorized by law and permitted by the Board. All ~~travel outside of the College shall be authorized by the employee's supervisor prior to occurrence. The Chancellor shall establish procedures and standards for travel and expense reimbursement.~~

Prior approval for all travel, including prepaid expenses, shall be obtained from the employee's supervisor before any expenses are incurred.

~~An employee shall be reimbursed for authorized mileage incurred while performing duties related to the job only if such travel is at the request of the employee's immediate supervisor and is approved by the College President or designee.~~

~~Employees shall be reimbursed for other reasonable travel expenditures according to the current schedule adopted by the Board, and subject to IRS regulations.~~

In the absence of controlling employment contracts addressing travel and expenses, the Chancellor will develop ~~guidelines~~ procedures that shall be applied to the reimbursement of travel and expenses reimbursement incurred by for employees.

RECEIPTS REQUIRED

To receive reimbursement for transportation, lodging, meals, and other authorized travel expenses, an employee shall may be required to present receipts for the actual amounts spent.

All College District employees shall be required to participate in a retirement program. Part-time employees who are not members of the Teacher Retirement System (TRS) or an optional retirement program shall be required to participate in a retirement program selected by the College District.

The College District recognizes an employee's right to participate in political activities as long as the political activities are:

1. Not conducted during work hours.
2. Do not interfere with the discharge and performance of the employee's duties and responsibilities;
3. Do not involve the use of equipment, supplies, or services of the College District;
4. Do not involve the impermissible use College District resources and facilities;
5. Do not involve the attempt to coerce other students or employees to participate in or support the political activity; and

An employee may request a leave of absence without pay for the purpose of participating in political activity; however, the College District has no obligation to grant such a request. In no case will the university grant a leave of absence without pay to an employee to be a candidate for an elective public office, hold an elective public office, or direct the political campaign of a candidate for elective public office.

If the College District finds that the employee's political activity interferes with the performance of his or her duties and responsibilities or does not comply with the requirements of this policy, the employee will be subject to appropriate disciplinary action, up to and including termination.

GUIDING PRINCIPLES	The Board encourages employees to discuss their concerns with their supervisor or other appropriate administrator who has the authority to address the concerns.
INFORMAL PROCESS	<p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level. Prior to filing a formal complaint, employees must initiate the informal complaint process by requesting a meeting with the employee's immediate supervisor within ten (10) days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.</p> <p>The meeting requested by the employee shall take place within five (5) days of notification to the supervisor that an informal meeting is requested. If the supervisor is not available or refuses to meet during the five-day time frame, the next level supervisor in line will meet with the employee within the five-day period to discuss the complaint. The time period for the next level supervisor to meet may be extended for an additional five (5) days. The next level supervisor shall notify the Human Resources Generalist in writing if a five- day extension is needed.</p> <p>An employee who fails to utilize the informal complaint process forfeits his/her right to file a formal complaint, unless the complaint is against the Chancellor or a member of the Board of Trustees. Employees and supervisors engaged in the informal complaint process must make reasonable efforts to promptly resolve the issues raised in the complaint. The informal complaint process is intended as an informal dispute resolution process. This process should be conducted as an interest-based, collaborative problem-solving process between the employee and other employees and/or supervisor with the purpose of preserving the work relationship. Unless the complaint is against the Chancellor or a member of the Board of Trustees, an employee may only file a formal complaint if he or she has first made reasonable efforts to informally resolve the problem(s) or issue(s) with the supervisor or another employee and is unable to do so.</p> <p>If an employee's complaint is not resolved through the informal complaint process, or if the employee's direct supervisor and next level supervisor are not available or refuse to meet with the employee within the timelines provided in this policy, the employee may file a formal complaint.</p>
FORMAL PROCESS	If a complaint is not resolved through the informal complaint process, an employee may, but is not required to, proceed with a formal complaint.

An employee may initiate the formal process described below by timely filing a written complaint form.

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

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

COMPLAINTS AGAINST
SUPERVISORS

Complaints alleging a violation of law by a supervisor may be made to the second level supervisor at Level One, following the procedure, including deadlines for filing the complaint form, at Level One.

COMPLAINTS AGAINST
THE CHANCELLOR OR
MEMBERS OF THE
BOARD

Complaints alleging a violation of law, policy or procedure by the Chancellor or a member of the Board of Trustees may be submitted directly to the Board Chair at Level Four, following the procedure, including deadlines for filing the complaint form, at Level Four.

NOTICE TO
EMPLOYEES

The College District shall inform employees of this policy through appropriate College District publications and procedures.

FREEDOM FROM
RETALIATION

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

WHISTLEBLOWER
COMPLAINTS

The Board prohibits retaliation against any employee who reports violations of law, the College District Code of Conduct, policies, rules, or procedures.

The College shall not suspend or terminate the employment of, or take other adverse personnel action against, an employee who in good faith reports a violation of law by the College District or another public employee to an appropriate law enforcement authority.

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

COMPLAINTS

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

OTHER COMPLAINT
PROCESSES

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

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

GENERAL
PROVISIONS
FILING

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

SCHEDULING
CONFERENCES

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

RESPONSE

At Levels One, Two, and Three, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent

by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

DAYS "Days" shall mean College District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."

REPRESENTATIVE "Representative" means any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

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

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

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

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

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

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

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

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

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

LEVEL ONE

Complaint forms must be filed:

8. Within ten (10) days of the date the employee completes the required informal complaint process.
9. With the Director of Human Resources, with a copy to the second level supervisor.

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

COMPLAINT
CONFERENCE

As the Level One administrator, the second level supervisor or designee shall investigate as necessary and schedule a conference with the employee within ten (10) days after receipt of the written complaint. The Level One administrator may set reasonable time limits for the conference.

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

LEVEL TWO

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the next level or third level supervisor or designee to appeal the Level One decision. The third level supervisor or designee shall serve as the Level Two administrator.

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

must be filed with the Director of Human Resources, with a copy to the ~~next level or third level supervisor~~ Level Two administrator.

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

The Level One record shall include:

10. The original complaint form and any attachments.
11. All other documents submitted by the employee at Level One.
12. The written response issued at Level One and any attachments.
13. All other documents relied upon by the Level One administrator in reaching the Level One decision.

~~The third level supervisor or designee shall serve as the Level Two administrator.~~ The Level Two administrator shall have the option to hear the complaint or to recommend mediation or referral to a review panel in accordance with the grievance procedure maintained by the Human Resources Department.

If the Level Two administrator recommends mediation or referral to a review panel, such mediation or review panel shall be held within ten (10) days after the appeal notice is filed.

If the Level Two administrator does not recommend mediation or referral to a review panel, the Level Two administrator shall schedule a conference within ten (10) days after the appeal notice is filed. The conference shall be limited to the issues and documents presented by the employee at Level One and identified in the Level Two appeal notice. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.

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

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

LEVEL THREE

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

The appeal notice must be filed in writing, on a form provided by the College District, within ten (10) days after receipt of a response or, if no response was received, within ten (10) days of the response deadline at Level Two. The appeal notice must be filed with the Director of Human Resources, with a copy to the Chancellor.

After receiving notice of the appeal, the Level Two administrator shall prepare and forward a record of the Level Two complaint to the Chancellor or designee who shall serve as the Level Three administrator. The employee may request a copy of the Level Two record.

The Level Two record shall include:

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

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

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

LEVEL FOUR

Recordings of the Level One, Level Two, and Level Three conferences, if any, shall be maintained with the Level One, Level Two, and Level Three records. ~~The decision of the Level Three administrator is final and without appeal.~~

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

~~If the employee's grievance or complaint is against the Chancellor or a current Board member, the employee may file a complaint directly to the Board without having to first utilize the informal complaint process. If the complaint is against a Board member, the Board member who is the subject of the complaint shall not participate in the Board's deliberation or decision regarding the complaint.~~

The complaint form appeal notice must be filed in writing, on a form provided by the College District, within ten (10) days after receipt of a response or, if no response was received, within ten (10) days of the response deadline at Level Three. ~~of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the grievance or complaint.~~ The complaint form appeal notice must be filed with the Director of Human Resources, with a copy to the Board Chair.

The Director of Human Resources or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Director of Human Resources or designee shall provide the Board with a copy of the complaint form submitted by the employee, along with any attached documents.

~~The complaint shall be limited to the issues identified in the Level Four complaint form. The Level Four appeal shall be limited to the issues and evidence included in the record from Levels One, Two and Three.~~ The College District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

~~The presiding officer may set reasonable time limits and guidelines for the employee's presentation, including an opportunity for questioning by the Board.~~ The Level Four appeal will proceed as follows:-

1. The employee shall have 15 minutes to present his or her complaint to the Board.
2. The College District shall have 15 minutes to respond.
3. The employee shall be allowed 5 minutes for rebuttal to address any issues raised by the College District.
- ~~4.4.~~ The Board may ask questions of either party.

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

~~The Board shall then consider the complaint. At the conclusion of the appeal, the Board may choose to deliberate in closed session if needed. The Board or its designee may consult with the Chancellor or other persons as necessary.~~

At the conclusion of the appeal, the Board shall render a decision to uphold the outcome of the Level 3, overturn the outcome of the Level 3, or grant other relief as appropriate.- The Board# may shall give notice of its decision ~~orally or~~ in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board shall be deemed a denial of the relief requested in the complaint. The decision of the Board or designee at Level Four is final and may not be appealed.

Faculty members are entitled to academic freedom in the conduct of research and teaching and are tasked with the associated responsibilities. To this end, the College District endorses the principles set forth in the Statement of Principles on Academic Freedom and Tenure published by the Association of American Colleges and Universities and the American Association of University Professors.

Note: The Statement of Principles on Academic Freedom and Tenure is available online at <http://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>.

~~The Board shall address faculty academic freedom and the associated responsibilities in appropriate College District publications.~~

Each faculty member will have freedom in the classroom to discuss the subject he or she teaches. Additionally, each faculty member is expected not to introduce into his or her teachings controversial matters that have no relation to the classroom subject. Faculty members shall, when speaking, make clear that their opinions are not necessarily those of the College District. At the same time, faculty members shall strive to be accurate in their statements and to be willing to listen to and show respect for others who express different opinions.

Institutions of higher learning exist for the common good. The common good depends upon a free search for truth and its free expression. Therefore, it is essential that College District faculty be free to pursue scholarly inquiry without undue restriction and to voice and publish their conclusions concerning the significance of evidence they consider relevant. The faculty member must be free from the corrosive fear that others, inside or outside the college community, may threaten his or her professional career because their vision differs from that of others. Faculty members are entitled to freedom in the classroom in discussing the subject being taught to the full extent permitted by law. Furthermore, faculty members are free from institutional censorship or discipline when they speak, write, or act as citizens of their nation, state, and community.

The concept of academic freedom must be accompanied by an equally demanding concept of responsibility, shared by the Board, administrators, and faculty members. Exercise of professional integrity by a faculty member includes recognition that the public will judge the member's profession and the College System by the faculty member's statements. Therefore, faculty members should strive to avoid creating the impression that they are speaking or acting for the College District when speaking or acting as private

citizens. Faculty members should be judicious in the use of controversial material in the classroom and should only introduce such material when it has a clear relationship to the subject matter of the course being taught.

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

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

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

REQUESTS

To request permission to meet on College District premises, interested employees or employee organizations shall file a written request with ~~the insert title for position approving employee use of facilities~~ College President in accordance with administrative procedures.

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

For employees requesting to authorization to serve alcohol on College District premises, see GFAB (LOCAL).

APPROVAL

The ~~insert title for position approving employee use of facilities~~ College President shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the employees' or employee organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that:

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes nonpermissible solicitation;
4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;

5. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
6. The proposed activity would disrupt or disturb the regular academic program;
7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The ~~*[insert title for position approving employee use of facilities]*~~ College President shall provide the applicant a written statement of the grounds for rejection if a request is denied.

ANNOUNCEMENTS
AND PUBLICITY

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

IDENTIFICATION

Employees and employee organizations using College District facilities must provide identification when requested to do so by a College District representative.

VIOLATIONS

Failure to comply with the policy and procedures regarding employee use of College District facilities shall result in appropriate administrative action, including but not limited to, suspension of an employee's or employee organization's use of College District facilities, and/or other disciplinary action in accordance with the College District's policies and procedures and the employee handbook.

APPEALS

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

The Board is committed to creating an inviting, safe and healthy place to work and learn where our day-to-day interactions are based upon respect. Employees of the College District are expected to uphold the highest ethical and professional standards for personal conduct and work performance, contributing to a positive, respectful working and learning environment free from harassment, threats, intimidation, violence or any other misconduct. The related procedures that follow support this policy further outline these expectations.

Comment [v1]: C.21

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

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

Any person (employee, student, vendor, visitor, community member, etc.) who intimidates, threatens, or exhibits violent or disruptive behavior while on campus or when acting on behalf of HCC away from campus will be immediately removed from the classroom/workplace.

Comment [v2]: C.21

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

ETHICAL STANDARDS

The College District holds all employees to the ethical standards expressed in the Texas Community College Teachers Association Code of Professional Ethics.

Note: The Texas Community College Teachers Association Code of Professional Ethics is available at <http://www.tccta.org/links/ethics.pdf>.

VIOLATIONS

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

ELECTRONIC MEDIA

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the Internet, and social network

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

	<p>sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.</p>
RECORD RETENTION	<p>An employee shall comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA]</p>
PERSONAL USE	<p>Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or College District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.</p>
SAFETY REQUIREMENTS	<p>All employees shall adhere to College District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.</p>
ALCOHOL AND DRUGS	<p>A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.</p> <p>Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at the College District or at College District-related activities during or outside of usual working hours:</p> <ol style="list-style-type: none">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 other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs. <p>An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.</p>
EXCEPTIONS	<p>An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.</p>

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

The [Chancellor] is authorized by the Board to permit the serving and consumption of alcohol at appropriate College District functions. [For policy and instruction on permissive use of alcohol on College District facilities, see GFAB\(LOCAL\).](#)

NOTICE	Each employee shall be given a copy of the College District's notice regarding a drug-free workplace. [See DI(EXHIBIT)]
ARRESTS, INDICTMENTS, CONVICTIONS, AND OTHER ADJUDICATIONS	An employee shall notify his or her immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or offense involving moral turpitude.
MORAL TURPITUDE	Moral turpitude includes but is not limited to: <ol style="list-style-type: none">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; or6. Acts constituting abuse under the Texas Family Code.

EMPLOYEE STANDARDS OF CONDUCT
PERSONAL APPEARANCE AND UNIFORMS

DHA
(LOCAL)

The Board expects employees, vendors and independent contractors to use good judgment at all times regarding their personal appearance. Flagrant violations of commonly accepted standards of cleanliness or dress may be cause for disciplinary action.

Comment [v1]: c.8

ADOPTED:

1 of 1

EMPLOYEE STANDARDS OF CONDUCT
ATTENDANCE AND PUNCTUALITY

DHAA
(LOCAL)

The College District requires each employee to report to work as scheduled. Regular and punctual attendance is essential to the efficient and orderly operations of the College and to the students we serve.

Comment [v1]: c.9

ADOPTED:

1 of 1

DHAA(LOCAL) |

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHB
(LOCAL)

REASONABLE
SUSPICION
SEARCHES

The College District reserves the right to conduct searches when the College District has reasonable cause to believe that a search will uncover evidence of work-related misconduct. The College District may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on College District premises or worksites or used in College District business.

EMPLOYEE STANDARDS OF CONDUCT
WORKPLACE VIOLENCE

DHBB
(LOCAL)

The Board strives to provide a safe workplace for all employees. All employees are expected to review and understand all provisions of this Workplace Violence Policy to ensure a safe workplace and to reduce the risk of violence.

State law and the College District prohibit the possession, carrying, or use of prohibited weapons including firearms, illegal knives, and clubs on College District-owned or controlled properties.

Violation of this policy is grounds for immediate termination.

Comment [v1]: c.11

ADOPTED:

1 of 1

POLICY STATEMENT

All employees of the College District are required by law to report suspected child abuse and neglect to the appropriate authorities, in accordance with Texas Family Code Chapter 261. This responsibility is applicable to all members of the College District including administrators, faculty, staff, students, or others. "Professionals," a designation which includes "teachers, nurses, doctors, day-care employees and employees of a clinic or health care facility that provides reproductive services," have a higher duty to report than anyone else; they must make a report within 48 hours after suspecting child abuse or neglect. A "child," in Texas, is a person under 18 years of age who has not been married and who has not had the disabilities of minority removed for general purposes.

REQUIRED INFORMATION

Anyone making a report should provide the following, if known:

1. The name and address of the child;
2. The name and address of the individual who is responsible for care or welfare of the child;
3. Any other pertinent information concerning the suspected abuse or neglect.

The identity of the reporting person will be confidential and be disclosed only under limited circumstances or upon specific written agreement.

NON RETALIATION

A person acting in good faith who reports or assists in the investigation of a report of alleged child abuse or neglect is immune from civil or criminal liability that might otherwise be incurred or imposed.

State law and College District policy also prohibit retaliation against an employee who, in good faith, reports child abuse or neglect to the person's supervisor, administrator or law enforcement agency.

TRAINING

All employees are required to complete training in prevention techniques for and the recognition of symptoms of sexual, physical, emotional, or medical abuse and neglect of children as well as the responsibility and procedure for reporting suspected occurrences of such abuse and neglect. Training will be coordinated by the Compliance Officer and Human Resources. Training will be required as part of new employee orientation and as part of mandatory compliance training.

EMPLOYEE WELFARE

DI
(LOCAL)

DRUG-FREE
AWARENESS
PROGRAM

The Board strives to maintain a drug and alcohol-free workplace environment. The College District has adopted its Drug and Alcohol-Free Workplace Policy to further its objectives in establishing, promoting, and maintaining a safe, healthy, and productive work and learning environment for employees and students, to promote the reputation of the College District and its employees as responsible citizens of public trust, and to provide a consistent model of substance-free behavior for students.

Comment [v1]: HCC C.12

The College District shall maintain a drug-free environment and shall establish, as needed, a drug-free awareness program complying with federal requirements. [See DH] The program shall provide applicable information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.
2. The College District's policy of maintaining a drug-free environment. [See DH(LOCAL)]
3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community, if any.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions.

EMPLOYEE
RESPONSIBILITY

All fees or charges associated with drug/alcohol abuse counseling or rehabilitation shall be the responsibility of the employee.

Note: This policy addresses discrimination, harassment, and retaliation targeting College District employees. In this policy, the term “employees” includes former employees and applicants for employment. For the College District’s response to discrimination, harassment, and retaliation targeting students, see FFD.

STATEMENT OF
NONDISCRIMINATION

~~The Board supports and the College District is committed to providing a learning and working environment that promotes personal integrity, civility and mutual respect in an environment free of discrimination and harassment on the basis of race, color, religion, sex, gender identity and gender expression, national origin, age, disability, sexual orientation, or veteran status. The College District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law.~~

Comment [v1]: HCC G.1

~~Retaliation against anyone involved in the complaint process is a violation of College District policy.~~

DISCRIMINATION

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, gender identity and gender expression, national origin, age, disability, sexual orientation, veteran status or any other basis prohibited by law, that adversely affects the employee’s employment.

HARASSMENT

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s- race, color, religion, sex, gender identity and gender expression, national origin, age, disability, sexual orientation, veteran status ~~race, color, religion, gender, national origin, age, disability~~, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.

EXAMPLES

Examples of prohibited harassment may include offensive or derogatory language directed at another person’s religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or as-

sault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

SEXUAL HARASSMENT

Sex discrimination includes all forms of sexual and gender-based misconduct. Sex discrimination violates an individual's fundamental rights and personal dignity. The College District is committed to the principle that the working environment of its employees and the classroom environment for students should be free from inappropriate conduct of a sexual or gender-based nature including sex discrimination, sexual assault, sexual harassment, and sexual violence by employees, students or third parties. Sexual and gender-based misconduct is unprofessional and will not be tolerated and is expressly prohibited. Individuals who engage in such conduct will be subject to disciplinary action.

Comment [v2]: G.1

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

EXAMPLES

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

DISABILITY

The Board requires and promotes a fair and equal work environment free of decisions based on disability status. The College District does not discriminate against qualified individuals with a disability because of a disability in regard to application procedures; hiring, advancement, or discharge; employee compensation; job training; and other terms, conditions, and privileges of employment. The College District shall not exclude or deny employment or benefits to, or otherwise discriminate against, a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a family, business, social, or other relationship or association.

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Comment [v3]: HCC C.6

EXAMPLES

An individual with a disability is defined by the Americans with Disabilities Act (ADA) as: (1) a person who has a physical or mental impairment that substantially limits one or more major life activities; (2) a person who has a history or record of such an impairment; or (3) a person who is perceived by others as having such an impairment.

Major life activities include but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Conduct prohibited and qualifying as disability discrimination includes but is not limited to: 1) less favorable treatment to a person with a disability by refusing to offer a that person a place because of their disability; 2) excluding a person from participating in a service, program, or activity because of their disability; 3) failing to make reasonable accommodations of adjustments to allow for a person's disability; 4) charging a fee to an individual with a disability for the use of an auxiliary aid; 5) not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability, unless the College District can demonstrate that the accommodation would impose an undue hardship on the College.

Comment [v4]: Language required per voluntary settlement agreement with OCR

Comment [v5]: C.6

RETALIATION
PROHIBITED

The College District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. Retaliation against anyone involved in the complaint process is a violation of College District policy.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline up to and including termination.

EXAMPLES

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

PROHIBITED
CONDUCT

In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

REPORTING
PROCEDURES

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts in accordance with College District procedures for reporting complaints based on discrimination or harassment. The employee may report the alleged acts to his or her immediate supervisor.

Alternatively, the employee may report the alleged acts to the Director of Institutional Equity ~~one or to one~~ of the College District officials below.

For the purposes of this policy, College District officials are the ADA/Section 504 coordinator, and the Title IX coordinator, ~~and the [Chancellor]~~.

DEFINITION OF
COLLEGE DISTRICT
OFFICIALS

ADA / SECTION 504
COORDINATOR

The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: [C004]David Cross
Position: [C002]Director of Institutional Equity
Address: [C003]3100 Main Street, Houston TX, 77702
Telephone: 713-718-8271[C004]

TITLE IX
COORDINATOR

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: [C005]Renee Mack
Position: [C006]Manager of Institutional Equity, Compliance and Training
Address: [C007]3100 Main Street, Houston TX 77002
Telephone: [C008]713-718-8272

ALK 9/14/15: Please add correct name and contact information for listed individuals.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

OTHER ANTI-
DISCRIMINATION
LAWS

The ~~[Chancellor] or designee~~ Officer of Institutional Equity shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.

ALTERNATIVE
REPORTING
PROCEDURES

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator, may be directed to the [Chancellor] or designee.

A report against the [Chancellor] may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.

~~NOTICE OF REPORT~~

~~Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.~~

INVESTIGATION OF
THE REPORT

Reports of prohibited conduct under this policy shall be investigated by the Office of Institutional Equity ("OIE"), and any required interim actions shall be taken in accordance with the College District procedures and guidelines maintained by OIE.

~~The College District may request, but shall not insist upon, a written report. If a report is made orally, the College District official shall reduce the report to written form.~~

~~Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.~~

~~If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.~~

~~The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. When appropriate, the supervisor shall be involved in or informed of the investigation.~~

~~The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.~~

~~CONCLUDING THE INVESTIGATION~~

~~Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.~~

~~The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.~~

~~COLLEGE DISTRICT ACTION~~

~~If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.~~

~~The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.~~

CONFIDENTIALITY

~~To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.~~

APPEAL

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

RECORDS RETENTION

Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]

ACCESS TO POLICY

This policy shall be made available to College District employees on the College District's website. Copies of the policy shall be readily available at the College District administrative offices.

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ASSIGNMENT, WORK LOAD, AND SCHEDULES

DJ
(LOCAL)

The Board requires and promotes fair and equal employment practices in decisions related to the determination of employment status, assignments and duties.

Comment [v1]: C.5

All employees shall be subject to assignment and reassignment by the [Chancellor] at any time.

FACULTY
WORKLOADS AND
SCHEDULES

The Vice Chancellor for Instruction shall collaborate with the faculty association and the executive team to develop guidelines governing College District faculty workloads, schedules, and related issues. Final approval of such guidelines rests with the Chancellor.

Comment [v2]: E.5.1

PROFESSIONAL DEVELOPMENT

DK
(LOCAL)

The Board recognizes the value of professional growth and personal development for all employees in the areas of expertise and work. The College shall provide opportunities for such development and training in line with institutional needs to enhance employee knowledge, skills, and job performance, provide pathways for employee career progression, and ensure that the goals of the institution are achieved.

Comment [v1]: C.19

Each employee shall meet the professional development standards described by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) as well as any professional development required of the employee by state or federal law or administrative regulations.

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

EMPLOYEE PERFORMANCE
EVALUATION

DLA
(LOCAL)

The College District shall regularly evaluate the effectiveness of each employee in accordance with the criteria and procedures developed with employee input and described in administrative regulations.

TERMINATION OF EMPLOYMENT

DM
(LOCAL)

AT-WILL EMPLOYEES

All College District employees who do not hold written employment contracts authorized by the College District Board of Trustees are employed at-will and have no entitlement to continued employment. At-will employees are hired by the Chancellor or designee.

Comment [v1]: c.5.1

At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the College District. At-will employees who are dismissed may request review of that decision through DGBA(LOCAL) and shall receive pay through the end of the last day worked.

EXIT INTERVIEWS AND
EXIT REPORTS

An exit interview shall be conducted, if possible, and an exit report shall be prepared for every employee who leaves employment with the College District.

	<p>An employee may be terminated mid-contract for good cause as determined by the Board <u>Chancellor</u> following a hearing held for that purpose in accordance with law.</p>
SUSPENSION WITH PAY	<p>A term contract employee may be suspended with pay or placed on administrative leave by the [Chancellor] <u>or his or her designee</u> during an investigation of alleged misconduct by the employee or at any time the [Chancellor] <u>or his or her designee</u> determines that the College District's best interest will be served by the suspension or administrative leave.</p>
GRIEVANCE FILED UNDER EDUCATION CODE 51.960	<p>The Board designates the [insert title for position hearing dismissal] <u>[Chief Human Resources Officer][Director of Human Resources]</u> as the person to whom a faculty member may present a grievance under Education Code 51.960 on an issue related to his or her dismissal. It is recommended that the faculty member file a request to present the grievance within ten business days after final action on the dismissal proceeding.</p> <p>Once a request to present a grievance has been filed, the conference shall be scheduled within seven business days.</p> <p>The faculty member may appeal the decision of the <u>[Chief Human Resources Officer][Director of Human Resources]</u> [insert title for position hearing dismissal] under DGBA beginning at the appropriate level.</p>

NONRENEWAL

An employee may be nonrenewed by the [Chancellor] at the end of the employee's contract term. The employee may be nonrenewed for any reason or no reason provided that the decision shall not be based on an employee's exercise of rights guaranteed by law or be based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age.

~~The employee may request an appearance before the Board providing that a request for such appearance is made in writing to the [Chancellor] within ten days of the employee's receipt of the letter of nonrenewal. The [Chancellor] shall notify the employee of the date of the appearance and the procedures to be followed. Notice shall be given at least ten days prior to the scheduled appearance.~~

GRIEVANCE FILED
UNDER EDUCATION
CODE 51.960

The Board designates the ~~*[insert title for position hearing nonrenewal]*~~*[Chief Human Resources Officer]**[Director of Human Resources]* as the person to whom a faculty member may present a grievance under Education Code 51.960 on an issue related to his or her nonrenewal.

It is recommended that the faculty member file a request to present the grievance within ten business days after final action on the nonrenewal proceeding.

Once a request to present a grievance has been filed, the conference shall be scheduled within seven business days.

The faculty member may appeal the decision of the ~~*[insert title for position hearing nonrenewal]*~~*[Chief Human Resources Officer]**[Director of Human Resources]* under DGBA beginning at the appropriate level.

TERMINATION OF EMPLOYMENT
REDUCTION IN FORCE

DMC
(LOCAL)

DEFINITIONS

Definitions used in this policy are as follows:

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

GENERAL GROUNDS
FOR DISMISSAL

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

EMPLOYMENT AREAS

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

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

CRITERIA FOR
DECISIONS

Using the following criteria, the [Chancellor] shall determine which particular employees shall be RIFed and shall submit the recommendation to the Board. These criteria are listed in order of importance; the [Chancellor] shall apply them sequentially to the selected employment areas until the number of staff reductions

TERMINATION OF EMPLOYMENT
REDUCTION IN FORCE

DMC
(LOCAL)

necessary have been identified, i.e., if all necessary reductions can be accomplished by applying the certification criteria, it is not necessary to apply the performance or subsequent criteria.

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

BOARD ACTION

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

APPEALS

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

EXCEPTION

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

RIGHTS OF
EMPLOYEES SUBJECT
TO RIF

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

REEMPLOYMENT

~~Upon written request, an employee dismissed pursuant to this policy shall be notified in writing of any subsequent availability of the position for a period of one calendar year following the effective date of such dismissal. The notice shall be mailed to the address that was on file for the former employee at the time of dismissal, unless the College District has been notified in writing of a change of address. A former employee so notified must respond to the Board in writing within ten calendar days of receipt of such notification if the person wishes to be considered for the position. Any individual employee has the opportunity to apply for any vacant position for which they are qualified who responds and~~ shall be considered for employment on the same basis as all other applicants.

ACADEMIC CALENDAR

The College District shall set its academic year and calendar in conjunction with guidelines published by the Texas Higher Education Coordinating Board. A semester shall include at least 15 weeks for instruction and one week for final examinations. Every fall semester will end before December 23.

The summer session shall be considered an integral part of the college year. Each of the two summer terms shall include no less than five calendar weeks including registration, instruction, and final examinations. No terms of instruction during the year may be offered for less than three weeks.

Each fall, the Board shall approve the College District's academic calendar for the subsequent academic year. The calendar shall include dates for orientation, registration, holidays, final examinations, and the end of each semester and summer term. As necessary, the Board may amend the calendar.

The calendar shall be published in the College District catalog and other College District publications as appropriate.

The College District shall offer distance education courses and programs to provide expanded access to students and to respond to needs of the College District and the wider service area. In accordance with the criteria of the Commission on Colleges of the Southern Association of Colleges and Schools and the rules and regulations of the Texas Higher Education Coordinating Board, the College District will develop and maintain procedures that ensure instructional quality and institutional effectiveness for delivery and support of distance education programs.

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

- Applicable law;
- Policies and guidelines of the Southern Association of Colleges and Schools Commission on Colleges; and
- College District policies and procedures.

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall develop procedures to implement this policy.

COURSE LOAD

~~The normal course load for the fall or spring semester shall be 15 semester hours. Course loads in excess of 16 semester hours shall require approval by the [C administrator determining course loads]. The maximum course load shall be no more than 21 semester hours.~~

~~The normal course load for the summer session shall be six semester hours for each six-week term or 12 semester hours for a full summer semester. Course loads in excess of six semester hours per term or 12 semester hours per summer semester shall require approval by the [C administrator determining course loads]. The maximum summer credit hours earned shall be eight semester hours for one term or 16 semester hours for a full summer semester. To ensure quality of student learning, the College District will not allow students to carry more than one semester credit hour per week over the course of the term. (For example, in a 12-week term, the maximum course load is 12 hours; in a six-week term, the maximum course load is 6 hours.) An instructional dean may grant exceptions to this rule if the dean determines that the student has demonstrated significant prior academic success.~~

LIMITATION ON
NUMBER OF
DROPPED COURSES

A College District student shall not be permitted to drop more than six courses taken while enrolled at the College District or another public institution of higher education.

EXCEPTIONS FOR
GOOD CAUSE

A student shall be permitted to exceed the limit on the number of dropped courses for any of the following reasons:

1. A severe illness or other debilitating condition that affects the student's ability to satisfactorily complete a course;
2. The care of a sick, injured, or needy person if providing that care affects the student's ability to satisfactorily complete a course;
3. The death of a member of the student's family;
4. The death of a person who has a sufficiently close relationship to the student;
5. The student's active military duty service;
6. The active military service of a member of the student's family or a person who has a sufficiently close relationship to the student; or
7. A change in the student's work schedule that is beyond the student's control and affects the student's ability to satisfactorily complete the course.

INSTRUCTIONAL ARRANGEMENTS
COURSE LOAD AND SCHEDULES

ECC
(LOCAL)

PROCEDURES | The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall develop procedures to implement this policy and shall publish the procedures in the College District catalog.

TEXTBOOK
SELECTION/ACADEMIC
RESOURCES

Because of the investment required to build and maintain academic quality, the College District is committed to developing programs for which it has sufficient resources to ensure the highest quality in all aspects of its programs.

ADOPTION AND USE
OF INSTRUCTIONAL
MATERIALS

In January 2007, the College District Board of Trustees adopted a policy to constrain the rising costs of textbooks through actions that: (1) require books (whenever possible) to be used for at least three years; (2) require earlier selection dates for textbooks to allow students to shop around for better prices; (3) implement separate "bundling" of instructional materials so that students don't have to buy books, CDs, workbooks, etc. that the professor does not expect to use in class; and (4) prohibit gifts or payments from publishers that could influence textbook selections.

The Chancellor and the Vice Chancellor for Instruction shall develop and implement procedures by which textbook costs will be constrained and faculty will be supported in the development and use of open educational resources.

TEXTBOOK
SELECTION

The ~~[G head of district/college/ESC, initial upper case]~~ Chancellor shall establish procedures for adopting, reviewing, and changing textbooks and other instructional materials. The procedures shall incorporate faculty participation.

EDUCATIONAL USE OF
THE INTERNET

The College District maintains a connection to the Internet for employees, students, and staff in support of the mission of the College District. College District patrons, students, and staff use it at their own risk. The College District does not censor access to materials or protect users from materials they may find offensive. The restriction of a child's access to the Internet is the responsibility of the parent or guardian.

Unofficial (personal) web pages may not include the College District logo or any reference to the College District that would mislead the user into believing that the information presented is official information or part of the system web page.

COPYRIGHT
INFRINGEMENT

College District employees and students shall comply with the provisions of the United States Copyright Laws. Subject to certain specific exceptions, the owner of a copyright has the exclusive rights to reproduce, distribute, perform, or display the copyrighted work, or to authorize such reproduction, distribution, performance, or display by others. Employees and students will be held accountable for violations of copyright laws.

Unauthorized duplication, distribution or use of intellectual property, including computer software or sound recordings, constitutes copy-

INSTITUTIONAL
REVIEW BOARD

right infringement, is illegal, and subject to both civil and criminal penalties.

College District will create an Institutional Review Board (IRB) to review both internal and external requests for research studies involving College District human subjects (students, faculty, and/or staff). The Chancellor shall authorize the Vice Chancellor for Instruction to establish a process by which the College District IRB will be created and operated to determine and assure that:

1. the welfare and rights of human subjects are adequately protected and informed consent given, if necessary;
2. human subjects are not placed at unreasonable physical, mental, or emotional risk as a result of the research;
3. the necessity and importance of the research outweighs the risks to the subjects; and
4. the researcher(s) is/are qualified to conduct research involving human subjects.

CURRICULUM
DEVELOPMENT AND
REVISION

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall establish procedures for curriculum development that provide for faculty involvement in decision making. All educational programs shall be continually reappraised to ensure that the offered courses meet the needs of the community and College District students.

Faculty shall have a central role in designing and revising curriculum. To encourage faculty innovation and to expedite curriculum decisions, the Vice Chancellor of Instruction shall work with the College District curriculum committee to draft procedures to develop and maintain the College District curriculum.

CORE CURRICULUM

The College District shall adopt a core curriculum adhering to guidelines and rules established by the Texas Higher Education Coordinating Board. All students seeking an Associate of Arts (AA), Associate of Science (AS), or Associate of Arts in Teaching (AAT) degree are required to complete the core curriculum or a state-approved field of study curriculum. In accordance with state guidelines, the College District shall offer a core curriculum, set forth in the course catalog, that is fully transferable and, if completed, substitutes for a receiving institution's core curriculum. Upon completion, students may apply for and receive a College District Certificate of Completion and have core completion noted on their transcript.

The College District shall offer a variety of instructional options to prepare students for the workforce, including Associate of Applied Science (AAS) degree programs, with semester credit hours (SCH) that may be transferable to baccalaureate programs in four-year colleges and universities; certificate programs of less than two years with SCH that may lead to associate and/or baccalaureate degrees; and institutional certificates with either SCH or continuing education units (CEU) that may qualify the student as a "marketable skills achiever."

INSTRUCTIONAL PROGRAMS AND COURSES
CAREER TECHNICAL WORKFORCE COURSES

EFAB
(LOCAL)

WORKFORCE PROGRAMS

The primary purpose of workforce programs is to prepare students with knowledge and skills for immediate entry into the workforce. The programs may be articulated for transfer to particular programs for baccalaureate degrees at universities.

Comment [v1]: E.1.5

All College District workforce programs shall be created, operated, and revised in accordance with the Guidelines for Instructional Programs in Workforce Education (GIPWE) and the Workforce Education Course Manual (WECM) as approved by the Coordinating Board, Continuing Education Programs.

The College District shall offer continuing education courses and programs for students to explore new career options or develop skills and knowledge in their current career fields. These courses will be offered for continuing education units (CEU) according to state and national guidelines. State guidelines shall be those approved by the Texas Higher Education Coordinating Board. The College District may also offer continuing education courses and programs for students' personal enrichment and to serve community needs and interests.

CONTRACT TRAINING

Through its contract training programs, the College District shall provide opportunities for business and industry to train its workforce. The College District shall cooperate with business and industry clients to create new programs and/or adapt existing curricula to meet the needs of the employers and workers. Contract training may be offered for credit or for continuing education units (CEU) according to guidelines approved by the Texas Higher Education Coordinating Board.

Comment [v2]: E.1.6

INSTRUCTIONAL PROGRAMS AND COURSES
DEVELOPMENT EDUCATION

EFAC
(LOCAL)

DEVELOPMENT
PROGRAMS

The College District shall offer non-transferable credit courses in English (writing), academic ESL, intensive ESL, reading, mathematics, and study skills to prepare students for success in all college-level educational programs.

Comment [v1]: E 1.8

-Honorary Degrees may be awarded by the Board at commencement or other special occasions for the purpose of recognizing outstanding achievements. All honorary degrees must be approved by the Board upon recommendation of the Chancellor.

An individual nominated to receive an honorary degree should have national or international distinction or exceptionally strong visibility within the State of Texas.

The candidate should have an association with the College District, or there should be an established program at the College District in the recipient's major area of expertise. Employees and Trustees of the College District are ineligible to receive honorary degrees; however, persons of national prominence in their field are exempted from this restriction.

SPECIAL PROGRAMS
ADULT BASIC AND SECONDARY EDUCATION

EFCB
(LOCAL)

ADULT EDUCATION
PROGRAMS

The College District shall offer a comprehensive array of adult education programs, including adult basic education, English as a Second Language (ESL), and GED preparatory courses. The College District shall also offer adult high school courses for students who seek to attain a high school diploma.

Comment [v1]: E 1.7

Basic adult education programs shall be provided by the College District in accordance with state statute and regulations and standards formulated by the State Board of Education as well as the U.S. Department of Education.

ADOPTED:

1 of 1

An official General Educational Development (GED) testing center shall be located at one or more College District facilities designated by the Board.

PROCEDURES

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor or designee shall develop written procedures concerning the operation of the center. The procedures shall:

1. Address the selection, requisition, and permanent storage of restricted test materials;
2. Address the provision of a suitable place for administering the test;
3. Include a written emergency plan; and
4. Address other operational matters as appropriate.

TESTING SCHEDULE

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor or designee shall annually publish a testing schedule in appropriate College District publications.

CHIEF EXAMINER

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor or designee shall designate a qualified chief examiner and shall seek authorization for the designation of that individual, as well as any subsequent changes to the chief examiner, from the Texas Education Agency (TEA). The chief examiner shall attend training annually as required by law.

FEES

In accordance with law, the Board shall approve a fee for the administration of the test, and the College District shall submit the amount and any subsequent changes to TEA for approval.

ANNUAL REPORT

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor or designee shall report to the Board annually concerning the center, including the number of tests administered and the fees received for administering the test.

ACADEMIC ACHIEVEMENT

EG
(LOCAL)

ADVISING PROGRAM

The College District shall provide an effective program of academic advising for all students. The program shall include orientation to the College District, assistance in selecting courses, time management, study skills and habits, career information and planning, placement assistance, and testing services.

ACADEMIC ACHIEVEMENT
GRADING AND CREDIT

EGA
(LOCAL)

The Board shall establish the manner by which grades shall be determined and credit shall be awarded. These provisions shall include the methods for reporting student grades, the calculation of a student's grade point average (GPA), the classification of students based on credits earned, the transfer of credits, student standards of performance, grade appeal procedures, and any other relevant matters. The provisions shall be published in the College District catalog. The ~~[G head of district/college/ESC, initial upper case]~~ Chancellor shall develop written procedures to implement the grading and credit provisions adopted by the Board. [For class rank calculations, see EGB]

TRANSFER OF
COURSE CREDIT

In its course catalogs, and on its website, HCC shall publish guidelines addressing the practices of College District regarding the transfer of course credit. In the guidelines, the College District must identify a course by using any common course numbering system adopted by the Texas Higher Education Coordinating Board.

Comment [v1]: E.1.3

The College District shall offer college-level freshman and sophomore academic transfer courses leading to two-year Associate of Arts (AA), Associate of Science (AS), and Associate of Arts in Teaching (AAT) degrees. The associate degree reflects the highest level of educational attainment the College District offers its students. All academic courses and degrees are designed to transfer to baccalaureate programs in four-year colleges and universities.

Academic course offerings are based on the Coordinating Board's Academic Course Guide Manual (ACGM).

TRANSFER DISPUTE
RESOLUTION

The College District shall adhere to procedures adopted by the Texas Higher Education Coordinating Board to resolve any disputes concerning the transfer of lower division course credit. The procedures are published in the College District course catalog.

The Board shall establish the manner by which grades shall be determined and credit shall be awarded. These provisions shall include the methods for reporting student grades, the calculation of a student's grade point average (GPA), the classification of students based on credits earned, the transfer of credits, student standards of performance, grade appeal procedures, and any other relevant matters. The provisions shall be published in the College District catalog. The ~~[G head of district/college/ESC, initial upper case]~~ Chancellor shall develop written procedures to implement the grading and credit provisions adopted by the Board. [For class rank calculations, see EGB]

Current and incoming students may earn credit for relevant education, work, or other life experience. Qualified students may earn credit by performing satisfactorily on certain national tests and Advanced Placement (AP) exams or by completing tests developed and administered by the College District.

| The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall develop procedures to implement this policy. The requirements shall be published in the College District catalog and other relevant publications as determined by the administration.

| The Chancellor or designee shall develop a schedule of final exams to occur during each final exam period designated by the Board on the academic calendar. The final exam schedule shall be published in the College District catalog.

The Board shall establish graduation requirements in a manner consistent with applicable law. The College District catalog shall address the degrees and certificates, the semester credit hours or continuing education units, and other requirements that must be satisfied to obtain each degree or certificate awarded by the College District.

To be eligible for graduation, a student must first submit an application in accordance with procedures established by the ~~[G head of district/college/ESC, initial upper case]~~Chancellor and published in the College District catalog.

The College District shall assess the academic skills of each entering undergraduate student to determine the student's readiness to enroll in freshman-level academic coursework prior to enrollment of the student. The College District will not use the assessment or its results as a condition of admission to the College.

The process for determination of a student's readiness will be published as the HCC Texas Success Initiative Plan in the HCC Catalog.

Under exceptional circumstances, the College District may permit a student to enroll in freshman-level academic coursework without assessment but shall require the student to be assessed not later than the end of the first semester of enrollment in freshman-level academic coursework.

MISCELLANEOUS INSTRUCTIONAL POLICIES
OTHER INSTRUCTIONAL INITIATIVES

EJA
(LOCAL)

INTERNATIONAL
INITIATIVES

The College District recognizes the importance of providing students with an international and intercultural focus in learning. While the College District emphasizes service to its local community, therefore, it shall also support appropriate international initiatives for students and faculty consistent with its institutional mission and other applicable Board policies. The Chancellor's office shall facilitate these initiatives.

To promote these initiatives, the College District may enter into Agreements of Academic Affiliation, Technical Assistance Contracts, or other formal relationships with educational institutions internationally. The administration shall provide semiannual reports to the Board regarding all international initiatives, and shall otherwise notify the Board of significant developments in these areas. Such agreements do not transfer the College District Commission on Colleges/ Southern Association of Colleges and Schools (SACS) accreditation to any international partner or its students unless a substantive change is approved by SACS.

OUT-OF-DISTRICT
PROGRAMS

The College District shall offer out-of-district programs to provide expanded access to students and respond to the needs of the service area. In accordance with the criteria of the Commission on Colleges of the Southern Association of Colleges and Schools and the rules and regulations of the Texas Higher Education Coordinating Board, the College District shall develop and maintain procedures to ensure the quality and effectiveness of such programs.

MISCELLANEOUS INSTRUCTIONAL POLICIES
EDUCATIONAL PHILOSOPHY

EJC
(LOCAL)

The College District is a comprehensive educational institution that provides academic transfer, workforce, corporate training/continuing education, developmental, and adult basic education programs. In all of these programs, the College District shall maintain high standards and encourage innovative teaching methods that take full advantage of technological advances. The College District encourages students to develop their skills, both personal and academic; to take responsibility for their education; to become flexible in order to meet the constantly shifting demands of a rapidly developing world; to appreciate their culture and those of other societies; and to cultivate excellence.

The educational programs and courses of College District shall meet all criteria as prescribed by the Texas Higher Education Coordinating Board and the Commission on Colleges of the Southern Association of Colleges and Schools.

The College District is committed to application of the principles of the "Learning College" in all of its educational programs. A Learning College is one that places learning first, putting it at the heart of everything it does. In a Learning College, the mission focuses on learning rather than teaching; students and faculty are full partners in student learning; student learning is everyone's responsibility; and the institution's success is judged on student learning outcomes. A Learning College is one that values innovation and the free exchange of ideas; engages in continuous improvement to enhance student, faculty, and staff learning; assesses and improves systems and processes; and utilizes resources wisely.

EQUAL EDUCATIONAL OPPORTUNITY
ASSURANCE OF NON DISCRIMINATION

FA
(LOCAL)

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. The College District is committed to providing an educational climate that is conducive to the personal and professional development of each individual. Houston Community College does not discriminate and prohibits discrimination on the basis of race, color, religion, gender identity and gender expression, national origin, age, disability, sex, sexual orientation, or veteran status in employment or the rights, privileges, programs, and activities generally accorded or made available to students at the school, administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school administered programs. To ensure compliance with Title IX and other federal and state civil rights laws, the College District has developed policies and procedures that prohibit discrimination in all of its forms. This statement of non-discrimination applies to educational programs, educational policies, admissions policies, educational activities, employment, access and admission, scholarship and loan programs, and athletic and other school-administered programs.

Comment [v1]: D.1.1 Board approved changes 11/18/2014

Inquiries regarding compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 or other civil rights laws should contact one of the following individuals:

Title IX coordinator(s)

Manager of Office of Institutional Equity

3100 Main, Suite 702

Houston, TX 77002

713-718-8272

Section 504 Coordinator/Disability Access and Accommodation

Director of Institutional Equity & Compliance

3100 Main, Suite 702

Houston, TX 77002

713-718-8636

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

GENERAL
REQUIREMENTS

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

The general requirements for admissions are included in the current College District catalog as mandated by relevant law and approved by the College District Board of Trustees. These requirements are based upon current conditions and/or are subject to change, as necessitated by the College District or legislative action

The [G head of district/college/ESC, initial upper case] Chancellor or designee shall develop procedures for student admissions. The procedures shall be published in the College District catalog and other relevant College District publications.

Comment [v1]: D.2.1

ATTENDANCE

FC
(LOCAL)

~~The College District Board of Trustees fosters an atmosphere of optimal academic achievement. To that end, student attendance in class is important for the educational experience, and students are expected to attend all classes in which they are enrolled.~~

Formatted: Justified

~~The general requirements for attendance are included herein and in the current College District catalog as mandated by the State and approved by the College District Board of Trustees. The College District reserves the right to modify any statement concerning attendance as necessitated by the College District or legislative action. The College District reserves the right to cancel classes on any given day and/or evening due to current conditions and/or necessity.~~

Comment [v1]: D.2.2.3, D.2.2.3.1

~~The College District shall include in its catalog and official bulletins a statement regarding its specific attendance policies and procedures for religious holy days.~~

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall develop procedures addressing attendance requirements, including procedures for all excused absences consistent with applicable law. ~~The attendance procedures shall be published in the College District catalog, official bulletins, and other appropriate publications.~~

| The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall develop procedures addressing attendance requirements, including procedures for all excused absences consistent with applicable law. The attendance procedures shall be published in the College District catalog, official bulletins, and other appropriate publications.

TUITION AND FEES

FD
(LOCAL)

Upon recommendation by the ~~[G head of district/college/ESC, initial upper case]~~Chancellor, tuition and fees shall be set annually by the Board and shall be published in the College District catalog and other appropriate publications.

The Board is responsible for establishing a tuition and fee structure that shall apply to eligible in-District Texas residents. Students who are out-of-District Texas residents or international out-of-state residents will be assessed an additional fee except as provided by the Texas Education Code. The Board shall designate a residence determination official for the College District. The legal residence of each applicant, for tuition purposes, shall be determined by the residence determination official in accordance with procedures for that purpose to comply with state law.

WAIVERS

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

1. The tuition and fee waivers the College District is required by law to grant; and
2. Any legally authorized tuition and fee waiver adopted by the Board.

COLLECTION OF TUITION AND FEES

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

INSTALLMENT PAYMENTS COLLECTION PROCEDURES

The ~~[G head of district/college/ESC, initial upper case]~~Chancellor is authorized to develop procedures for the collection of tuition and fees.

INCIDENTAL FEES

The Board may fix the rate of incidental fees to be paid by students and prospective students and may make rules for the collection of the fees and for the distribution of the funds so collected. The rate of an incidental fee shall reasonably reflect the actual cost to the College District of the materials or services for which the fee is collected. The Board shall publish in the catalog a description of the amount of each incidental fee.

CONTINUING EDUCATION COURSE FEES

The Board shall charge a reasonable fee to each person registered in a Continuing Education (CE) course at HCC. The Board shall set the fee in an amount sufficient to permit the College District to recover the costs of providing the course.

TUITION AND FEES

FD
(LOCAL)

STUDENT ACTIVITY FEES

The Board shall collect from registered students an activity fee of \$1.00 per credit hour each semester up to a maximum of \$12.00 to be used to support student activities that are separate and apart from the regularly scheduled academic functions of the College District and directly involve or benefit students.

OTHER STUDENT FEES, FINES AND CHARGES

The Board may collect fees or charges from students only as permitted by law. The College Operations Officer or appropriate official may initiate disciplinary proceedings against students who:

1. Refuse to pay or fail to pay a debt they owe to the College District
2. Give the College District a check, draft, or order with intent to defraud the College. A student's failure to pay the College District the amount due on a check, draft, or order on or before the tenth business day after the day the Business Office sends written notice that the drawee has rightfully refused payment on the check, draft, or order, is prima facie evidence that the student intended to defraud the College District.

Comment [v1]: D.2.2

REFUND POLICY

The College District shall 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 District catalog and in any other appropriate College District publication. Tuition and fees paid directly to the institution by a sponsor, donor, or scholarship shall be refunded to the source rather than directly to the student.

The Board shall designate a residence determination official for the College District. The legal residence of each applicant, for tuition purposes, shall be determined by the residence determination official in accordance with procedures adopted for that purpose to comply with state law.

The Board ensures that financial assistance is provided, to the extent available, to all students who demonstrate financial need and meet eligibility criteria for particular programs pursuant to state and federal law.

Formatted: Justified

Comment [v1]: D.3

The College District shall offer a comprehensive program of financial aid to eligible College District students. Information regarding available financial aid programs, program requirements, student eligibility, application procedures, and other relevant information shall be published in the College District catalog or other College District publications as appropriate.

FRAUD

Any person who knowingly and willfully embezzles, misapplies, steals, or who obtains funds by intentional misrepresentation, false statement or forgery, or who fails to refund any funds, assets or property provided or issued under Title IV shall be considered to have committed an act of fraud and is subject to penalties and/or fines as outlined in applicable federal guidelines.

Comment [v2]: D.3.1

If a student is suspected of committing fraud with respect to Title IV funds, an investigation will be conducted, and additional documentation may be requested and/or collected. Financial aid will be withheld from the student pending the outcome of the investigation.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV), AIDS, AIDS-Related Complex (ARC), leprosy, and tuberculosis.

For the purposes of this policy, the term "HIV infection" shall include AIDS, ARC, and a positive test for the antibody to HIV.

BASIS FOR ACTION	The College District's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the diseases, the risks of transmitting the illnesses to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternatives for responding to a student with a communicable disease.
NONDISCRIMINATION	The College District shall not discriminate in enrollment against any student solely on the ground that the student has a communicable disease. A member of the student body of the College District shall not be denied access to a College District facility, program, function, or campus activity solely on the grounds that the student has a communicable disease. The College District reserves the right to exclude a person with a communicable disease from College District facilities, programs, functions, and campus activities if the College District makes a medically based determination that the restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of the other members of the College District community.
PRIVACY	The College District shall comply with all pertinent statutes and regulations that protect the privacy of persons in the College District community who have a communicable disease. The College District shall ensure that procedural safeguards sufficient to maintain the strictest confidence about persons who have HIV infection are in effect throughout the College District.
EDUCATION PROGRAM ABOUT HIV INFECTION	The College District shall develop and maintain a comprehensive education program about HIV infection for members of the College District community. The program shall address current medical opinions about the nature of HIV infection and its symptoms, methods of transmission, types of behavior that increase the risk of transmission of the disease, and preventive measures for avoiding infection.
PUBLICATION	The College District's policy on HIV infection shall be made available to students by including it in the student handbook or other appropriate publications.

Note: This policy addresses discrimination, harassment, and retaliation targeting College District students. For the College District's response regarding discrimination, harassment, and retaliation targeting College District employees, see DIA.

STATEMENT OF
NONDISCRIMINATION

~~The Board supports and the College District is committed to providing a learning and working environment that promotes personal integrity, civility and mutual respect in an environment free of discrimination and harassment on the basis of race, color, religion, sex, gender identity and gender expression, national origin, age, disability, sexual orientation, or veteran status. The College District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, age, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.~~

Comment [v1]: HCC G.1

DISCRIMINATION

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, ~~sex, gender identity and gender expression~~, national origin, disability, age, ~~sexual orientation, veteran status~~ or on any other basis prohibited by law, that adversely affects the student.

PROHIBITED
HARASSMENT

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's ~~race, color, religion, sex, gender identity and gender expression, national origin, age, disability, sexual orientation, veteran status~~ ~~race, color, religion, gender, national origin, disability, age,~~ or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

EXAMPLES

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

SEXUAL HARASSMENT
BY AN EMPLOYEE

~~Sex discrimination includes all forms of sexual and gender-based misconduct. Sex discrimination violates an individual's fundamental rights and personal dignity. The College District is committed to the principle that the working environment of its employees and the classroom environment for students should be free from inappro-~~

appropriate conduct of a sexual or gender-based nature including sex discrimination, sexual assault, sexual harassment, and sexual violence by employees, students or third parties. Sexual and gender-based misconduct is unprofessional and will not be tolerated and is expressly prohibited. Individuals who engage in such conduct will be subject to disciplinary action.

Comment [v2]: G.1

Sexual harassment of a student by a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A College District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it limits or denies the student's ability to participate in or benefit from the College District's educational program.

BY OTHERS

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from the College District's educational program.

SEXUAL VIOLENCE

Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

EXAMPLES

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault; sexual battery; sexual coercion; and other sexually motivated conduct, communications, or contact.

Physical contact not reasonably construed as sexual in nature is not sexual harassment.

GENDER-BASED
HARASSMENT

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct limits or denies

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFD
(LOCAL)

	<p>a student's ability to participate in or benefit from the College District's educational program.</p>
EXAMPLES	<p>Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.</p>
RETALIATION	<p>The College District prohibits retaliation by a student or College District employee against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.</p>
EXAMPLES	<p>Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.</p>
FALSE CLAIMS	<p>A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action.</p>
PROHIBITED CONDUCT	<p>In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
REPORTING PROCEDURES	<p>Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a responsible employee <u>in accordance with the College District's reporting procedures. For prohibited conduct based on sexual and gender-based misconduct, including but not limited to sex discrimination, sexual assault, sexual harassment, and sexual violence by employees, students or third parties, the student shall immediately report the alleged acts in accordance with the College District's Title IX procedures and to the College District Officials identified in this policy.</u></p>
STUDENT REPORT	
EMPLOYEE REPORT	<p>Any College District employee who suspects and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate College District official listed in this policy and shall take any other steps required by this policy.</p>
EXCEPTIONS	<p>A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person shall</p>

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFD
(LOCAL)

not be required to disclose a report of prohibited conduct without the student's consent.

A person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source shall not be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student's identity without the student's consent, unless the person is disclosing information as required for inclusion in the College District's annual security report under the Clery Act [see GAC].

RESPONSIBLE
EMPLOYEE

For purposes of this policy, a "responsible employee" is an employee:

1. Who has the authority to remedy prohibited conduct.
2. Who has been given the duty of reporting incidents of prohibited conduct.
3. Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct.

The College District designates the following persons as responsible employees: any instructor, any administrator, or any College District official defined below.

DEFINITION OF
COLLEGE DISTRICT
OFFICIALS

For the purposes of this policy, College District officials are the ADA/Section 504 coordinator, the Title IX coordinator, Vice Chancellor of Student Services, Dean(s) of Student Services and Campus Police, and the ~~[G head of district/college/ESC, initial upper case]~~.

ADA / SECTION 504
COORDINATOR

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: ~~[C043]~~David Cross
Position: ~~[C044]~~Director of Institutional Equity
Address: ~~[C045]~~3100 Main Street, Houston, TX 77002
Telephone: ~~[C046]~~713-718-8271

TITLE IX
COORDINATOR

Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the Title IX coordinator. The College District designates the following person

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFD
(LOCAL)

to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: ~~{C039}~~ Renee Mack
Position: ~~{C040}~~ Manager of Institutional Equity, Compliance and Training
Address: ~~{C041}~~ 3100 Main Street, Houston, TX 77002
Telephone: ~~{C042}~~ 713-718-8272

OTHER ANTI-DISCRIMINATION LAWS

The ~~{G head of district/college/ESC, initial upper case}~~ Director of Institutional Equity or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.

ALTERNATIVE REPORTING PROCEDURES

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator or the Title IX coordinator, may be directed to the ~~{G head of district/college/ESC, initial upper case}~~ Chancellor.

A report against the ~~{G head of district/college/ESC, initial upper case}~~ Chancellor or Board member may be made directly to the Board Chair. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.

INVESTIGATION OF THE REPORT

~~Reports of prohibited conduct under this policy shall be investigated by the Office of Institutional Equity ("OIE"), and any required interim actions shall be taken in accordance with the College District procedures and guidelines maintained by OIE.~~

~~The College District may request, but shall not require, a written report. If a report is made orally, the College District official shall reduce the report to written form.~~

INITIAL ASSESSMENT

~~Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, except as provided below at CRIMINAL INVESTIGATION.~~

INTERIM ACTION

~~If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College~~

COLLEGE DISTRICT INVESTIGATION	<p>District shall promptly take interim action calculated to address prohibited conduct prior to the completion of the College District's investigation.</p> <p>The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College District's policy and procedures.</p>
CRIMINAL INVESTIGATION	<p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p> <p>If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation.</p>
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College District to delay its investigation, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p>
NOTIFICATION OF THE OUTCOME	<p>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</p> <p>The College District shall provide written notice of the outcome, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the victim and the person against whom the complaint is filed.</p>
COLLEGE DISTRICT ACTION PROHIBITED CONDUCT	<p>If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College District policy and procedures [see FM and FMA].</p>

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFD
(LOCAL)

CORRECTIVE ACTION	Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the College District community, counseling for the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the College District's policy against discrimination and harassment.
EXCEPTION	The College District shall minimize attempts to require a student who complains of sexual harassment to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner. Mediation shall not be used to resolve sexual harassment complaints.
IMPROPER CONDUCT	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.
CONFIDENTIALITY	To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
APPEAL	A student who is dissatisfied with the outcome of the investigation may appeal through FLD(LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.
RECORDS RETENTION	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
ACCESS TO POLICY, PROCEDURES, AND RELATED MATERIALS	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in major College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to a student who makes a report.

Note: This policy addresses bullying targeting College District students. For provisions regarding discrimination and harassment targeting College District students, see FFD.

BULLYING PROHIBITED	The College District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.
DEFINITIONS BULLYING	Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on College District property, at a College District-sponsored or College District-related activity, or in a vehicle operated by the College District and that: <ol style="list-style-type: none">1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or2. Is so sufficiently severe, persistent, and pervasive that the action or threat limits or denies a student's ability to participate in or benefit from the College District's educational program.
EXAMPLES	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor spreading, or ostracism.
RETALIATION	The College District prohibits retaliation by a student or College District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
EXAMPLES	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
FALSE CLAIM	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding bullying or retaliation as defined by this policy shall be subject to appropriate disciplinary action.
TIMELY REPORTING	Reports of bullying or retaliation shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.

REPORTING PROCEDURES	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to an instructor, counselor, administrator, or other College District employee <u>the Dean of Student Services or the Office of Institutional Equity.</u>
STUDENT REPORT	
EMPLOYEE REPORT	Any College District employee who suspects or receives notice that a student or group of students has or may have experienced bullying or retaliation shall immediately notify the [C051] <u>Office of Institutional Equity.</u>
REPORT FORMAT	A report may be made orally or in writing. The [C051] or designee <u>The recipient of the report</u> shall reduce any oral reports to written form.
PROHIBITED CONDUCT	The [C051] Dean of Student Services, or if the report is made to the Office of Institutional Equity, or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFD, including harassment or discrimination on the basis of <u>race, color, religion, sex, gender identity and gender expression, national origin, age, disability, sexual orientation, or veteran status</u> race, color, religion, gender, national origin, disability, or age . If so, the College District shall proceed under policy FFD instead. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFD shall include a determination on each type of conduct.
INVESTIGATION OF THE REPORT	The [C051] or designee shall conduct an appropriate investigation based on the allegations in the report. The [C051] or designee shall promptly take interim action calculated to prevent bullying or retaliation, as defined by this policy, during the course of an investigation, if appropriate. Reports of prohibited conduct under this policy shall be investigated by the Office of Institutional Equity ("OIE"), and any required interim actions shall be taken in accordance with the College District procedures and guidelines maintained by the Office of Institutional Equity.
CONCLUDING THE INVESTIGATION	Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the initial report alleging bullying or retaliation, as defined by this policy; however, the [C051] or designee shall take additional time if necessary to complete a thorough investigation. The [C051] or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying or retaliation, as defined by this policy, occurred. A copy of

	<p>the report shall be sent to the [G head of district/college/ESC, initial upper case] or designee.</p>
COLLEGE DISTRICT ACTION	<p>If the results of an investigation indicate that bullying or retaliation as defined by this policy occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p>
CORRECTIVE ACTION	<p>Examples of corrective action may include implementing a training program for the individuals involved in the complaint, implementing a comprehensive education program for the College District community, conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where bullying or retaliation has occurred, and reaffirming the College District's policy against bullying and retaliation.</p>
IMPROPER CONDUCT	<p>If the investigation reveals improper conduct that did not rise to the level of bullying or retaliation as defined by this policy, the College District may take disciplinary or any other appropriate corrective action.</p>
CONFIDENTIALITY	<p>To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p>
APPEAL	<p>A student who is dissatisfied with the outcome of the investigation may appeal through FLD(LOCAL), beginning at the appropriate level.</p>
RECORDS RETENTION	<p>Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]</p>
ACCESS TO POLICY AND PROCEDURES	<p>Information regarding this policy and accompanying procedures shall annually be made available to College District employees and students and shall be published on the College District's website. Copies of the policy and procedures shall be readily available at the College District's administrative offices.</p>

SOLICITATIONS

FI
(LOCAL)

“STUDENT SOLICITATION”

As used in this policy, “student solicitation” shall 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 a student or registered student organization.

LIMITATIONS ON SOLICITATION

Student solicitation shall be permitted in or on premises owned or controlled by the College District only if the solicitation does not violate a sole-source vendor contract clause and the solicitation is:

1. The sale or offer for sale of any newspaper, magazine, or other publication in an area designated in advance by the ~~[C position approving student solicitation]~~ College President for the conduct of such activity;
2. The sale or offer for sale of any food or drink item in an area designated in advance by the ~~[C position approving student solicitation]~~ College President or a designated representative for the conduct of such activity;
3. The collection of membership fees or dues by registered student organizations at meetings of such organizations scheduled in accordance with the College District’s regulations on use of facilities; [See FLAA]
4. The collection of admission fees for the exhibition of movies, performances, or other programs that are sponsored by a student or registered student organization and are scheduled in accordance with College District regulations; or
5. The sale of raffle tickets by a registered student organization that can present to the ~~[C position approving student solicitation]~~ College President written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under 26 U.S.C. 501(c)(3), Internal Revenue Code.

No solicitation shall be conducted on the grounds, sidewalks, or streets of any property either owned or controlled by the College District, except as approved by the ~~[C position approving student solicitation]~~ College President.

TIME LIMIT

No organization shall solicit under this policy for more than a total of 14 days, whether continuous or intermittent, during each fiscal year.

USE OF COLLEGE DISTRICT NAME

Only authorized students or registered student organizations shall be allowed to sponsor and engage in solicitation and/or fund-raising activities under the name of the College District. All such activities shall be compatible with the mission and objectives of the College District and shall be approved by the ~~[C position approving~~

SOLICITATIONS

FI
(LOCAL)

~~student solicitation~~ Chancellor or designee in accordance with procedures developed for that purpose.

CONDUCT DURING SOLICITATION

Solicitation made pursuant to the terms of this policy must be conducted according to the following:

1. The solicitation shall not disturb or interfere with the regular academic or institutional programs being conducted in buildings or on property owned or controlled by the College District.
2. The solicitation shall 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 shall not harass, embarrass, or intimidate the person or persons being solicited.

SANCTIONS

If a student or registered student organization is alleged to have violated this policy, the student or organization shall be subject to a reasonable investigation conducted by the Dean of Student Services ~~[C position approving student solicitation]~~.

If the ~~[C position approving student solicitation]~~ Dean of Student Services determines that a solicitation is being conducted in a manner violating this policy, the ~~[C position approving student solicitation]~~ College President may prohibit the offending student or registered student organization from soliciting on the campus for such period or periods of time determined to be appropriate.

A student determined to be in violation of this policy shall be subject to disciplinary measures as described in policies FM₁ and FMA and FLB (Local). In the case of a registered student organization, the ~~[C position approving student solicitation]~~ Chancellor or designee may revoke the registered status of the organization in accordance with policy FKC.

STUDENT RECORDS

FJ
(LOCAL)

COMPREHENSIVE SYSTEM

The ~~[C head of district/college/ESC, initial upper case]~~ Chancellor shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the College District program operation and shall ensure through reasonable procedures that records are accessed by authorized persons only, as allowed by this policy. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for utilization by authorized school officials.

CUSTODIANS OF RECORDS

The ~~[C custodian of records for currently enrolled]~~ Registrar is custodian of all records for currently enrolled students and for all official academic records. ~~The [C custodian of records for academic status] is custodian of academic status records. The [C custodian of all other student records] is custodian of all other records.~~ The addresses for the custodians of student records shall be included in the Annual Notice of Student Rights under 20 U.S.C. 1232g.

TYPES OF EDUCATION RECORDS

Each record custodian shall be responsible for the education records of the College District. These records may include:

1. Admissions data and personal and family data.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. Attendance record.
5. Records of faculty, counselors, or administrative conferences with the student or pertaining to the student.
6. Disciplinary records, including scholastic disciplinary actions.
7. Copies of correspondence with parents and others concerned with the student.
8. Records transferred from secondary schools and other post-secondary institutions in which the student has been enrolled.
9. Records pertaining to participation in student activities including academic awards or recognition by the College District.
10. Information relating to student participation in special programs.
11. Records of tuition and fees paid and outstanding.
12. Financial aid records.
13. Job placement records.

14. Scholarships or other financial awards.
15. Records pertaining to student complaints.
16. Other records that may contribute to understanding of the student.

REQUEST
PROCEDURES

The College District shall make a student's records available to the student. The records custodian or designee shall use reasonable procedures to verify the requestor's identity before disclosing student records containing personally identifiable information.

Records may be reviewed in person during regular business hours without charge upon written request to the records custodian. For in-person viewing, the records custodian or designee shall be available to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times. Records to be viewed shall be restricted to use only ~~in the [G head of district/college/ESC, initial upper case]'s office or other~~ a restricted area designated by the records custodian. The original copy of the record or any document contained in the comprehensive record shall not be removed from the school.

Copies of records must be requested in writing and shall be available at a per copy cost, payable in advance. Financial hardship cases shall be dealt with on an individual basis. A student may be denied copies of records if he or she fails to follow proper procedures or pay the copying charge.

DIRECTORY
INFORMATION

Directory information shall be released to a qualified individual or organization that files a written request with the ~~[G head of district/college/ESC, initial upper case]~~ Chancellor or designee.

The College District shall give public notice of the categories of information designated as directory information; whether the disclosure of directory information will be limited to specific parties, for specific purposes, or both; and the period of time after such notice for a student to inform the College District that any or all of the directory information should not be released without prior consent.

ACCESS BY SCHOOL
OFFICIALS

A school official shall be allowed access to student records if he or she has a legitimate educational interest in the records.

For the purposes of this policy, "school officials" shall include:

1. An employee, Board member, or agent of the College District, including an attorney, a consultant, a contractor, a volunteer and any outside service provider used by the College District to perform institutional services.

2. A person serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

All contractors provided with student records shall follow the same rules as employees concerning privacy of the records and shall return the records upon completion of the assignment.

A school official has a "legitimate educational interest" in a student's records when he or she is:

1. Working with the student;
2. Considering disciplinary or academic actions, the student's case, or services for a student with disabilities;
3. Compiling statistical data;
4. Reviewing an education record to fulfill the official's professional responsibility; or
5. Investigating or evaluating programs.

ACCESS BY PARENTS

The College District may disclose educational records to a student's parent without the student's consent under circumstances specified in law. [See FJ(LEGAL)] A qualified parent shall be subject to the provisions of the REQUEST PROCEDURES, above.

TRANSCRIPTS AND
TRANSFERS OF
RECORDS

The College District may request transcripts from previously attended schools for students transferring into the College District; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the student.

For purposes of a student's enrollment or transfer, the College District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll or enrolls. The College District may return an education record to the school identified as the source of the record.

PROCEDURE TO
AMEND RECORDS

Within 15 College District business days of the record custodian's receipt of a request to amend records, the College District shall notify the student in writing of its decision on the request and, if the request is denied, of his or her right to a hearing. If a hearing is requested, it shall be held within ten College District business days after the request is received.

Students shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The student shall

be given a full and fair opportunity to present evidence, and at his or her own expense, may be assisted or represented at the hearing.

The student shall be notified of the decision in writing within ten College District business days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the student shall be informed that he or she has 30 College District business days within which to exercise his or her right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the College District's decision.

STUDENT ACTIVITIES

FK
(LOCAL)

| The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall develop procedures regarding the sponsorship or sanction of student activities and related requirements consistent with the mission and objectives of the College District.

ATHLETICS

| The ~~[G head of district/college/ESC, initial upper case]~~Chancellor shall ultimately be responsible for, and shall exercise administrative and fiscal control over, the College District's intercollegiate athletics program.

The College District shall serve as the depository and fiscal agent for all registered student organizations. [See FKC] The ~~[G head of district/college/ESC, initial upper case]~~Chancellor -or designee shall develop procedures for the budgeting and accounting for income and expenditures of each organization's funds.

STUDENT ACTIVITIES
REGISTERED STUDENT ORGANIZATIONS

FKC
(LOCAL)

The Board encourages students to organize and join associations to promote their common interests. To that end, the College District supports equal opportunities for all students to participate in courses, activities, and programs without regard to race, color, religion, gender identity and gender expression, national origin, age, veteran's status, sex, sexual orientation, or disability. Recognition of student groups' shall not be denied based on the views expressed by the group.

Comment [v1]: D.4.2

An organization in which membership is limited to students, staff, and faculty may become a registered student organization by complying with the registration procedures established by the ~~[C position approving registered student orgs]~~ Vice Chancellor of Student Services.

Registered student organizations shall abide by College District policies and procedures and applicable law. Registered status shall not imply that the College District endorses a student organization's opinions and activities.

REGISTRATION
REQUIRED

An eligible group of students shall be entitled to register as a student organization. Approval for registration of an organization on any one campus or center shall be effective College Districtwide.

ELIGIBILITY

A group shall be eligible for registration if:

1. Its membership consists of seven or more students.
2. It does not deny membership to anyone on the basis of sex, disability, age, color, race, nationality, or religion.
3. It has an advisor who is a member of the faculty or the staff.
4. It is not under a disciplinary penalty prohibiting registration.
5. It conducts its affairs in accordance with College District policies, procedures, rules, and regulations; as well as with local, state, and federal laws.
6. Its membership is limited only to students, staff, and faculty of the College District.

REJECTION OF
APPLICATION

If the ~~[C position approving registered student orgs]~~ Vice Chancellor of Student Services does not approve the application for registration, he or she shall provide the applicant with a copy of a written statement of the reasons for refusal, and the applicant may appeal to the ~~[G head of district/college/ESC, initial upper case]~~ Chancellor.

The ~~[G head of district/college/ESC, initial upper case]~~ Chancellor may take one of the following actions:

STUDENT ACTIVITIES
REGISTERED STUDENT ORGANIZATIONS

FKC
(LOCAL)

1. Affirm the ~~[C position approving registered student orgs]'~~Vice Chancellor of Student Services' decision.
 2. Reverse the ~~[C position approving registered student orgs]~~Vice Chancellor of Student Service's' decision.
 3. Appoint a committee to conduct a hearing and report its findings to the applicant and the ~~[G head of district/college/ESC, initial upper case]~~Chancellor, who shall then take final action.
- The ~~[G head of district/college/ESC, initial upper case]~~Chancellor's decision ~~may be appealed to the Board's final.~~

RIGHTS AND DUTIES

Each registered student organization shall adopt a written charter, constitution, or other governing document. A copy shall be filed with the College District.

A registered student organization may conduct meetings, events, performances, and similar activities in accordance with College District facilities use policies and procedures. [See FLAA] The organization shall not advertise, promote, or represent that an event or activity is associated with the College District unless prior approval is obtained in accordance with applicable procedures. [See FK]

A registered student organization may distribute written or printed materials or other visual or auditory materials in accordance with College District literature distribution policies and procedures. [See FLA] The organization may not represent that visual or auditory materials are sponsored by the College District unless prior approval is obtained in accordance with applicable procedures. [See FKA]

In accordance with state law, officers of a registered student organization shall attend a risk management program provided by the College District.

REQUIRED
SUBMISSIONS

Each registered student organization shall submit the following:

1. At the beginning of each semester, a complete list of officers or other representatives of the organization who are authorized to receive official notices, directives, or information from the College District on behalf of the organization. The list shall be kept current and accurate by the organization.
2. At the beginning of each semester, an affidavit stating that the organization or group does not, and will not, accept any member who is not a student or a member of the faculty or staff of the College District.

STUDENT ACTIVITIES
REGISTERED STUDENT ORGANIZATIONS

FKC
(LOCAL)

3. A financial statement form supplied by the business office to be filed on the first workday of July and January.

LOSS OF
REGISTRATION

Upon written notice, a student organization's registered status may be revoked by the ~~[C position approving registered student orgs]~~Vice Chancellor of Student Services if it:

1. No longer meets the eligibility requirements; or
2. Violates College District policies and procedures or local, state, or federal law.

A student organization whose registered status has been revoked may appeal to the ~~[C head of district/college/ESC, initial upper case]~~Chancellor, who may take appropriate action regarding the issue. ~~If the organization is not satisfied with the decision, it may appeal that decision to the Board.~~

A student organization whose registered status has been revoked shall be prohibited from reapplying for registered status for a period described in the revocation notice. The prohibition shall be for a period of not less than four months following the date of the notice and may be permanent. The revocation shall be effective College Districtwide.

DISCIPLINARY
VIOLATIONS

In addition to the revocation of registered status, violations of College District policies and procedures or local, state, or federal law shall subject the student organization and its individual members to disciplinary action in accordance with policies FM and FMA.

STUDENT ACTIVITIES |
STUDENT TRAVEL

FKD
(LOCAL)

The Board supports and promotes student travel for educationally related activities. This policy does not apply to purely social or optional events organized by a registered student organization or an optional course activity recommended by a faculty member.

Comment [v1]: D.3

ADOPTED:

1 of 1

FKD(LOCAL)-AJC |

STUDENT RIGHTS AND RESPONSIBILITIES
SEX OFFENDER REGISTRATION

FL
(LOCAL)

SEX OFFENDER
REVIEW COMMITTEE

The Board promotes and the College District provides an educational, employment, and business environment free of sexual harassment.

The Texas Code of Criminal Procedure requires each person who is required to register as a sex offender, and who intends to attend classes at HCC to register with HCC's Police Department at least seven (7) days prior to reporting to any System location. (See FL)

A convicted sex offender seeking to enroll at the College District must submit information pertinent to his or her offenses to HCC's Sex Offender Review Committee for a determination of eligibility for enrollment. A person seeking to be enrolled as a student must first be approved by the committee before completing the registration process.

The procedure and responsibilities for the HCC Sex Offender Review Committee shall be maintained by Student Services.

ADOPTED:

1 of 1

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION

FLA
(LOCAL)

STUDENT
COMMUNICATIONS

The Board promotes the free exchange of ideas and information throughout the colleges and provides equal treatment and educational opportunities to all persons without regard to race, color, religion, gender identity and gender expression, national origin, age, disability, sex, sexual orientation, or veteran status. Any student who engages in any act of unlawful discrimination will be subject to discipline by the College District, up to and including expulsion.

Comment [v1]: D.4.1

DISTRIBUTION OF
LITERATURE

The Board supports and recognizes students' right to learn. These rights include: freedom of inquiry, freedom of expression and other First Amendment rights. No person or organization may distribute on College District property one or more petitions, handbills, or pieces of literature that are obscene or libelous. Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any College District student or registered student organization [see FKC], except in accordance with this policy.

Comment [v2]: D.4.4

The College District shall not be responsible for, nor shall the College District endorse, the contents of any nonschool literature distributed by students or registered student organizations.

Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be considered nonschool literature and shall not be governed by this policy.

[For distribution of nonschool literature by nonstudents and organizations that are not registered student organizations, see GF]

The responsibility of the student in exercising their freedom of expression rights and complying with the contents of this policy is detailed in the Student Handbook.

LIMITATIONS ON
CONTENT

Nonschool literature shall not be distributed by students or registered student organizations on College District property if:

1. The materials are obscene.
2. The materials contain defamatory statements about public figures or others.
3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
4. The materials are considered prohibited harassment. [See DIA and FFD]

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION

FLA
(LOCAL)

5. The materials constitute nonpermissible solicitation. [See FI]
6. The materials infringe upon intellectual property rights of the College District. [See CT]

TIME, PLACE, AND
MANNER
RESTRICTIONS

The ~~[C-position approving student expression]~~Vice Chancellor of Student Services shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed by students or registered student organizations to students or others at College District facilities.

Distribution of the nonschool literature shall be conducted in a manner that:

1. Is not disruptive [see FLB];
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not coerce, badger, or intimidate a person;
5. Does not interfere with the rights of others; and
6. Does not violate local, state, or federal laws or College District policies and procedures.

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

POSTING OF
SIGNS

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

Except for signs that violate the limitations on content, as described above, a student or registered student organization may publicly post a sign on College District property in areas or locations designated by the ~~[C-position approving student expression]~~Vice Chancellor of Student Services. No object other than a sign may be posted on College District property.

Before publicly posting a sign, a student or registered student organization shall:

1. Deliver a copy, photograph, or description of the sign to be posted.
2. Give notice of the following information:

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION

FLA
(LOCAL)

- a. The name of the student or registered student organization and, if an organization, the name of its advisor;
 - b. The proposed general location for posting the sign;
 - c. The length of time the sign will be posted; and
 - d. The signature of the student or, if a registered student organization, the signature of its authorized representative and the signature of its advisor.
3. Place the date of posting on each sign posted.

RESTRICTIONS | A sign shall not be larger than 22 inches by 28 inches, unless authorized by the ~~[C-position approving student expression]~~Vice Chancellor of Student Services. A sign shall not be attached or posted:

1. To a shrub or plant;
2. To a tree, except by string to its trunk;
3. To a permanent sign installed for another purpose;
4. To a fence or chain or its supporting structure;
5. To a brick, concrete, or masonry structure;
6. To a statue, monument, or similar structure;
7. On or adjacent to a fire hydrant;
8. On or between a curb and sidewalk; or
9. In a College District building, except on a bulletin board designated for that purpose.

REMOVAL | A student or registered student organization shall remove each sign not later than 14 days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended.

A sign posted in accordance with this section shall not be removed without permission from the ~~[C-position approving student expression]~~Vice Chancellor of Student Services, the student, or the registered student organization.

DISCLAIMER | Literature distributed by a registered student organization must include a disclaimer indicating that the literature is not sponsored by the College District and does not represent the views of the College District or College District officials, faculty, or staff.

IDENTIFICATION

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION

FLA
(LOCAL)

	Students or registered student organizations distributing materials on campus shall provide identification when requested to do so by a College District representative.
VIOLATIONS OF POLICY	Failure to comply with the policy and procedures regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials, suspension of a student's or registered student organization's use of College District facilities, and/or other disciplinary action in accordance with the College District's discipline policies and procedures [see FM and FMA].
APPEALS	Decisions made by the administration in accordance with this policy may be appealed in accordance with FLD(LOCAL).

REQUESTS	<p>The grounds and facilities of the College District shall be made available to students or registered student organizations [see FKC] when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting student or student organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the {C position developing fee sch for facilities use}<u>Chancellor</u>.</p> <p>To request permission to meet on College District premises, interested students or registered student organizations shall file a written request with the {C position approving student use of facilities}<u>College President</u> in accordance with administrative procedures.</p> <p><u>For students requesting authorization to serve alcohol on College District premises, see GFAB (LOCAL). The student requestor or registered student organization shall ensure the event is sponsored by a College District responsible employee (i.e. Dean, faculty member, Vice Chancellor).</u></p>
APPROVAL	<p>The students or the registered student organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.</p> <p>The {C position approving student use of facilities}<u>College President</u> shall approve or reject the request in accordance with provisions of and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.</p> <p>Approval shall not be granted when the official has reasonable grounds to believe that:</p> <ol style="list-style-type: none">1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;3. The proposed use includes nonpermissible solicitation [see FI];4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;

5. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
6. The proposed activity would disrupt or disturb the regular academic program;
7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The ~~[C position approving student use of facilities]~~ College President shall provide the applicant a written statement of the grounds for rejection if a request is denied.

ANNOUNCEMENTS
AND PUBLICITY

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

IDENTIFICATION

Students or registered student organizations using College District facilities shall provide identification when requested to do so by a College District representative.

VIOLATIONS

Failure to comply with the policy and procedures regarding student use of College District facilities shall result in appropriate administrative action, including but not limited to, suspension of a student's or a registered student organization's use of College District facilities and/or other disciplinary action in accordance with the College District's discipline policies and procedures [see FM and FMA].

APPEALS

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

[For distribution of literature, see FLA]

The Board views college-level students as adults who subscribe to a basic standard of conduct, which requires that they not violate any municipal, state or federal laws. Furthermore, no student may disrupt or otherwise interfere with any educational activity or fellow students' right to pursue academic goals to the fullest in an atmosphere appropriate to a community of scholars.

Any student failing to abide by appropriate standards of conduct during scheduled College District activities may be subject to disciplinary action. Students suspected of violating the Student Code of Conduct will be subject to the disciplinary process. Students have the right to due process. Violations of the Student Code of Conduct include, but are not limited to, infractions related to bullying, smoking, drug-free school, scholastic dishonesty, misuse of electronic devices, disruptive behavior, threatening behavior, organizational discipline, and general student conduct. For detailed information regarding violations of the Student Code of Conduct and the disciplinary and appeal process and penalties, consult the Student Code of Conduct and Discipline Procedures.

Comment [v1]: D.4.6.1

DEFINITIONS

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

“STUDENT”

A “student” shall mean one who is currently enrolled in the College District. These policies and regulations shall also apply to any prospective or former student who has been accepted for admission or readmission to any component institution while he or she is on the premises of any component institution.

“PREMISES”

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

“SCHOLASTIC DISHONESTY”

“Scholastic dishonesty” shall include, but not be limited to, cheating, plagiarism, and collusion.

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

1. Copying from another student’s test or class work;
2. Using test materials not authorized by the person administering the test;
3. Collaborating with or seeking aid from another student during a test without permission from the test administrator;
4. Knowingly using, buying, selling, stealing, or soliciting, in whole or in part, the contents of an unadministered test, paper, or another assignment;

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT, DISCIPLINE AND PENALTIES

FLB
(LOCAL)

5. The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test;
6. Substituting for another student, or permitting another student to substitute for one's self, to take a test;
7. Bribing another person to obtain an unadministered test or information about an unadministered test; or
8. Manipulating a test, assignment, or final course grades.

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

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

Scholastic dishonesty shall also include fraud, unethical conduct, or intentional misconduct by administrators, faculty, staff or students, including but not limited to the falsification or unauthorized altering of information of a student record (including information in an official student information system).

"DISORDERLY
CONDUCT"

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

1. Behavior of a boisterous and tumultuous character such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
2. Interference with the peaceful and lawful conduct of persons under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
3. Violent and forceful behavior at any time such that there is a clear and present danger that free movement of other persons will be impaired.
4. Behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or fights.
5. Violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
6. Willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to

STUDENT RIGHTS AND RESPONSIBILITIES
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participate effectively in such assembly or meeting when there is reason to believe that such conduct will cause or provoke a disturbance.

7. Willful and malicious behavior that obstructs or causes the obstruction of any doorway, hall, or any other passageway in a College District building to such an extent that the employees, officers, and other persons, including visitors, having business with the College District are denied entrance into, exit from, or free passage in such building.

RESPONSIBILITY

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

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

Demonstrate courtesy, even when others do not;

Behave in a responsible manner, always exercising self-discipline;

Attend all classes, regularly and on time;

Prepare for each class and take appropriate materials and assignments to class;

Obey all classroom rules;

Respect the rights and privileges of students, faculty, and other College District staff and volunteers;

Respect the property of others, including College District property and facilities; and

Cooperate with and assist the College District staff in maintaining safety, order, and discipline.

PROHIBITED
CONDUCT

~~The following behavior shall be prohibited:~~ In addition to activities prohibited by law (See FLB), the following types of behavior shall be prohibited:

FEDERAL, STATE,
AND LOCAL LAW

1. Violations of federal, state, or local law or College District policies, procedures, or rules, including the student handbook and/or Student Code of Conduct and Discipline Procedure.

PROHIBITED
WEAPONS

2. Possession, distribution, sale, or use of firearms or other prohibited weapons without prior approval. [See FLBF]

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT, DISCIPLINE AND PENALTIES

FLB
(LOCAL)

DRUGS AND
ALCOHOL

3. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of a drug or narcotic, as those terms are defined by the Texas Controlled Substances Act, or other prohibited substances described in FLBD, unless under the direction of a physician.
4. The use, possession, control, manufacture, transmission, or sale of paraphernalia related to any prohibited substance.
5. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of alcohol or other intoxicating beverage without the permission of the College District.

DEBTS

6. Owing a monetary debt to the College District that is considered delinquent or writing an "insufficient funds" check to the College District. Appropriate personnel at a College District may be designated by College District officials to notify students of dishonored checks, library fines, nonpayment of loans, and similar debts. Such personnel may temporarily block admission or readmission of a student until the matter is resolved. If the matter is not settled within a reasonable time, such personnel shall refer the matter to the Senior Vice Chancellor for Finance & Administration for appropriate action. Such referral does not prevent or suspend proceeding with other appropriate civil or criminal remedies by College District personnel.

DISRUPTIONS

7. "Disorderly conduct," as defined above, or disruptive behavior.

BEHAVIOR
TARGETING
OTHERS

8. Threatening another person, including a student or employee.
9. Intentionally, knowingly, or negligently causing physical harm to any person.
10. Engaging in conduct that constitutes harassment, including sexual harassment and sexual misconduct, bullying, or dating violence directed toward another person, including a student or employee. [See DIA, FFD, and FFE as appropriate]
11. Hazing with or without the consent of a student. [See FLBC]
12. Initiations by organizations that include features that are dangerous, harmful, or degrading to the student, a violation of which also renders the organization subject to appropriate discipline.
13. Endangering the health or safety of members of the College District community or visitors to the premises.

PROPERTY

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT, DISCIPLINE AND PENALTIES

FLB
(LOCAL)

- 14. Intentionally, knowingly, or negligently defacing, damaging, misusing, or destroying College District property or property owned by others.
- 15. Stealing from the College District or others.
- DIRECTIVES 16. Failure to comply with directives given by College District personnel.
- 17. Failure to provide identification when requested to do so by College District personnel.
- TOBACCO 18. Possession or use of tobacco products on College District premises without authorization.
- MISUSE OF TECHNOLOGY 19. Violating policies, rules, or agreements signed by the student regarding the use of technology resources.
- 20. Attempting to access or circumvent passwords or other security-related information of the College District, students, or employees or uploading or creating computer viruses.
- 21. Attempting to alter, destroy, or disable College District technology resources including but not limited to computers and related equipment, College District data, the data of others, or other networks connected to the College District's system.
- 22. Using the Internet or other electronic communications to threaten or harass College District students, employees, or volunteers.
- 23. Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- 24. Using e-mail or websites to engage in or encourage illegal behavior or threaten the safety of the College District, students, employees, or visitors.
- 25. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten the safety of the College District, students, employees, or visitors.
- DISHONESTY 26. Scholastic dishonesty, as defined above.
- 27. Making false accusations or perpetrating hoaxes regarding the safety of the College District, students, employees, or visitors.
- 28. Intentionally or knowingly providing false information to the College District.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT, DISCIPLINE AND PENALTIES

FLB
(LOCAL)

	29. Intentionally or knowingly falsifying records, passes, or other College District-related documents.
GAMBLING	30. Gambling.
OTHER CONDUCT	<u>31.</u> Engaging in any conduct that College District officials might reasonably believe will substantially disrupt the College District program or incite violence <u>including offenses outlined in the Student Code of Conduct and Discipline Procedures.</u>
DISCIPLINE	<p>A student shall be subject to discipline, including suspension, in accordance with FM and FMA <u>and the Student Code of Conduct and Discipline Procedures.</u> if the student violates this policy:</p> <ol style="list-style-type: none">1. While on College District premises;2. While attending a College District activity; or<u>3.</u> While elsewhere if the behavior adversely impacts the educational environment or otherwise interferes with the College District's operations or objectives. <p><u>A "violation" means an act or omission that is contrary to a published College District regulation, procedure, handbook, rule, or policy.</u></p>
PUBLICATION	<p>The student conduct rules contained in this policy and any other conduct rules of the College District developed by the {G-head of district/college/ESC, initial upper case} <u>Chancellor</u> shall be published in the student handbook <u>and/or the Student Code of Conduct and Discipline Procedures.</u></p>
<u>PENALTIES FOR STUDENT MISCONDUCT</u>	<p><u>A student shall be subject to discipline for violations of College District policies and procedures, including the Student Code of Conduct and Discipline Procedures. If a student commits an infraction or engages in misconduct, the College District may impose one or more of the following penalties:</u></p> <ol style="list-style-type: none"><u>1. Warning - A verbal or written warning to the student following a rule violation. Repetition of such misconduct may result in more severe disciplinary action.</u><u>2. Restitution - Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.</u><u>3. Scholastic penalties –</u>

- a. Withholding of Transcript or Degree: Imposed upon a student who fails to pay a debt owed the college or who has a disciplinary case pending final disposition. The penalty terminates on payment of the debt or final disposition of the case.
 - b. Denial of Degree: Imposed on a student found guilty of scholastic dishonesty and can be imposed for any length of time, up to and including permanent denial.
 - c. Revocation of Degree: A degree awarded may be revoked if the College District becomes aware that the degree should not have been granted or that such as a degree that was obtained by violating the Student Code of Conduct or by deception, misrepresentation, falsification of records, or other academic misconduct. [See EFBB]
4. Disciplinary Probation - The placing of a student on notice that continued infraction of regulations may result in suspension or expulsion from the College District. Disciplinary probation may include restrictions on a student's rights and privileges or required counseling. Disciplinary probation can be imposed for any length of time up to one calendar year and the student will be automatically removed from probation when the imposed period expires. Failure to fulfill the terms of the probation may lead to suspension or expulsion.
5. Suspension :
- a. From the College: Forced withdrawal from the College District for any length of time up to one calendar year. Suspension prohibits, during the period of suspension, the student from being initiated into an honorary or service organization; from entering the College campus except in response to an official summons; and from registering, either for credit or for non-credit, for scholastic work at or through the college.
 - b. Of Rights and Privileges: Limitations or restrictions to fit the particular case.
 - c. From Activities: The student is prohibited from joining a registered student organization, taking part in a registered student organization's activities or attending its meetings or functions, or participating in an official co-curricular activity. Such suspension can be imposed for any length of time up to one calendar year.

6. Expulsion - Permanent forced withdrawal from the College District. A student receiving disciplinary expulsion shall have the action noted in the student's permanent record.

SUSPENDED OR
EXPELLED
STUDENTS

No former student who has been suspended or expelled from the College District for disciplinary reasons shall be permitted on the campus or other facilities of the College District, initiated into an honorary or service organization, or permitted to receive credit for academic work done in residence or by correspondence or extension during the period of suspension or expulsion without the prior written approval of the Chancellor or a designated representative.

DISCIPLINARY
RECORD

The College District shall maintain for every student alleged or determined to have committed misconduct at the College District, a disciplinary record that shall reflect the charge, the disposition of the charge, the sanction assessed, if any, and any other pertinent information. The disciplinary record shall be separate from the student's academic record and shall be treated as confidential; the contents shall not be revealed except on request of the student or in accordance with applicable state or federal laws.

The disciplinary record shall be maintained permanently in the event that a student is expelled or subject to an extended suspension. In all other cases, the disciplinary record shall be maintained in accordance with the College District's record retention schedule.

ALCOHOL

A student shall be prohibited from using or being under the influence of intoxicating beverages in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas. With the prior consent of the Board or the Board's designee, the provisions herein may be waived with respect to any specific event that is sponsored by the College District. State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

CONTROLLED
SUBSTANCES

No student shall possess, use, transmit, or attempt to possess, use, or transmit, or be under the influence of, any of the following substances on College District premises or off premises at a College District-sponsored activity, function, or event:

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

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

EXCEPTION

A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use shall not be considered to have violated this rule.

VIOLATION

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

NOTICE

Each student taking one or more classes for any type of academic credit except for continuing education units shall be given a copy of the College District's policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol, a description of the

applicable legal sanctions under local, state, or federal law, and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

STUDENT CONDUCT
WEAPONS

FLBF
(LOCAL)

Students shall not bring on College District property or to any College District-sponsored or -related activity any weapons prohibited by law or identified below:

1. Fireworks of any kind;
2. Incendiary devices;
3. Instruments designed to expel a projectile with the use of pressurized air, like a BB gun;
4. Razors;
5. Chains;
6. Martial arts throwing stars; or
7. Any other object, including school/college supplies, used in a way that threatens or inflicts bodily injury on another person.

The possession or use of articles not generally considered to be weapons may be prohibited when the ~~[G-head of district/college/ESC, initial upper case]~~Chancellor or designee determines that a danger exists for any student, College District employee, or College District property by virtue of possession or use.

Lockers and cars parked on College District premises may be inspected by College District personnel if there is reasonable cause to believe they contain weapons.

VIOLATIONS

Students found to be in violation of this policy shall be subject to disciplinary action. [See FM and FMA]

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FLC
(LOCAL)

Searches of students and their property shall be conducted in accordance with administrative procedures established by the ~~G~~ ~~head of district/college/ESC, initial upper case~~ Chancellor or designee.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT COMPLAINTS

FLD
(LOCAL)

GUIDING PRINCIPLES INFORMAL PROCESS	<p>The College District encourages students to discuss their concerns with the appropriate instructor or other campus administrator who has the authority to address the concerns.</p> <p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>
FORMAL PROCESS	<p>A student may initiate the formal process described below by timely filing a written complaint form <u>as described and during the semester in which the issue arose.</u></p> <p>Even after initiating the formal complaint process, students are encouraged to seek informal resolution of their concerns. A student whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.</p>
<u>COMPLAINTS AGAINST PRESIDENTS</u>	<p><u>Complaints alleging a violation of law by a College President may be made to the Level Three administrator, following the procedure, including deadlines for filing the complaint form, at Level One.</u></p>
<u>COMPLAINTS AGAINST THE CHANCELLOR OR MEMBERS OF THE BOARD</u>	<p><u>Complaints alleging a violation of law, policy or procedure by the Chancellor or a member of the Board of Trustees may be submitted directly to the Board Chair at Level Four, following the procedure, including deadlines for filing the complaint form, at Level Four.</u></p>
FREEDOM FROM RETALIATION	<p>Neither the Board nor any College District employee shall unlawfully retaliate against any student for bringing a concern or complaint.</p>
NOTICE TO STUDENTS	<p>The College District shall inform students of this policy through appropriate College District publications <u>including the Student Handbook and Student Procedures.</u></p> <p><u>The student grievance policy is not intended to supplant the Student Code of Conduct and Discipline Procedures, which allows the student procedural due process in disciplinary proceedings initiated by the College District. This student grievance procedure is designed to provide the student with the opportunity to file a grievance, as defined above, and to provide a process for resolution of</u></p>

Comment [v1]: DCCD

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT COMPLAINTS

FLD
(LOCAL)

COMPLAINTS	<p><u>the grievance. A student may file a grievance concerning a policy, procedure, rule, or grade if discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation, gender identity, or gender expression or veteran status is the basis for the grievance. This student grievance policy is not designed to include changes in other policies nor does it apply to grading practices.</u></p> <p>In this policy, the terms “complaint” and “grievance” shall have the same meaning.</p>
OTHER COMPLAINT PROCESSES	<p>Student complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FLD after the relevant complaint process:</p> <ol style="list-style-type: none"><li data-bbox="451 848 1154 961">1. <u>Complaints alleging discrimination or harassment based on race, color, gender, national origin, sex, sexual orientation, gender identity or gender expression, disability, age, or religion, or veteran status.</u> [See FFD]<li data-bbox="451 978 1154 1033">1.2. <u>Complaints of sexual harassment, discrimination, or misconduct.</u> [See FFD]<li data-bbox="451 1050 1154 1104">2.3. <u>Complaints concerning retaliation relating to discrimination and harassment.</u> [See FFD]<li data-bbox="451 1121 1154 1176">3.4. <u>Complaints concerning disciplinary decisions.</u> [See <u>FMACollege District procedures</u>]<li data-bbox="451 1192 1154 1247">5. <u>Complaints concerning a commissioned peace officer who is an employee of the College District.</u> [See CHA]<li data-bbox="451 1264 1154 1297">4.6. <u>Complaints concerning financial aid</u>
GENERAL PROVISIONS FILING	<p>Complaint forms and appeal notices may be filed by hand-delivery, electronic communication, including e-mail and fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.</p> <p><u>General Student Complaint Form may be accessed at https://publicdocs.maxient.com/reportingform.php?HoustonCC&layout_id=5</u></p>

Comment [v2]: Financial Aid policy or complaints process?

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT COMPLAINTS

FLD
(LOCAL)

SCHEDULING CONFERENCES	The College District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student fails to appear at a scheduled conference, the College District may hold the conference and issue a decision in the student's absence.
RESPONSE	At Levels One, Two, and Three, "response" shall mean a written communication to the student from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's e-mail address of record, or sent by U.S. Mail to the student's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
DAYS	"Days" shall mean College District business days. In calculating time lines under this policy, the day a document is filed is "day zero." The following day is "day one."
REPRESENTATIVE	"Representative" shall mean any person who or organization that is designated by the student to represent the student in the complaint process. The student may designate a representative through written notice to the College District at any level of this process. If the student designates a representative with fewer than three days' notice to the College District before a scheduled conference or hearing, the College District may reschedule the conference or hearing to a later date, if desired, in order to include the College District's counsel. The College District may be represented by counsel at any level of the process.
CONSOLIDATING COMPLAINTS	Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
UNTIMELY FILINGS	All time limits shall be strictly followed unless modified by mutual written consent. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student, at any point during the complaint process. The student may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.
COSTS INCURRED	
DATE ISSUED: 2/16/2015 UPDATE 30 FLD(LOCAL)-AJC	

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT COMPLAINTS

FLD
(LOCAL)

COMPLAINT AND APPEAL FORMS	<p>Each party shall pay its own costs incurred in the course of the complaint.</p> <p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the College District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form.</p> <p>If the student does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student unless the student did not know the documents existed before the Level One conference.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.</p>
LEVEL ONE	<p>Complaint forms must be filed <u>during the semester in which the complaint arose</u>:</p> <ol style="list-style-type: none">1. Within 15 days of the date the student first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and2. With the lowest level administrator who has the authority to remedy the alleged problem <u>Level One administrator</u>. <p>In most circumstances, students shall file Level One complaints with the department chairperson or student services counselor. If the only administrator who has authority to remedy the alleged problem is the Level Two or Level Three administrator, the complaint may begin at Level Two or Level Three, respectively, following the procedure, including deadlines, for filing the complaint form at Level One.</p> <p>If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.</p> <p>As the Level One administrator. The appropriate administrator <u>the Dean of Student Services</u> shall investigate as necessary and schedule a conference with the student within ten <u>(10)</u> days after receipt of the written complaint. The <u>Level One</u> administrator may set reasonable time limits for the conference.</p> <p>Absent extenuating circumstances, the <u>Level One</u> administrator shall provide the student a written response within ten <u>(10)</u> days following the conference. The written response shall set forth the</p>

LEVEL TWO

basis of the decision. In reaching a decision, the Level One administrator may consider information provided at the Level One conference and any relevant documents or information the administrator believes will help resolve the complaint.

If the student did not receive the relief requested at Level One or if the time for a response has expired, the student may request a conference with the ~~academic dean or dean of students~~ College President to appeal the Level One decision. The College President shall serve as the Level Two administrator.

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

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

The Level One record shall include:

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

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

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

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

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT COMPLAINTS

FLD
(LOCAL)

LEVEL THREE

If the student did not receive the relief requested at Level Two or if the time for a response has expired, the student may request a conference with the [C head of district/college/ESC, initial upper case] Chancellor or designee to appeal the Level Two decision.

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

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

The Level Two record shall include:

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

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

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

Recordings of the Level One, Level Two, and Level Three conferences, if any, shall be maintained with the Level One, Level Two, and Level Three records. The decision of the Level Three administrator is final and without appeal.

LEVEL FOUR

If the student's grievance or complaint is against the Chancellor or a current Board member, the student may file a complaint directly

to the Board without having to first utilize the informal complaint process. If the complaint is against a Board member, the Board member who is the subject of the complaint shall not participate in the Board's deliberation or decision regarding the complaint.

The complaint form must be filed in writing, on a form provided by the College District, within ten (10) days of the date the student first knew, or with reasonable diligence should have known, of the decision or action giving rise to the grievance or complaint. The complaint form must be filed with the Board Chair.

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

The Board Chair shall provide the Board with a copy of the complaint form submitted by the student, along with any attached documents.

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

The presiding officer may set reasonable time limits and guidelines for the student's presentation, including an opportunity for questioning by the Board.

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board shall be deemed a denial of the relief requested in the complaint.

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

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

~~The [G head of district/college/ESC, initial upper case] or designee shall inform the student of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.~~

~~The [G head of district/college/ESC, initial upper case] or designee shall provide the Board the record of the Level Three complaint. The student may request a copy of the Level Three record.~~

~~The Level Three record shall include:~~

~~1. The Level One record.~~

~~2. The Level Two record.~~

~~3. The written response issued at Level Three and any attachments.~~

~~4. All other documents relied upon by the administration in reaching the Level Three decision.~~

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

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

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

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

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT COMPLAINTS

FLD
(LOCAL)

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

STUDENT RIGHTS AND RESPONSIBILITIES
INVOLVEMENT IN DECISION MAKING

FLE
(LOCAL)

In accordance with procedures developed by the ~~Chancellor~~~~G head of district/college/ESC, initial upper case~~, students shall be selected annually to provide a voice for the student body in the decision-making processes of the College District on appropriate committees.

FOOD SERVICE
PROVIDER

Students shall be granted the opportunity to provide input regarding a College District food service provider in accordance with Board-approved procedures published in the student handbook.

PUBLIC INFORMATION PROGRAM
REQUESTS FOR INFORMATION

GAB
(LOCAL)

CHARGING FOR
PERSONNEL TIME

After personnel of the College District collectively have spent 36 hours of time producing public information for a requestor during the College District's fiscal year, the College District shall charge the requestor for any additional personnel time spent producing information for the requestor, in accordance with law.

GUIDING PRINCIPLES INFORMAL PROCESS	<p>The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns.</p> <p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>
FORMAL PROCESS	<p>An individual may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
FREEDOM FROM RETALIATION	<p>Neither the Board nor any College District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.</p>
COMPLAINTS	<p>In this policy, the term “complaint” and “grievance” shall have the same meaning.</p> <p>This policy shall apply to all complaints from the public except complaints regarding a commissioned peace officer who is an employee of the College District. [See CHA] The policy may require appeals to be submitted in accordance with GB after the relevant complaint process.</p>
GENERAL PROVISIONS FILING	<p>Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.</p>
SCHEDULING CONFERENCES	<p>The College District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to</p>

appear at a scheduled conference, the College District may hold the conference and issue a decision in the individual's absence.

RESPONSE	At Levels One and Two, "response" shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the individual's e-mail address of record, or sent by U.S. Mail to the individual's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
DAYS	"Days" shall mean College District business days. In calculating time lines under this policy, the day a document is filed is "day zero." The following day is "day one."
REPRESENTATIVE	<p>"Representative" shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.</p> <p>The individual may designate a representative through written notice to the College District at any level of this process. If the individual designates a representative with fewer than three days' notice to the College District before a scheduled conference or hearing, the College District may reschedule the conference or hearing to a later date, if desired, in order to include the College District's counsel. The College District may be represented by counsel at any level of the process.</p>
CONSOLIDATING COMPLAINTS	Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
UNTIMELY FILINGS	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
COSTS INCURRED	Each party shall pay its own costs incurred in the course of the complaint.
COMPLAINT AND APPEAL FORMS	Complaints and appeals under this policy shall be submitted in writing on a form provided by the College District.

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

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

LEVEL ONE

Complaint forms must be filed:

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

If the only administrator who has authority to remedy the alleged problem is the Chancellor~~[G head of district/college/ESC, initial upper case]~~ or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

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

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

LEVEL TWO

If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Chancellor~~[G head of district/college/ESC, initial upper case]~~ or designee to appeal the Level One decision.

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

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to

the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

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

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

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

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

LEVEL THREE

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

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

The ~~Chancellor[G head of district/college/ESC, initial upper case]~~ or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The ~~Chancellor[G head of district/college/ESC, initial upper case]~~ or designee shall provide the Board with the record of the Level

Two complaint. The individual may request a copy of the Level Two record.

The Level Two record shall include:

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

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

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

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

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

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

PROMOTIONAL
ACTIVITIES

College District facilities shall not be used to advertise, promote, sell tickets, or collect funds for any nonschool-related purpose without prior approval of the ~~Chancellor~~~~[G-head-of-district/college/ESC, initial upper case]~~.

[For information relating to community use of College District facilities, see GF.]

ADVERTISING

For purposes of this policy, “advertising” shall mean a communication designed to attract attention or patronage by the public or college community and communicated through means under the control of the College District in exchange for consideration to the College District. “Advertising” does not include public recognition of donors or sponsors who have made contributions, financial or otherwise, to the College District or College District support organizations.

Advertising shall be accepted solely for the purpose of generating revenue for the College District and not for the purpose of establishing a forum for communication. The College District shall retain final editorial authority to accept or reject submitted advertisements in a manner consistent with the First Amendment. The College District shall retain the authority to determine the size and location of any advertising. The College District shall also reserve the right to reject advertising that is inconsistent with federal or state law, Board policy, College District or campus regulations, or curriculum, as well as any content the College District determines has a reasonable likelihood of exposing the College District to controversy, litigation, or disruption.

Acceptance of advertising shall not constitute College District approval or endorsement of any product, service, organization, or issue referenced in the advertising, nor shall acceptance of advertising from a vendor determine whether the College District will purchase goods or services from the vendor through the College District’s formal procurement process.

[For information relating to College District–sponsored publications, see FKA.]

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES

GF
(LOCAL)

USE OF COLLEGE
DISTRICT FACILITIES

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

[For use by employees or employee organizations, see DGD. For use by students and registered student organizations, see FLAA.]

REQUESTS

To request permission to meet on College District premises, interested community members or organizations shall file a written request with the ~~[C-position approving community use of facilities]~~college president in accordance with administrative procedures.

For requesting authorization to serve alcohol on College District premises, see GFAB (LOCAL).

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

APPROVAL

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

The ~~[C-position approving community use of facilities]~~college president shall approve or reject the request in accordance with provisions of and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the community members' or organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that:

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 sanction [see VIOLATIONS OF POLICY, below] prohibiting the use of the facility;
3. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
4. The applicant owes a monetary debt to the College District and the debt is considered delinquent;

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES

GF
(LOCAL)

5. The proposed activity would disrupt or disturb the regular academic program; or
6. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property.

FOR-PROFIT USE	The College District shall not permit individuals or for-profit organizations to use its facilities for financial gain; however, the College District shall permit private academic instruction, as well as public performances or 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 shall permit nonprofit organizations to conduct fund-raising events on College District property when these activities do not conflict with College District use or with this policy.
CAMPAIGN-RELATED USE	Except to the extent a College District facility is used as an official polling place, College District facilities shall not be available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law.
NO APPROVAL REQUIRED	No approval shall be required for nonschool-related recreational use of the College District's unlocked, outdoor recreational facilities, such as the track, tennis courts, and the like, when the facilities are not in use by the College District or for another scheduled purpose.
WRITTEN NOTICE IF REQUEST REJECTED	The [C-position approving community use of facilities] college president shall provide the applicant a written statement of the grounds for rejection if a request is denied.
EMERGENCY USE	In case of emergencies or disasters, the Chancellor [G head of district/college/ESC, initial upper case] may authorize the use of College District facilities by civil defense, health, or emergency service authorities.
REPEATED USE	The College District shall permit repeated use by any community member or organization in accordance with administrative procedures.
EXCEPTION	Any limitations on repeated use by a community member or organization shall not apply to any group or organization when the primary participants in the activities are College District students, faculty, or staff.
SCHEDULING	Academic and extracurricular activities sponsored by the College District shall always have priority when any use is scheduled. The [C-position approving community use of facilities] college president

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES

GF
(LOCAL)

shall have authority to cancel a scheduled use by a community member or organization if an unexpected conflict arises with a College District activity.

USE AGREEMENT

Any community member or organization approved for a nonschool use of College District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations, and acknowledging that the College District is not liable for any personal injury or damages to personal property related to the nonschool use. Such agreement shall be consistent with the intent and general considerations of commercial rental/lease agreements, require users to provide evidence of insurance, and be signed by the college president. Requirements for evidence of insurance coverage shall be specified in risk management procedures.

Comment [v1]: HCC B.1.3.11

FEES FOR USE

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

The ~~[C position developing fee sch for facilities use]~~Chancellor shall establish and publish a schedule of fees competitive with the current market and based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.

EXCEPTION

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

REQUIRED CONDUCT

Community members and organizations using College District facilities shall:

1. Conduct business in an orderly manner;
2. Provide identification when requested to do so by a College District representative;
3. Abide by all laws and policies including, but not limited to, those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products on College District property; [See GFA]
4. Make no alteration, temporary or permanent, to College District property without prior written consent from the Chancellor~~[C head of district/college/ESC, initial upper case]~~; and

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES

GF
(LOCAL)

- 5. Be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the College District for the cost of any such repairs.

DISTRIBUTION OF LITERATURE

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

The College District shall not be responsible for, nor shall the College District endorse, the contents of any nonschool 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]

LIMITATIONS ON CONTENT

Nonschool literature shall not be distributed by a community member or organization on College District property if:

- 1. The materials are obscene;
- 2. The materials contain defamatory statements about public figures or others;
- 3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action;
- 4. The materials are considered prohibited harassment [see DIA and FFD];
- 5. The materials constitute unauthorized solicitation [see USE OF COLLEGE DISTRICT FACILITIES, above]; or
- 6. The materials infringe upon intellectual property rights of the College District [see CT].

TIME, PLACE, AND MANNER RESTRICTIONS

The ~~Chancellor/C head of district/college/ESC, initial upper case~~ shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed by community members or organizations to students or others at College District facilities.

Distribution of the nonschool literature shall be conducted in a manner that:

- 1. Is not disruptive [see FLB];
- 2. Does not impede reasonable access to College District facilities;

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES

GF
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3. Does not result in damage to College District property;
4. Does not coerce, badger, or intimidate a person;
5. Does not interfere with the rights of others; and
6. Does not violate local, state, or federal laws or College District policies and procedures.

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

POSTING OF
SIGNS

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

No signs may be posted on College District property by a community member or organization.

EXCEPTION

A College District support organization may post a sign with prior approval of the ~~[C position approving community use of facilities]~~ college president in accordance with the procedures developed for that purpose.

IDENTIFICATION

A community member or organization distributing materials on campus shall provide identification when requested to do so by a College District representative.

VIOLATIONS OF
POLICY

Failure to comply with the policy and procedures regarding community use of College District facilities or distribution of literature shall result in appropriate administrative action, including but not limited to, the suspension of the individual's or organization's use of College District facilities and the confiscation of nonconforming materials.

APPEALS

Decisions made by the administration in accordance with this policy may be appealed in accordance with GB(LOCAL).

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES
CONDUCT ON COLLEGE DISTRICT PREMISES

GFA
(LOCAL)

WEAPONS
PROHIBITED

The College District prohibits the use, possession, or display of any firearm, illegal knife, club, or prohibited weapon, as defined at FLBF, on all College District property at all times.

EXCEPTIONS

No violation of this policy occurs when:

1. The use, possession, or display of an otherwise prohibited weapon takes place as part of a College District-approved activity supervised by proper authorities.
2. The firearm or ammunition is stored or transported in a locked, privately owned or leased motor vehicle by a person who holds a license to carry a concealed handgun and who lawfully possesses the firearm or ammunition:
 - a. On a street or driveway located on the campus of the College District; or
 - b. In a parking lot, parking garage, or other parking area located on the campus of the College District. [See CHC]

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES
MINORS AND RELATIVES

GFAA
(LOCAL)

UNACCOMPANIED
MINORS AND
RELATIVES ON
PROPERTY

The College District is a public educational institution and has an obligation to provide a safe and enjoyable learning and working environment for its students and employees.

Minors and relatives requiring special care are not permitted on any College District property unless they are directly supervised by a parent or legal guardian, or the responsible adult. Minors and relatives of College District employees requiring special care are not allowed in College District work areas. Minors and relatives of enrolled students requiring special care are not permitted in classrooms unless they are invited by the classroom instructor for instructional purposes.

Relatives requiring special care shall mean any person connected with another by blood or affinity that requires continuous health or medical related assistance due to a chronic physical, developmental, behavioral or emotional condition.

The parent, legal guardian or responsible adult must be present at all times whenever the minor or relative is on College District property. These requirements do not apply to minors enrolled in courses or to minors participating in College District sponsored events or activities.

The College District is not responsible for the care and supervision of minors or relatives of employees or enrolled students and is not liable for any injury or harm to minors or relatives that result from the negligence of care from the responsible party.

Comment [v1]: HCC B.1.8.5

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES
CONDUCT ON COLLEGE DISTRICT PREMISES- ALCOHOL USAGE ON
PREMISES

GFAB
(LOCAL)

GENERALLY

The College District is designated as a drug and alcohol-free campus. The possession or consumption of alcohol is prohibited in classroom buildings, laboratories, auditoriums, library buildings, offices, facilities, and all other College property, except as may be authorized in this policy.

This policy applies to all employees, students, visitors, volunteers, contractors, and vendors. This policy also applies to individuals and groups that rent or lease College facilities.

“College property” means property, whether indoors or outdoors, located within the State of Texas that is owned, operated, leased, occupied, or controlled by the College District. For purposes of this policy, this includes but is not limited to all buildings, structures, sidewalks, parking lots, walkways, and attached parking structures owned or controlled by the College.

POSSESSION

The possession or consumption of alcohol is prohibited on all College District property. However, the Chancellor is authorized to permit the use, serving, or consumption of alcohol for persons aged 21 and over as follows:

- a) At designated College District facilities as part of a specifically defined and approved academic curricular program or class, e.g., Culinary Arts;
- b) At official events sponsored by the College;
- c) At special fund-raising functions for the College District sponsored by HCC Foundation; or
- d) At events sponsored by 501(c) organizations and/or not-for-profit community service organizations. The events must serve a charitable, civic, or educational purpose.

Such organizations hosting the event must agree to the terms in the College’s District’s facilities rental agreement if applicable, or the terms of the Alcohol Authorization Request Form (“form”). In addition to describing the event and any limitations placed on the event, the rental agreement or form shall address the following:

- i. The organizers of such events will be required to provide proof of liability insurance. The College shall require a certificate of insurance coverage naming the College District as an additional insured and include a waiver of subrogation in favor of the College District with a reputable insurance company authorized by the State of Texas.

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES
CONDUCT ON COLLEGE DISTRICT PREMISES- ALCOHOL USAGE ON
PREMISES

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(LOCAL)

ii. Alcohol will be allowed and consumed only in the facility identified in the facilities rental agreement or form and not in restrooms, parking lots, or other areas of premises. Additionally, only authorized individuals are permitted to deliver alcoholic beverages onto the premises or remove them from the premises at the conclusion of the event.

iii. Alcohol may only be served or dispensed by bartenders licensed or certified by the Texas Alcoholic Beverage Commission.

iii. Cash bars are not permitted.

COMPLIANCE

Federal law, state law, and local ordinances shall be strictly enforced at all times on all property owned, leased, or controlled by the College District in regards to the possession and consumption of alcoholic beverages. All parties serving alcoholic beverages must comply with the contractual obligations specified in any facility rental agreement or form, College policy, local ordinances, the rules and regulations of the Texas Alcoholic Beverage Commission, laws of the State of Texas, and federal law, including but not limited to the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act.

DUAL CREDIT
PARTNERSHIP
PROGRAMS

The College District shall enter into dual credit partnership agreements with secondary school districts or individual private/charter schools as appropriate to allow secondary students to take college-level courses for both high school and college credit. Dual credit courses are courses for which students receive college credit as well as high school credit while still enrolled in high school. The curriculum content and rigor of dual credit courses are equivalent to the college course standards and requirements. See the College District catalog for current tuition and fee information.

The College District waives all tuition and fees for dual credit courses for qualified in-district students. The College District waives tuition and fees, excluding the out-of-district fee, for dual credit courses for out-of-district students.

EARLY HIGH SCHOOL
PROGRAM

The College District may establish Early High School Programs with secondary school districts or private/charter schools. An Early High School Program is one in which the College District and high school collaborate in the offering of high school and dual credit courses to students in grades nine through twelve, with the option of an additional year to allow students time to complete an associate degree.

SAMPLE POLICY

GUIDING PRINCIPLES

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

Member institutions SACSCOC are required to notify the Commission of changes in accordance with the substantive change policy and, when required, seek approval prior to the initiation of changes. Further, member institutions are required to have a policy and procedure to ensure that all substantive changes are reported to the Commission in a timely fashion.

The College District shall follow the most recent accrediting standards described in the Principles of Accreditation: Foundation for Quality Enhancement, which can be found online at <http://www.sacscoc.org/principles.asp>.

SUBSTANTIVE
CHANGES

The College District shall be proactive in ensuring all substantive changes are reported in a timely manner to SACSCOC, and when required, shall seek approval prior to the initiation of a change. The complete SACSCOC Substantive Change Policy Statement, including time lines for reporting substantive changes, can be found online at <http://www.sacscoc.org/SubstantiveChange.asp>.

DEFINITION

Substantive change is a significant modification or expansion of the nature and scope of an accredited institution. Under federal regulations, substantive change includes:

1. Any change in the established mission or objectives of the institution
2. Any change in legal status, form of control, or ownership of the institution
3. The addition of courses or programs that represent a significant departure, either in content or method of delivery, from those that were offered when the institution was last evaluated
4. The addition of courses or programs of study at a degree or credential level different from that which is included in the institution's current accreditation or reaffirmation.
5. A change from clock hours to credit hours
6. A substantial increase in the number of clock or credit hours awarded for successful completion of a program

7. The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50 percent of an educational program.
8. The establishment of a branch campus
9. Closing a program, off-campus site, branch campus or institution
10. Entering into a collaborative academic arrangement such as a dual degree program or a joint degree program with another institution
11. Acquiring another institution or a program or location of another institution
12. Adding a permanent location at a site where the institution is conducting a teach-out program for a closed institution
13. Entering into a contract by which an entity not eligible for Title IV funding offers 25% or more of one or more of the accredited institution's programs

ASSESSMENT

The College District shall be committed to a process of ongoing assessment to ensure a cycle of continuous improvement of student learning and support program effectiveness. Assessment shall include the establishment of appropriate student learning outcomes and other outcome measures, administration of assessment tools, analysis of results, and the use of results to inform and improve educational practices and institutional effectiveness.

Assessment results shall be integrated into program and area reviews and subsequently into planning and resource allocation decisions for the College District.

The development, implementation, and review of assessment cycles shall be based upon the following:

1. The role of student learning in accreditation. The College District shall define educational quality by how well it fulfills its declared mission on student learning.
2. Documentation of student learning. The College District shall demonstrate that student learning is appropriate for the certificate or degree awarded and is consistent with its own standards of academic performance.

3. Compilation of evidence. The College District shall collect evidence of student learning from multiple sources to demonstrate the impact of the institution as a whole on the student.
4. Stakeholder involvement. The collection, interpretation, and use of student learning evidence shall be a collective endeavor and shall not be viewed as the sole responsibility of a single office or position. Those in the institution with a stake in decisions related to educational quality shall participate in the process.

The assessment cycle for identified institutional learning outcomes and program student learning outcomes in academic and student-support areas shall be repeatedly completed during a five-year period.

***BYLAWS OF THE
BOARD OF TRUSTEES OF THE
HOUSTON COMMUNITY COLLEGE***

Adopted January 1, 2010

Amended June 29, 2010

Amended September 23, 2010

Amended December 2, 2010

Amended November 17, 2011

Amended December 15, 2011

Amended June 21, 2012

Amended June 24, 2014

Amended November 18, 2014

Amended February 27, 2014

Amended April 16, 2015

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Preface

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. The Board of Trustees ("Board") of Houston Community College ("HCC" or "College") derives its authority from the community it serves. The Board shall govern the College through the administration ("Staff"), in accordance with state law, avoiding actions and situations detrimental to the College, and promoting educational opportunity for the benefit of the entire community.

2. The Bylaws of the Board are written by the Board for the purposes of internal management of the Board, the Board Office and all Board activities. Any policy, procedure or regulation in these Bylaws found in conflict with a state or federal law, rule, or regulation shall be null and void to the extent of the conflict. Amendments to the Bylaws can be made only by a majority vote of all the members of the Board.

Mission

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

Houston Community College is an open-admission, public institution of higher education offering a high-quality, affordable education for academic advancement, workforce training, economic development, career development, and lifelong learning to prepare individuals in our diverse communities for life and work in a global and technological society.

Article A: Ethics

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. PURPOSE. As Trustees for HCC, Board members serve as fiduciaries pursuant but not limited to state and federal trust law, and therefore, must act solely and exclusively for the benefit of the College. High ethical standards are critical to fulfilling these responsibilities. The laws and statutes enacted by the Legislature to govern the conduct of public officials are considered by the Board to be the minimum standards. These legal provisions governing ethical and professional standards of conduct and disclosure are provided in the following Texas statutes and should be consulted for specific information should the need arise:

- a. Education Code;
- b. Penal Code -- Chapters 36 (Bribery), 37 (Perjury) and 39 (Abuse of Office);
- c. Government Code -- Chapters 552 (Public Information), 553 (Public Disclosure), 554 (Reporting); and 571-573 (Ethics, Conflicts of Interest and Nepotism);
- d. Texas Labor Code Chapter 21 (Equal Employment); and
- e. Local Government Code -- Chapters 171 (Conflicts of Interest) and 176 (Conflicts Disclosure Statements).

2. DISTRIBUTION POLICY. Copies of the Board Bylaws will be distributed to each Trustee and Senior Staff. These Bylaws will also be posted on the HCC website.

3. APPLICABILITY. The Board chooses to establish a higher standard of conduct and ethical behavior to govern HCC than Texas law requires, and hereby defines a Standard of Conduct and Performance and Code of Ethics for Trustees and Senior Staff. Senior Staff is defined as:

- a. Any member of the Chancellor's Advisory Council;
- b. HCC employees classified as E-10 and above;
- c. All procurement and purchasing personnel;
- d. Any employee who participates on an evaluation or selection committee for any HCC solicitation for goods or services; and

- e. Any employee who participates in the evaluation of goods or services provided by a vendor or contractor.

This ethics policy is to be read in conjunction with the ethics portion of the Board's governance policies.

4. CODE OF CONDUCT. The Board adopts the following Code of Conduct for Trustees and Senior Staff:

- a. Identify and disclose any actual or potential conflict of interest, and to act at all times for the general public good, regardless of personal relationships or business interests. Although Texas law allows the election of a trustee who has a spousal or other familial relation with an employee of the college, neither a trustee nor the employee related to him or her may take advantage of the relationship to obtain favorable consideration, to influence operational matters, or to gain access to information not available under the Texas Public Information Act.
- b. Keep well-informed on board-related issues, and attend and participate actively in meetings of the board and its committees.
- c. Encourage and engage in open and honest discussion in making board decisions, to respect differences of opinion, and to keep an open mind until each Trustee has had an opportunity to address the Board.
- d. Respect the board's collective decision-making process, and to accurately report and explain board votes and policies.
- e. Act on behalf of the Board only with the official authorization of a majority of the total membership of the Board.
- f. Respect the authority and responsibilities of college employees and external contractors, empowering them to work without interference.
- g. Maintain the confidentiality of privileged information, as outlined in the Texas Public Information Act and the Texas Open Meetings Act.
- h. Refrain from any attempt to influence any operational decision, including but not limited to individual admissions, personnel, or purchasing decisions, except when the decision is an agenda topic at an official board meeting. Specifically, Board members may not have any communications about a grievance with any person who has a grievance pending.
- i. Resist any attempt at undue influence from political, religious or other external bodies and protect the institution from such influence. Board members and Senior Staff must also report attempts of such improper external influence to the appropriate legal counsel.

- j. Exercise a "refer" approach to the Chancellor only with respect to communications from potential vendors and subcontractors about college business outside the prohibited communications period.
- k. Board members are prohibited from suggesting or recommending subcontractors to vendors at any time, regardless of when the communication occurs.
- l. Request only authorized, legitimate reimbursement of college-related expenses.
- m. Interact with Trustees, employees, students, and other citizens in a manner that creates and sustains mutual respect.
- n. Complete the annual Conflict of Interest Certification.

5. PROHIBITED COMMUNICATIONS/POLITICAL CONTRIBUTIONS.

- a. Except as provided below, political contributions and the following communications, whether written, oral, electronic, or otherwise, regarding a particular invitation for bid ("IFB"), request for proposal ("RFP"), request for qualification ("RFQ"), employment application or other solicitation are prohibited:
 - 1) Communications between a potential vendor, subcontractor, service provider, bidder, broker, offeror, lobbyist or consultant and any Trustee, Senior Staff, or any member of a selection or evaluation committee;
 - 2) Communications between any Trustee or Senior Staff and any member of a selection or evaluation committee;
 - 3) Communications between any Trustee and administrator or employee regarding the subject matter of the proposed contract; and
 - 4) Potential vendors, subcontractors, service providers, bidders, brokers, officers, lobbyists or consultants shall not make a political contribution to a Trustee or candidate during the prohibited period.
- b. The communications/political contributions prohibition period shall begin on the date that the IFB, RFQ, RFP or other solicitation is issued, published or posted. The HCC Executive Director of Purchasing will email notification of the beginning and ending of the prohibited communications period to each Trustee and Senior Staff Member. The communications/political contribution prohibition shall terminate thirty days after the contract is executed by the Chancellor or his or her designee or when a determination is made that the contract will not be awarded.

- c. The communications prohibition shall not apply to the following:
- 1) Official communications between a potential vendor or subcontractor and appropriate staff or administration at a duly noticed pre-bid or pre-proposal conference.
 - 2) Communications with Senior Staff whose official job duties may require communication regarding the specific bid, request for proposal, request for qualifications, employment application or solicitation under consideration, including pre-bid or pre-proposal communications.
 - 3) Any communications allowed by the HCC Procurement Manual.
 - 4) Nothing contained herein shall prohibit any person or entity from publicly addressing the Board during any duly-noticed public meeting, in accordance with applicable Board policies, regarding action on the contract.
- d. For purposes of this section, the term “Candidate” shall include an individual who is running for election to a position on the HCC Board and who meets the criteria set forth in Section 251.001(1) of the Texas Election Code.
- e. Each potential vendor, subcontractor, service provider, bidder, broker, officer, lobbyist or consultant responding to a IFB, RFP, RFQ, employment application or other solicitation, shall include a complete list of Contractors in its response to the solicitation. For purposes of this section, the term “Contractors” shall include any member of the potential vendor’s board of directors, its chairperson, chief executive officer, chief financial officer, chief operating officer, any person with an ownership interest of 10% or more, and any subcontractor listed in a bid or contract.
- f. The Executive Director of Purchasing shall provide the office of Board Services information on the “Contractors” identified under subsection (e) above within five (5) business days of the date the response to the solicitation is received.
- g. The office of Board Services shall maintain a list of all individuals identified pursuant to subsection (e) above and shall submit a copy of the list to each Trustee and Candidate five (5) business days after receiving the information described in this section from the Executive Director of Purchasing. The list shall include:
- 1) The name of the Contractors;
 - 2) The date of the initial posting of the IFB, RFP, RFQ, employment application or other solicitation; and

- 3) The end date of the prohibited period.
- h. The Executive Director of Purchasing shall include in the solicitation documents a statement disclosing the requirements of this policy. The statement shall be conspicuously written in a separate section of the solicitation.
- i. Any contribution given or received in violation of this section shall be returned no later than the last day of the reporting period in which the contribution is received.
- j. The Executive Director of Purchasing shall publish to the Board an annual procurement list that shows all annual contracts, contracts that renew or expire during that calendar year, and any anticipated contracts for goods and services and the anticipated month the procurement will be published. This list will be published to the Board no later than February 1st of each calendar year.

6. LIMITS ON REPAYMENT OF PERSONAL LOANS.

A Trustee or Candidate cannot be reimbursed or repaid from campaign contributions for any personal loan made to the Trustee or Candidate's campaign in excess of \$5,000.00. Loans made in excess of this amount shall be deemed a contribution to the campaign and may not be repaid to the Trustee or Candidate. This provision shall not alter, remove, or affect any reporting requirements under the laws of the State of Texas or these bylaws. The repayment limits shall apply to personal loans incurred after the adoption of this provision.

For purposes of this Section, the term "Candidate" shall include an individual who is running for election to a position on the HCC Board that is up for election and who meets the criteria set forth in Section 251.001(1) of the Texas Election Code.

7. PROHIBITED BENEFITS. For the protection of the integrity of the College, Trustees and Senior Staff shall not:

- a. Accept or solicit any gift, favor or service that might tend to influence him/her in the performance of official duties or that might be offered with the intent to influence his/her official conduct.
- b. Accept employment or engage in a business that would require the release or use of information obtained in the performance of official duties.
- c. Trustees and Senior staff will comply with the HCC Governance policies and Texas law requiring the filing of a Conflicts Disclosure Statement or a conflict of interest affidavit under the appropriate circumstances, and no

later than August 31st of each academic year will sign a Conflict of Interest Certification and submit it to the board services office.

8. POLITICAL ACTIVITIES. A member of the Board, as well as the Board as a whole, shall not expend or authorize the expenditure of any statutorily restricted funds for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure. However, it is permissible for the Board to use or authorize the use of funds to provide information and education regarding certain matters.

9. CAMPAIGN FINANCE REPORTS. Campaign Finance Reports for Board members will be maintained by the Office of Board Services as follows:

- a. Current Board members will post Campaign Finance Reports for each year of service on the College District website.
- b. The College District will maintain all Board member Campaign Finance Reports in accordance with the College District document retention policy and applicable laws.

10. ~~9.~~ MISUSE OF OFFICIAL INFORMATION. A member of the Board shall not use the office of Trustee to obtain or use official information in any unlawful way.

11. ~~10.~~ MECHANISMS FOR ENFORCEMENT. The mechanisms for enforcement of the Code of Ethics are:

- a. Board members must report an alleged violation of this Ethics Code to Board Counsel and Senior Staff must report such communications to the General Counsel. All reports must be in writing using the form at Exhibit A.
- b. Any person may allege, in writing, using the form at Exhibit A. noncompliance with this Ethics Code to the Board Chair (or the Vice-Chair if the Chair is the target of the allegation) or to the Chancellor if it involves a member of the senior staff.
- c. The Board shall be advised when any allegation of a violation of this Code of Ethics is made.
- d. The Chair, Vice-Chair or Chancellor, as appropriate, will undertake a process to resolve the complaint.
- e. The Chair may initiate an independent investigation of a written complaint after receiving approval from a majority of the board. Upon approval, the chair shall consult with Board Counsel, then name an independent third party to investigate the complaint within the parameters set by the Board. Further, the chair shall provide regular updates to the Board through the named investigator.

- f. If the Board finds a violation of this Ethics Code, it can reprimand or censure the Board member, the only sanctions available under Texas law.
- g. If the Chancellor finds a violation of this Ethics Code by a member of Senior staff, the Chancellor shall take appropriate action under the HCC human resources policies.
- h. After an evidentiary hearing, a majority vote of the total membership of the board may disqualify a vendor or subcontractor from participation in any solicitation or contract for up to one (1) year for violating this Ethics Code.

CODE OF ETHICS COMPLAINT FORM

Please ensure all necessary/relevant information is included. All correspondence concerning this matter will be sent to the address or e-mail address provided below.

Name of Complainant: _____

Home Address: _____

Phone: _____

E-Mail: _____

Statement of complaint, including provision of the Code of Ethics that was allegedly violated:

Signature: _____

Date Submitted: _____

**HOUSTON COMMUNITY COLLEGE BOARD OF TRUSTEES AND SENIOR STAFF
CONFLICT OF INTEREST CERTIFICATION
FY _____**

By signing below, I certify that I will abide by the following conditions during FY _____:

- If I or a person related to me in the first degree by either affinity or consanguinity has a substantial interest in a business entity that either has a HCC contract or is being considered for a HCC contract, or has a substantial interest in real property that HCC is considering purchasing, before any vote or decision is made regarding that entity, I shall file a **conflict of interest affidavit** with the board services office, and if a trustee, shall also publicly disclose the relationship to the board in a meeting called and held in compliance with the Texas Open Meetings Act and shall also abstain from discussions or other proceeding regarding the entity and must not vote on the item. **See Chapter 171 of the Texas Local Government Code.**
- If I or a person related to me in the first degree by either affinity or consanguinity¹ either receives income greater than \$2,500 during a 12-month period or receives gifts other than food, lodging, transportation or entertainment accepted as a guest that exceed \$250 during a 12-month period from a business entity that either has a HCC contract or is being considered for a HCC contract, I shall file a **Conflicts Disclosure Statement** with the board services office not later than 5:00 p.m. on the seventh business day after the date on which I become aware of the facts that require the filing of this statement. **See Chapter 176 of the Texas Local Government Code.**
- These provisions apply to vendors that are prime or subcontractors.
- I ___ am ___ am not currently aware of any facts that require me to file a conflict of interest affidavit or a Conflicts Disclosure Statement.
- **I shall not:**
 - Accept or solicit any gift, favor, or service that might reasonably tend to influence me in the discharge of my official duties or that I know or should know is being offered with the intent to influence my official conduct.
 - Accept other employment or engage in a business or professional activity that I might reasonably expect would require or induce me to disclose confidential information acquired by reason of my position.
 - Accept other employment or compensation that could reasonably be expected to impair my independence of judgment in the performance of my official duties.
 - Make personal investments that could reasonably be expected to create a substantial conflict between my private interest and the public interest.
 - Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised my official powers or performed my official duties in favor of another.

¹ Black's Law Dictionary defines consanguinity as kinship; blood relationship; the connection or relation of persons descended from the same stock or common ancestor. As distinguished from "affinity", which is the connection existing in consequence of a marriage.

Article B: Powers of the Board

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. AUTHORITY. Board members are fiduciaries and shall discharge their duties for the exclusive interest of the College. The Board as a body has final authority to establish the policies that govern the College within the limits imposed by Texas law. Individual Board members shall have no authority over the College, its property, or its employees; however, each Board member does have the right to seek information from the College without specific Board authorization, following prescribed procedures and proper purpose. A Board member may act on behalf of the Board only with the official authorization of a majority of the total membership of the Board. Without such express authorization, no Board member may commit the Board on any issue. Specific powers of the Board include, but are not limited to, the following:

- a. Govern and oversee the management of the College.
- b. Delegate to the Chancellor the responsibility for all administrative functions.
- c. Adopt and periodically review policies for the College and such rules, regulations, and bylaws as the Board deems advisable.
- d. Establish goals consistent with the College's role and mission.
- e. Levy and collect taxes and issue bonds, time warrants and certificates of indebtedness..
- f. Provide for assessing and collecting of taxes.
- g. Adopt a budget and file a copy of the annual operating budget and subsequent amendments with the appropriate state agency.
- h. Have the accounts audited in accordance with the approved financial reporting system.
- i. Submit the required annual report to the Governor, Comptroller, State Treasurer, State Auditor, and Legislative Budget Board.
- j. Accept on behalf of the College bequests and donations or other monies.
- k. Establish an endowment fund outside the state treasury in a depository selected by the Board.

- l. Pledge funds from tuition, grants, donations, and income for the payment of issued revenue bonds.
- m. Select a depository for College funds.
- n. Order elections as required by law.
- o. Exercise the power of eminent domain to acquire property.
- p. Appoint the chancellor, evaluate the chancellor, and assist the chancellor in the achievement of performance goals.
- q. Appoint or employ agents, employees, and officials as deemed necessary or advisable to carry out any power, duty, or function of the Board; and, upon the chancellor's recommendation, employ faculty and other employees of the College.
- r. Proceed by and through resolutions or orders adopted or passed by the Board.
- s. Be authorized to fix and collect rentals, rates, charges, or fees from students and others for the occupancy, use or availability of all or any of its property, buildings, structures, activities, operations or facilities in such amounts and in such manner as may be determined by the Board.
- t. Acquire and hold real and personal property and hold title to all property of the College.
- u. Execute, perform and make payments under contracts, which may include leases, leases with option(s) to purchase, or installment purchase, with any person for the use, acquisition, or purchase of any personal property, or the financing thereof.
- v. Employ, retain, contract with, or compensate a licensed real estate broker or salesperson for assistance in the acquisition or sale of real property.
- w. Form a non-member, non-stock, non-profit public facility corporation(s) for the purpose of issuing bonds.
- x. Oversee the investment of College funds and retain a financial advisor.
- y. Build facilities.
- z. Retain legal counsel and an auditor.
- aa. Select, replace, dismiss and evaluate the internal auditor in consultation with the Chancellor and the Audit Committee.
- bb. Order police protection for the College.

- cc. Contract with vendors, except to the extent it has delegated these powers to the Chancellor.
- dd. Require regular reports from the College Foundation.
- ee. Ensure that its formal position on matters of importance to the College is made clear to the Coordinating Board when such matters are under consideration by the Coordinating Board.
- ff. Set admission standards.
- gg. Sue and be sued.

2. DELEGATION OF AUTHORITY IN EMERGENCY

In a crisis situation, the Board temporarily delegates authority to the Chancellor to make critical decisions affecting the College and to protect the welfare and safety of students and employees. The Chancellor is authorized to sign and implement contracts and agreements in an emergency situation or crisis. Emergency decisions require that the Board subsequently declare a state of emergency and ratify any contract exceeding the Chancellor's contracting authority.

In the event of a catastrophe, emergency, or natural disaster affecting the College, contracting for the replacement, construction, or repair of College equipment or facilities is authorized if emergency replacement, construction, or repair is necessary for the health and safety of College students and staff. TEX EDUC. CODE ANN. §44.0312 (Vernon 2009).

3. POLICY DIRECTION. The Board shall formulate, amend, update, adopt and publish official policies for the College. All policies of the College are subject to relevant laws, rules, regulations, and executive orders of the federal government and the government of the State of Texas. Any policy, procedure or regulation found in conflict with a state or federal law, rule, or regulation shall be void to the extent of the conflict. Noncompliance with College policies by employees may be considered grounds for disciplinary action, up to and including dismissal.

4. BOARD LEADERSHIP. The Board shall provide the College with strong leadership for meeting the increasing need for higher education throughout the communities it serves. In this capacity, the Board shall:

- a. Create and maintain a spirit of cooperation with the Chancellor.
- b. Preserve the institutional independence of the College and defend its right to manage its own affairs through its chosen administrators and employees.
- c. Enhance the public image of the College.

- d. Nurture the institution so that it achieves its full potential.
- e. Establish goals for the college, consistent with its role and mission.
- f. Take clear positions before the Texas Higher Education Coordinating Board and Texas Legislature on all matters regarding the College.
- g. Share its philosophy with the students, employees, and general public through regular participation at graduation and other ceremonies.
- h. Promote unity within the College at every opportunity, creating a family atmosphere.
- i. Promote pride and dignity amongst employees of the College by recognizing outstanding achievement.
- j. Protect the assets of the College to insure fiscal stability.
- k. Always act solely and exclusively for the benefit of the College.
- l. Always act as a positive advocate for HCC and if desired, for community college systems generally through service with ACCT or other community college Trustee organizations.

Article C: Elections

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

The Board shall consist of nine members elected from single-member districts, who shall serve without salary. The Board shall call an election of a Trustee or appoint a successor Trustee when a vacancy exists on the Board. Upon election, Trustees shall be presented with an official Certificate of Election and an appropriate emblem of office during a Board ceremony. College monies shall not be spent on individual campaigns. Trustees are elected to serve terms of six years, and can be removed from office only as allowed by law. The terms of three members will expire on the last day of December of each odd-numbered year, as follows:

Districts I, II, and VII	-	1989 and every 6 years thereafter
Districts III, VI and VIII	-	1991 and every 6 years thereafter
Districts IV, V and IX	-	1993 and every 6 years thereafter

[Section 130.088 of the Texas Education Code.]

(See Election Procedures in the HCC POLICIES MANUAL.)

Article D: Officers of the Board

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. ELECTION. Officers of the Board shall be elected by a majority of the total membership of the Board in January, or at any time thereafter, in order to fill a vacancy. They shall be elected for a one-year term and may succeed themselves. Officers shall be the Chair, the Vice-Chair and the Secretary. Officers may be changed or removed at any time by a majority of the total membership of the Board. If a majority vote is not obtained in the first vote, the Trustee receiving the lowest number of votes will be dropped and another vote will be taken as to the remaining nominees. This process will continue until one nominee receives at least five (5) votes.

2. CHAIR. Duties of the Chair shall be to:

- a. Preside over meetings of the Board pursuant to Robert's Rules of Order.
- b. Appoint all committees and designated alternates.
- c. Serve as ex-officio voting member of all Board committees.
- d. Call special meetings of the Board.
- e. Perform duties and functions prescribed by the Board.
- f. Call and provide proper notice for a meeting of the Board to adopt a budget for the succeeding fiscal year.
- g. Sign all legal documents, including contracts, warrants, vouchers and reports, as required by state or federal law, or a current edition of Board policy.
- h. Decide all questions of order in accordance with Roberts Rules of Order, Newly Revised, as modified by Board policy and/or laws. However, said rules may be suspended by a two-thirds vote of the board's total membership.
- i. Promote board unity and share all information with other board members in a timely fashion.

Should a vacancy be declared in the Board Chair position, the Board shall elect a permanent replacement to fill the remainder of the term.

- 3. VICE CHAIR.** Duties of the Vice Chair shall be to:
- a. Act in the capacity and perform the duties of the Chair in the event of the absence, death, resignation, disability, or disqualification of the Chair, and shall continue to serve in an interim capacity only.
 - b. Become Chair only upon being elected to the position.
 - c. Perform other duties as prescribed by the Board.
 - d. Sign, or attest to, all legal documents, in the absence of the secretary, as required by state or federal policy.
 - e. Promote board unity and share all information with other board members in a timely fashion.
- 4. SECRETARY.** Duties of the Secretary shall be to:
- a. Keep records of all important transactions and file budgets, forms, and reports at the proper times and in the proper offices, as required by law.
 - b. Sign, or attest to, all legal documents, as required by state or federal law or Board policy.
 - c. Promote board unity and share all information with other board members in a timely fashion.

Article E: Personnel Appointed By and Reporting Directly to the Board

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. APPOINTMENTS. All appointments by the Board shall be made in accordance with Board policy and state law.

2. CHANCELLOR. The Chancellor shall be the chief executive officer of the College and as such, shall recommend the organizational plan for the College as well as candidates for administrative and faculty positions within the College. The contract for this position shall have a limit of four years. The Board shall evaluate the Chancellor on an annual basis. The Chancellor has a fiduciary duty to the College, including, but not limited to, the duty to:

- a. Developing a qualified administrative organization and providing the College with academic and fund-raising leadership.
- b. Preparing the annual budget and submitting it to the Board for approval.
- c. Establishing administrative relationships among members of the College community.
- d. Preparing and approving the curriculum.
- e. Appointing campus committees, as needed. [The Chancellor will review all appointed committees with the Board prior to establishment, and will provide the Board with a semi-annual report of the membership of each committee](#)
- f. Preparing the agenda for Board meetings in coordination with the Board Chair and making regular reports to the Board regarding the status of the College.
- g. Promoting College political effectiveness at the state and local levels.
- h. Supervising the development and implementation of a system to evaluate faculty and staff.
- i. Assisting the Board in policy development, its yearly self-assessment, and meeting its own training requirements.
- j. Forging a relationship of mutual respect with each Trustee.

- k. Understanding each district of the College and its educational needs.
- l. Enforcing fiduciary and academic accountability of the College to the general public.
- m. Promoting College unity at all levels, emphasizing equality, diversity, and respect for all individuals.
- n. Interpreting the College to the community.
- o. Providing the Trustees with important information in a timely manner before all others and having background information and research compiled on issues of particular importance to the Board, with sufficient time for study by Trustees before a vote.
- p. Serving as the official spokesperson for the College.
- q. Maintaining open channels of communication throughout the College.
- r. Handling employee disciplinary issues, including termination when appropriate.
- s. In the event of a catastrophe, emergency, or natural disaster affecting the College, contracting for the replacement, construction, or repair of College equipment or facilities if emergency replacement, construction, or repair is necessary for the health and safety of College students and staff.
- t. Enhancing the image and well-being of the College.

3. EXTERNAL AUDITOR AND INTERNAL AUDITOR.

External Auditor. The External Auditor shall be an independent and objective party to provide advice to the Board. The External Auditor shall be appointed by the Board, and shall report directly to the Board, with access to the Chancellor. The Board will periodically evaluate the performance of the External Auditor and may dismiss or assign a new External Auditor at any time with or without cause. All engagement letters with the External Auditor shall be signed by the Board Chair. The Board shall select an auditing firm for a designated period, not to exceed five (5) years, and shall rotate External Auditors every five (5) years.

- a. An auditing firm selected by the Board as External Auditor is not eligible to submit a proposal immediately following any period during which it was engaged by the Board as External Auditor. The selected External Auditor may not serve simultaneously as the Internal Auditor.
- b. The Board shall outline its expectations regarding the annual financial statement audit and performance audit, if requested, and as may be directed by the Board. The Board also may arrange for self-requested audits to perform specific audit services. The External Auditor shall evaluate all financial operations of the College and prepare reports to the Board. Among the duties of the External Auditor are:
 - 1) to perform audit activities necessary to assure that College resources are being properly managed and accounted for, that the College has effective and adequate internal controls, and that internal operating colleges are reliable.
 - 2) to assure that the College is complying with approved policies and statutory requirements.
 - 3) to develop an annual audit plan for the College's financial audit which shall be presented to the Chancellor and the Audit Committee of the Board.
 - 4) to meet with the Board as requested and to report the results of the audit to the Board.

The External Auditor is prohibited from providing non-audit services to HCC.

Internal Auditor. The Internal Auditor shall report administratively to the Chancellor, and shall report functionally to the Board Audit Committee. The Internal Auditor shall be selected by the Board from candidates approved and provided by the Chancellor. The Chancellor shall recommend three (3) names to the Board as the finalists, each with a minimum of 10 years of experience as a full-time Auditor. The Internal Auditor shall be evaluated by the Chancellor after consultation with the Audit Committee and may only be dismissed by the Chancellor after obtaining approval of the Board. Duties of the Internal Auditor are to:

- a. Coordinate audit efforts with those of the External Auditor.
- b. Perform all duties in accordance with the Standards for the Professional Practice of Internal Auditing, the Code of Ethics, the Statements on Internal Auditing Standards, and the Statement of Responsibilities of Internal Auditing, each as established by the Institute of Internal Auditors.
- c. Meet regularly with the Board and the Audit Committee to review audits performed, audits in progress, and future audits.
- d. Conduct independent, protective and constructive audits so as to review effectiveness of controls, financial records, and operations.
- e. Analyze data obtained for evidence of deficiencies in controls, duplication of effort, or lack of compliance with College policies and procedures.
- f. Prepare reports and make recommendations on findings to the Chancellor and the Board.
- g. Provide audit education and Internal Control training.
- h. Offer advisory services, Control Self-Assessment (CSA) services, and workshops.

4. BOARD COUNSEL AND GENERAL COUNSEL.

Board Counsel. The Board Counsel shall provide legal advice to the Board. The Board Counsel shall be appointed by the Board, shall report directly to the Board (with access to the Chancellor), and may be dismissed or reassigned by the Board without cause. The Board Counsel shall represent the College in all assigned legal matters. The Board Counsel shall attend all Board and Board committee meetings. Duties of the Board Counsel include:

- a. Provide advice and counsel to the Board.
- b. Maintain the Board bylaws and certain Board policies and procedures, and recommend amendments, as needed.
- c. Handle assigned legal matters for or on behalf of the College, such as preparation of legal opinions as requested by the Board or the Chancellor.
- d. Render legal services in connection with assigned legal matters.
- e. Perform any other legal services as may be required by the Board or requested by the Chancellor.

Upon recommendation of the Chancellor, or on its own motion, the Board may employ other outside counsel to address legal matters in special situations. The outside counsel shall report directly to the Board, with access to the Chancellor.

General Counsel. The General Counsel shall provide legal advice to the Chancellor. The General Counsel shall be appointed by the Board, upon recommendation of the Chancellor, and shall report directly to the Chancellor, with access to the Board. The General Counsel shall attend all Board and Board committee meetings. Duties of the General Counsel include:

- a. Provide legal advice and counsel to the Chancellor, administration and faculty.
- b. Maintain the College's policies and recommend amendments, as needed.
- c. Handle routine legal matters for or on behalf of the College.
- d. Perform other legal services as may be required by the Board or assigned by the Chancellor.

5. FINANCIAL ADVISOR. The Financial Advisor shall be appointed by the Board, shall report directly to the Board, with access to the Chancellor, and may be dismissed or reassigned by the Board without cause. The Financial Advisor shall offer guidance to the Board in all financial matters. Duties of the Financial Advisor include:

- a. Evaluating College indebtedness.
- b. Recommending asset allocation.
- c. Evaluating investment strategies.
- d. Evaluating acquisition strategies.
- e. Evaluating long and short term financial planning.

The Board shall select the Financial Advisor for a designated period, not to exceed five (5) years, and shall rotate Financial Advisors every five (5) years.

Article F: Committees

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. GENERAL. The board may establish such standing and special/ad hoc committees as it deems necessary for the welfare of the College. Appointed committees will have three members. Committees of the whole are comprised of the entire membership of the board. Special/ad hoc committees may be created for matters not assigned to standing committees in these bylaws. Appointed, committees of the whole and special/ad hoc committees have the same level of authority and are working committees that make non-binding recommendations to the board. The board chair shall designate the chair and members of each committee and the Chancellor will assign staff with experience and expertise in the particular area to support the work of all committees. A committee shall be limited to actions delegated to that committee by the board.

2. APPOINTED COMMITTEES

Appointments. Except where the ~~board~~[Board](#) elects to have a committee organized as a committee of the whole, the ~~board chair~~[Board Chair](#) shall appoint board members to each committee. Appointed committees will have three ~~board~~[Board](#) members, including the committee chair, except that the ~~board chair~~[Board Chair](#) will appoint one alternate member to each committee. Alternate committee members may vote, or make or second motions if any member of the committee is absent. In case a ~~board~~[Board](#) member should become unable to continue serving on an appointed committee, or the board determines that a committee member should be removed, the ~~board chair~~[Board Chair](#) will appoint a replacement within thirty (30) days.

Meetings. Committee meetings shall be called by the committee chair and duly posted, convened and conducted in accordance with the Texas Open Meetings Act. Any ~~board~~[Board](#) member may attend and participate in discussion at any such committee meetings. Committees will meet no more than once monthly without prior approval from the ~~board chair~~[Board Chair](#).

Attendance. A quorum shall be declared as soon as a majority of the committee members are in attendance at the appointed committee meeting. For the purposes of a quorum, alternate committee members are considered only if committee members are not present.

Voting in Appointed Committees. A majority vote of a quorum of a committee is required for a committee recommendation from an appointed committee to be presented to the full board for consideration. A committee recommendation, however, does not constitute a final ~~board~~[Board](#) action and, therefore, does not bind the

~~board~~Board. A committee recommendation from an appointed committee will be presented as a report at the committee of the whole meeting, and with the approval of both the chair of the appointed committee and the ~~board-chair~~Board Chair, will be listed on the agenda for the next regular ~~board~~Board meeting under the consent agenda.

3. COMMITTEE OF THE WHOLE MEETINGS

Meetings. The Board Chair shall convene any committee of the whole meeting. Once the meeting has opened, the chair of each committee shall officiate over his/her committee proceedings until concluded. All meetings shall be duly posted, convened and conducted in compliance with the Texas Open Meetings Act. The chair of each appointed committee shall give a report of his/her committee's actions and recommendations at the committee of the whole meeting. Unless otherwise posted, committee of the whole meetings will be held on the second Thursday of the month.

Attendance. A quorum shall be declared when at least five members of a committee of the whole are present.

Voting in a Committee of the Whole. A vote of at least five members of a committee of the whole is required for a committee recommendation to be presented for consideration at a regular board meeting. A committee recommendation, however, does not constitute a final board action and, therefore, does not bind the board. A recommendation from a committee of the whole will be listed on the agenda for the next regular board meeting under the consent agenda.

4. STANDING COMMITTEES

Committees of the Whole

- a. **Finance and Facilities.** The finance and facilities committee shall oversee the budget, the college capital improvement and maintenance plan, and master planning. The finance and facilities committee shall also evaluate the performance of all financial advisors.

Appointed Committees

- a. **Academic Affairs/Student Success.** The academic affairs/student success committee shall consider all issues affecting academic policies, student success, athletic programs, programmatic changes, diversity, new certificates and all technology issues.
- b. **Board Governance.** The board governance committee shall consider all issues affecting board activities, board training, board marketing, board communications, board outreach, human resources, and all board policies. The board governance committee shall also monitor ongoing assignments given by the Board to the Administration and receive periodic updates on their progress. On a semi-annual basis, the board governance committee shall also receive and review reports from the

board office regarding all Board expenditures and will make a report at the committee of the whole meeting.

- c. **Audit.** The audit committee assists the Board in fulfilling its fiduciary oversight responsibilities. The committee will approve the annual audit plan for recommendation to the full board.
- d. **External Relations.** The External Relations Committee shall consider all issues regarding legal and legislative matters, economic development, small business and College marketing and communications.

5. SPECIAL/AD HOC COMMITTEES. Special/ad hoc committees may be created as needed by the ~~board chair~~Board Chair for matters not assigned to standing committees in these bylaws. At the discretion of the ~~board chair~~Board Chair, a special/ad hoc committee may be organized as an appointed committee or as a committee of the whole. No special/ad hoc committee can exist for longer than one year unless reestablished, and may be terminated by the board chair upon completion of its mission.

6. APPOINTMENTS TO OUTSIDE ENTITIES. The ~~board chair~~Board Chair shall appoint, on an annual basis, ~~board~~Board members as liaisons to boards of directors or advisory boards of outside entities, such as, for example, the HCC Foundation.

7. COMMUNITY ADVISORY COMMITTEES. Community Advisory Committees are appointed by the ~~board~~Board for the purpose of improving the ~~college~~College and may be dissolved by ~~board~~Board resolution upon completion of their task. Committee members shall be selected to represent a variety of ethnic groups and organizations and to provide the ~~college~~College with advice on programs, facilities, student retention, recruitment and fundraising. Recommendations from these committees shall be forwarded to the Chancellor for consideration and future action.

Article G: General Board Meetings

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. OPEN MEETINGS. The Board shall hold regular meetings for purposes of handling College business. All meetings shall be held in compliance with the Texas Open Meetings Act. Citizens are welcome to attend meetings of the Board. Trustees shall adhere to the Board Code of Conduct and promote Board Leadership at all times.

2. DEFINITIONS.

A "meeting" occurs when:

- a. A quorum of members of the Board deliberate with each other or with any other person; and
- b. Such quorum discusses, considers, or takes formal action on public business or public policy that the Board supervises or controls.

"Deliberation" means an exchange, verbal, electronic or otherwise, between a quorum of Board members (or between them and any other person) concerning any issue within the jurisdiction of the Board or any public business.

No deliberation that affects public business is allowed to take place in any setting other than a duly posted meeting of a quorum of Board members.

3. TIME AND LOCATION. Unless otherwise provided, the regular meeting of the Board shall be held on the third Thursday of each month at the HCC Building, 3100 Main Street. Such meetings may be recessed from day to day until the completion of business. The time for special and emergency meetings of the Board shall be as stipulated in the notice for the meeting.

4. NOTICE. Written notice of all meetings shall be posted at the central administration building and the website by the Board Services Office. Furthermore, notice shall be furnished for posting to the Harris County Clerk, the Fort Bend County Clerk, and upon request, to the media. Notice of all meetings shall provide for the possibility of a closed or executive session during an open meeting, as provided by law.

5. VOTING. Each Trustee's vote, or failure to vote, shall be recorded by name. Only Trustees present in person may vote. Absent Trustees may listen to the proceedings by electronic media, but may not vote on the proceedings. No proxy votes shall be allowed. Other than situations in which a two-thirds vote is required, a majority vote of the total membership of the Board will be required in order for the Board to act.

6. ORDER OF BUSINESS. The Board Chair and the Chancellor shall decide the order of business for meetings. (See HCC POLICY MANUAL)

7. AGENDA. At the direction of the board chair, the Chancellor shall prepare and present an agenda at least 7 calendar days prior to the regular Board meeting, having followed the agenda preparation process established by the Board. An item shall be added to the agenda by the written request of three (3) Trustees submitted to the Chancellor or board chair at least seven (7) days prior to the meeting.

Either the Board Chair or the Chancellor, at his or her discretion, may pull any item noticed for discussion and/or action from the agenda without further action by the Board unless that item has been added by the written request of three (3) Trustees, in accordance with the procedures outlined above.

8. RULES OF ORDER. Robert's Rules of Order (most current edition) shall constitute the rules of procedure applicable to all meetings of the Board, when not in conflict with any provisions of law or these bylaws. The Board may suspend the rules, as needed, by a two-thirds vote of the composition of the full board.

9. MINUTES AND RECORDINGS. The Board shall prepare and keep minutes and/or make a tape recording of each open meeting. The minutes and tapes are public records and shall be available for public inspection and copying upon request to the Board office. Any person in attendance can make an audio or video recording of any or all of an open meeting, subject to reasonable rules adopted by the Board to maintain order.

10. SPECIAL MEETINGS. Special meetings of the Board may be called by either the Chair at his/her own discretion, or by the independent requests of three (3) Trustees who must call for the meeting in writing, specifying the date, time, place, and purpose of the meeting. Special meetings must be duly posted.

11. CLOSED MEETINGS/EXECUTIVE SESSION. Trustees, employees and agents of the College shall not divulge to any person the substance of matters discussed at any closed meeting, except as otherwise required or allowed by law. Closed meetings shall be held as allowed by law to have discussions and deliberations of College matters that cannot be made public. A further objective would be to protect the attorney-client privilege recognized by law.

12. PROHIBITIONS. No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act. No Board member shall knowingly close or aid in closing a regular meeting to the public (except as permitted under the Open Meetings Act). No Board member shall participate in a closed meeting that is not permitted under the Open Meetings Act.

13. CITIZEN PARTICIPATION. The Board shall provide opportunities at its meetings for citizens to address the Board, but shall impose reasonable restraints on the number, length, and frequency of presentations, so long as it does not unfairly discriminate among views seeking expression.

14. DISRUPTION. It is a criminal offense for a person, with intent to prevent or disrupt a lawful meeting, to substantially obstruct or interfere with the meeting by physical action or verbal utterance. The Board may immediately remove from the meeting any person causing a substantial disruption.

15. SOCIAL FUNCTIONS AND RELATED EVENTS. The Board may congregate for social functions, such as meals or festivities, but shall refrain from discussing issues under consideration by the Board for a Board vote. Trustees may gather in a quorum at a social function unrelated to the public business of the College, or at a regional, state or national convention or workshop, if formal action is not taken. Such gatherings are not "meetings" under the law and no public notice is required to attend such gatherings. (Tex. Govt. Code 551.001)

Article H: Board Operations

Responsible Board Committee: Board Governance

Responsible Department/Group: Board of Trustees

1. EVALUATION. The Board shall, on a regular basis, evaluate the efficiency and effectiveness of Board operations for the benefit of the College. With the assistance of the Chancellor's staff, operations shall be continuously streamlined and modernized for the efficient dispensation of College business. The community image of the College and the Board shall be periodically assessed for possible changes in Board operations.

2. EFFICIENCY. For maximum efficiency, the following rules of operation shall be followed:

Board Meetings.

- a. All Board meetings shall begin promptly.
- b. Transportation to all meetings shall be provided Trustees when necessary.
- c. Meetings shall be held during hours appropriate for maximum Board involvement and public participation.
- d. Board members shall strive to limit themselves to no more than two minutes of speaking time on an issue.

Board Agenda.

- a. Trustees shall receive a final copy of the agenda no later than five calendar days prior to the meeting.
- b. The agenda must be officially posted 72 hours prior to the meeting. For an emergency meeting, the agenda must be posted 2 hours in advance. Emergency postings must be approved by Board Counsel or the General Counsel.
- c. A new item may be placed on the agenda by three (3) Trustees, submitted in writing, up to seven (7) days prior to the regular Board meeting.
- d. Supplementary (or explanatory) information should be sent to Trustees well in advance of the general meeting.

- e. Trustees shall be provided with all necessary background information on any issue being considered for a vote, no later than five days prior to said vote.
- f. Agenda items shall have policy referral numbers for easy reference by Trustees.
- g. Fiscal impact for agenda items shall be clearly provided for each agenda item.

Consent Agenda. In an effort to streamline the regular agenda to allow Trustees to focus on critical issues, committee recommendations and routine agenda items shall be placed on the consent agenda.

3. EXPENDITURES. The Board shall have complete control of all Board accounts, and uses of the accounts must promote the College, develop the Board, or both.

Only Trustees in good standing are eligible to travel at College expense or have access to community funds, as discussed below. A Trustee in good standing is not indebted to nor owes the College money for any reason.

Travel. Trustees may attend conventions, conferences, workshops, and other events approved by the Board. See the Board Travel Reimbursement Policy for a list of approved Conferences. Conferences not listed in the Board Travel Reimbursement Policy require prior Board approval for reimbursement of related expenses. Trustees must be in good standing to travel at College expense.

Board Account for Community Affairs. At the beginning of each fiscal year, a Board Account for Community Affairs ("BACA") will be established for Trustees to fund activities related to their duties and responsibilities as Board members. Each Trustee will be limited to Five Thousand Dollars (\$5,000.00) per fiscal year, and the funds must be used in such a way as not to violate the gift of public funds doctrine. This doctrine, under Texas law, prevents political subdivisions from using public money or granting something of value for a private purpose. Trustees must be in good standing to access BACA funds.

- a. Trustees may use funds from the BACA for a community activity related to their duties and responsibilities as Trustees if and only if all of the following requirements are met:
 - 1) the activity serves a public purpose;
 - 2) the College receives adequate value or benefit in return; and
 - 3) sufficient controls are in place to ensure the public purpose is met.

"Public purpose" is defined as an activity that adds value to or benefits the College as a whole by supporting the educational functions and mission of the College.

- b. Trustees may use funds from the BACA to sponsor community functions such as awards banquets, charitable events, and similar events and activities. Examples of proper educational public purposes are:
- 1) solicitation of donations for College educational programs;
 - 2) enhancement of the reputation of the College in the community;
 - 3) support of activities that increase the morale of employees and/or students;
 - 4) support of events that enhance enrollment of students or recruitment of faculty, administration or staff; or
 - 5) support of events that enhance the academic advancement, workforce training, or career development of HCC students.
- c. Trustees will adhere to the following guidelines as controls to ensure that a proper educational purpose is served:
- 1) trustees must complete the BACA Fund Request form in the Board Services Office at least seven (7) days prior to the event;
 - 2) the Board Chair or the Chair of the Board Governance Committee will review the form for completeness and to ensure the public purpose requirements of 8.3.3(a) above are met, and will promptly notify the Trustee of his or her decision. Neither the Board Chair nor the Chair of the Board Governance Committee may approve their own request;
 - 3) the amount requested must be the exact amount of the cost of the event or activity;
 - 4) the Board Services Office shall NOT process a requisition for a requested BACA expenditure without a completed BACA Fund Request form signed by the Board Chair or the Board Governance Committee Chair. No requisitions will be processed if the requesting Trustee's BACA account has insufficient funds for the requested expenditure; and
 - 5) The Board Services Office will email each Trustee the balance in their BACA account on a monthly basis. The Board Governance Committee will make a semi-annual report at the committee of the whole meeting, indicating the amount, the activity and the requesting Trustee for each BACA expenditure. An annual report will be made at the end of each fiscal year.

- d. Trustees may not use proceeds from the BACA for the following:
- 1) events underwritten by or supporting religiously-affiliated organizations;
 - 2) personal or individual purposes, such as election campaign activities;
 - 3) to support economic development or promote local businesses in a Trustee's district; or
 - 4) any other activity that supports an organization, public or private, that does not meet the requirements of 8.3.3(a) above.

HCC TRUSTEE BOARD ACCOUNT FOR COMMUNITY AFFAIRS REQUEST

4. PUBLIC STATEMENTS AND THE MEDIA. The Board shall be encouraged to speak with one voice, through the Chair (or in his absence, the Vice Chair), regarding College matters before the press. If a Board member is contacted by the news media, that member will notify Board Services within 24 hours of the contact. Board Services will notify all Board members via e-mail.

5. TRAINING. The Board recognizes its responsibility to be actively and continuously engaged in developing individual board member's skills and knowledge by keeping them abreast of new developments in fiduciary, governance, and ethics laws, norms and best practices. The Board shall, therefore, have an orientation and development process in place. Board members may also attend regional, state, or national conventions, conferences, and workshops, and will be reimbursed for reasonable travel expenses for attendance at such as provided in the Board Travel Reimbursement Policy and these Bylaws. On an annual basis, Board Counsel will review all policies that address Board operations and will carry out (with assistance from General Counsel as needed), any necessary training for the Trustees and Staff, as follows:

- a. **General Requirement.** Each Trustee shall participate in the HCC Annual Trustee Orientation program, a training session of at least four hours conducted by Board counsel and other independent professionals, as needed. The program will consist of at least one hour of ethics training and one hour of finance training. Board members who do not complete this annual training by March of each year shall be ineligible to serve as a Board officer or as Chair of a committee until the training is completed.
- b. **Mandatory Open Government Training.** Each Trustee shall, pursuant to Texas law, complete two hours of open government training, one hour each on open meetings and the public information act. This training must be completed within 90 days of being sworn in to serve. The Office of the Attorney General provides free online or video training to satisfy this requirement.
- c. **Mandatory ~~Financial~~ Training with Texas Higher Education Coordinating Board.** Within the first two years of service, each Trustee shall, pursuant to Texas law, complete a training ~~segment that includes information about best practices in campus financial management, financial ratio analysis, and case studies using financial indicators.~~ program established by the Texas Higher Education Coordinating Board pursuant to Section 61.084 of the Texas Education Code. Board members taking office on or after January 1, 2016, must complete this training within the first year of service. The minutes of the last regular meeting of the calendar year must reflect whether each required member completed the training. Training via electronic means is also acceptable.
- d. **Mandatory Investment Training.** Within six months after taking office or assuming duties, each Trustee shall, pursuant to the Public Funds Investment Act (Texas Government Code, Chapter 2256), complete at

least one training session relating to the Trustee's investment responsibilities, including training in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with Chapter 2256 of the Texas Government Code.

6. SELF-ASSESSMENT OF THE BOARD. The Board shall evaluate its own performance and shall establish its goals on a yearly basis. The self-assessment of the Board shall consist of:

- a. Review of the Board Bylaws.
- b. An assessment of Board expenditures and savings for the year.
- c. An estimation of Board budgetary needs for the following year.
- d. An evaluation of Board accomplishments in setting policy, uniting the community in and out of the College, managing debt, and improving the College.
- e. An assessment of Board Governance and Operations.
- f. An assessment of the Board Office functions (Board office staff shall be evaluated by the Chancellor).

7. REQUESTS FOR DOCUMENTS

The College is committed to assuring open and public access to all records of the college to the extent permitted by law. ~~If a HCC Trustee submits a request for HCC documents that is either burdensome in the requested time to respond, or, if the information requested is more than thirty (30) pages in length, or requires the creation of reports/documents that do not currently exist, the Board Chair, after presentation of an analysis conducted by the administration, shall exercise discretion in determining the cost effectiveness of the request and the utilization of college resources needed to effectively respond to the request.~~

The Board Chair will review each request for documents submitted by a Trustee, and if the Chair determines that the request is ~~excessive or does~~ not reasonably ~~relate~~related to official Trustee issues, he or she shall instruct the Trustee submitting the request ~~shall comply with the Texas Public Information Act by submitting~~to submit an Open Records request. ~~The Trustee must submit their request~~ in accordance with the provisions of the Texas Public Information Act and any existing HCC Open Records policy. In addition, the Trustee shall be solely responsible for any fees and costs associated with the request. The Board Services office shall notify each Trustee of all Public Information Act requests for documents and all requests for documents from a Trustee and shall make a copy of responsive documents available to all Trustees at their request.

8. BOARD MEMBER COMPLAINTS.

A member of the Board who has a complaint against another member of the Board or the HCC administration shall undertake the following steps to resolve the complaint:

- a. Board members must submit a written complaint, using the form at Exhibit A, to the Board Chair, or to the Vice Chair if the Chair is the subject of the complaint, within 30 days of the date of the incident giving rise to the complaint or within 30 days of the date the Board member becomes aware of the complaint.
- b. The Board shall be advised when any complaint is submitted.
- c. The Chair or Vice-Chair, as appropriate, will undertake a process to resolve the complaint.
- d. The Chair or Vice Chair may initiate an independent investigation of a written complaint after receiving approval from a majority of the board. Upon approval, the Chair shall consult with Board Counsel, then name an independent third party to investigate the complaint within the parameters set by the Board. Further, the Chair shall provide regular updates to the Board through the named investigator.
- e. The Chair or Vice Chair shall issue a written statement regarding his or her findings at the conclusion of the resolution process. The decision of the Chair or Vice Chair is final.

BOARD MEMBER COMPLAINT FORM

Please ensure all necessary/relevant information is included. All correspondence concerning this matter will be sent to the address or e-mail address provided below.

Name of Complainant: _____

Phone: _____

E-Mail: _____

Statement of complaint:

Signature: _____

Date Submitted: _____

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3:23:58 PM

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Document 1 ID	PowerDocs://DM/2319716/20
Description	DM-#2319716-v20-HCC_BYLAWS_
Document 2 ID	PowerDocs://DM/2319716/22
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Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
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Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
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Deletions	34
Moved from	1
Moved to	1
Style change	0
Format changed	0
Total changes	111