INTRODUCTION

PURPOSE

The Angelina College Policy and Procedures Manual contains the policies and regulations governing College District operations. The Board of Trustees and the administration make every effort to maintain policies, regulations, and procedures contributing to the success, strength, and stability of Angelina College. New policies and procedures and changes to existing policies and procedures are adopted to accommodate current best practices and continuous improvement; to comply with changes in laws, regulations, or accreditation standards; or to respond to operational issues.

ORGANIZATION

As adoptions or changes occur, two identical versions of the Manual will be maintained. The official copy will be in the College President’s office, and an electronic copy will be available for day-to-day use on the College District’s website.

Each policy and regulation is identified according to an alphabetical code in the upper right corner of the page. The issue date of the policy or regulation is noted in the lower left corner with a place for the adoption date for policies. There are seven sections, each devoted to a separate area of College District governance:

- A – Basic District Foundations
- B – Local Governance
- C – Business and Support Services
- D – Personnel
- E – Instruction
- F – Students
- G – Community and Governmental Relations

LOCAL POLICIES

Local policies govern the College District and meet the Southern Association of Colleges and Schools Commission on Colleges (SACSOC) governance requirements. Only the Board of Trustees may adopt or amend a Local Policy. Local policies are identified by the designation “LOCAL” directly below the alphabetical code in the upper right corner of each page.

LEGAL POLICIES

The legally referenced policies track the language of the U.S. and Texas Constitutions, federal statutes, the Texas Education Code and other Texas law, Attorney General opinions, Texas Higher Education Coordinating Board rules, the Texas Administrative Code, and other sources of authority defining governance of public community college districts in the state of Texas. Policy statements that cite court cases or Attorney General opinions stand only for the specific statements in the policy and do not otherwise implicate the entire opinion. Such citations are provided only for reference; no other meaning is implied or intended. All legally referenced policies have the designation “LEGAL” in the upper
The College President adopts regulations and procedures for the operation and administration of the College District. Regulations and procedures are not formally adopted by the Board of Trustees. Administrative regulations or procedures are identified by the designation “REGULATION” directly below the alphabetical code in the upper right corner.

Exhibits are pages with forms, notices, and more information that are used by the College District; some exhibits are promulgated by legal authority. Although not formally adopted by the Board, exhibits are included in the College District’s manual to assist in the implementation of policy and regulations. Exhibits have the designation “(EXHIBIT)” directly below the code in the upper right corner. Multiple exhibits under the same code are usually preceded by a cover page listing the various exhibits.

Bottom notes indicate the adoption date of a policy, or the issuance, or review date of regulations and procedures.

The complete Policy and Procedures manual was reviewed and recodified by The Board of Trustees in March 2005.
“It is impossible that all things should be precisely set
down in writing; for enactments must be universal, but
actions are concerned with particulars.”

- Aristotle
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ABA NAMING OF COLLEGE DISTRICT FACILITIES AND PROGRAMS
AC  GEOGRAPHIC BOUNDARIES AND SERVICE AREAS DISTRICT
AE  GOALS AND OBJECTIVES
DISTRICT LEGAL STATUS AND HISTORY

SECTION ONE
LEGAL STATUS

1.01 Angelina College is a public county junior college pursuant to Education Code 130.004(a). The College derives its legal status from the Constitution of the state of Texas (Texas Constitution, Art. VII), and from the Texas Education Code as passed and amended by the Texas Legislature.

1.02 All authority not vested in the Texas Higher Education Coordinating Board or the Texas Education Agency by Texas law is reserved and retained locally in the College or in the Board of Trustees (Education Code 130.002).

SECTION TWO
HISTORY

2.01 The Angelina County Junior College District was established by an election held September 24, 1966. The organization of the College District was promulgated and sponsored by the Education Committee of the Angelina County Chamber of Commerce.

2.02 At its regular meeting on December 12, 1966, the Board elected Dr. Jack W. Hudgins as the first President of Angelina College. Construction of the original seven building campus started in November of 1967. Angelina College opened its doors to students in the fall of 1968.

2.03 Upon the retirement of Dr. Hudgins, in January 1991, the Board elected Dr. Larry Phillips as the second President of Angelina College. During Dr. Phillips’ tenure, the College District experienced significant enrollment growth, facility expansion, and opened four off-campus instructional centers in Jasper, Houston, Nacogdoches, and Polk counties. Dr. Phillips’ also formed partnerships to host the Small Business Development Center, Procurement Technical Assistance Center, Buckner Family Place, and the Angelina Arts Alliance on the Lufkin campus.

2.04 Upon the retirement of Dr. Phillips, on June 1, 2015, the Board elected Dr. Michael J. Simon as the third President of Angelina College.
COLLEGE DISTRICT NAME

SECTION ONE
COLLEGE DISTRICT NAME

1.01 Pursuant to Texas Education Code 130.0051(a), the Board of Trustees of the Angelina County Junior College District adopted a resolution changing the official name of the district to “Angelina College” on April 10, 2017.

1.02 The College District shall use the new name in all official actions, communications, and records.
NAMING OF COLLEGE DISTRICT
FACILITIES AND PROGRAMS

Naming actions shall not detract from the College District’s values, dignity, integrity, or reputation, nor shall any naming action create a conflict of interest, the appearance of a conflict of interest, or confer special privileges. Naming actions may be made for a person or family associated with the College District who has rendered distinguished service to the College District or who has made a significant contribution to society. Naming actions may also be made for donors who have made significant financial contributions to the College District.

When a facility naming action is in recognition of a donation, the contribution must be not less than 50 percent of total construction costs for new facilities or 35 percent of the replacement value of existing facilities. When a program naming action is in recognition of a donation, the contribution must not be less than 10 times the annual operating budget of the program at the time of the naming action. The College president shall enter into a Gift Agreement on behalf of the College District with any donor receiving a naming action.

Naming actions require that the individual or family has a prominent relationship with the College District and/or the region, with a positive image and demonstrated integrity. The naming action will generally remain for the life of the named facility or program. In the event of changed circumstances, the College District reserves the right, on reasonable grounds, to revise the form of or withdraw the naming action.

Each naming action for a College District facility or program must be approved by the Board of Trustees during a regular meeting of the Board. The College president shall recommend the naming of any facility or program to the Board of Trustees. Facilities include all buildings, classrooms, laboratories, building wings, atria, auditoria, concert halls, athletic and arts facilities, and prominent outdoor spaces. Programs include academic divisions and schools; academic chairs, fellowships, professorships, teaching centers operated but not owned by the College District; and instruction, community service, and student service programs.

The Board delegates to the College president authority to name small outdoor spaces (e.g., a park bench located on campus grounds) or small indoor spaces (e.g., a single administrative or faculty office). The College president shall notify the Board of his/her naming decision during the next regular Board meeting.
THE ANGELINA COUNTY JUNIOR COLLEGE DISTRICT LEGALLY CONSTITUTED SERVICE AREA. The service area of the Angelina County Junior College District as established by The Texas Education Code 130.162-130.211, includes the territory within:

1. Angelina, Houston, Nacogdoches, Polk, Sabine, San Augustine, Trinity, and Tyler counties;
2. The Wells and Alto independent school districts, located in Cherokee County;
3. The Burkeville and Newton independent school districts, located in Newton County;
4. The Jasper Independent School District, located in Jasper County;
5. The Shepard and Coldspring-Oakhurst consolidated independent school districts, located in San Jacinto County;
6. The part of the Brookeland Independent School District that is located in Jasper and Newton Counties;
7. The part of the Colmesneil Independent School District that is located in Jasper County; and
8. The part of the Trinity Independent School District that is located in Walker County.
SECTION ONE
STATEMENT OF MISSION AND VISION

1.01 The MISSION of Angelina College is to provide quality educational opportunities and services to aid students in the service area in reaching their full potential.

1.02 The VISION of Angelina College is to be the first choice in value and quality education leading to diverse career pathways throughout its service area.

1.03 The College District’s mission and vision are predicated on the belief that education is vital to maintaining a democratic society, to transmit culture and extend knowledge, and to developing engaged citizens empowered to improve their lives and their communities. The College District is committed to engaging in an active relationship with the communities it serves to ensure the relevance and vitality of its educational programs and services as well as to enhance the economic, cultural, and social environments of those communities. The College District assists a diverse student population to prepare for a rapidly changing and highly technological world through quality educational programs and excellent student services.

SECTION TWO
CORE VALUES

2.01 The CORE VALUES of Angelina College are the following:

• Integrity - We value academic honesty and ethical behavior.

  Integrity is evidenced by defending academic freedom, fostering civic responsibility, exhibiting academic honesty and ethical behavior, and celebrating the courage to act.

• Diversity - We value diverse perspectives, cultures, and experiences.

  Diversity enriches the learning and working environment and enables people with different perspectives, cultures, and experiences to thrive on campus and to prepare for success in a pluralistic society.

• Learning - We value learning as the core of our mission.

  Learning through the unfettered search for knowledge and its free exposition and through experiences promoting the acquisition of relevant skills and abilities is at the core of every college endeavor.

• Excellence - We value the ongoing pursuit of excellence.

  Excellence is achieved through teamwork, continuous improvement of every facet of the institution, sustainable practices, sound financial planning, prudent use of resources, and ongoing development of personnel.

• Engagement - We value service to our communities.
Engagement through partnerships, active citizenship, and community service supports and strengthens the social, cultural, and economic environment of the service area.

SECTION THREE
STRATEGIC GOALS

3.01 The College has adopted the following five strategic goals:

Goal One: Expanding Access to Higher Education Opportunities
Angelina College will increase awareness of the educational opportunities and services offered by the college, continuously improve processes and services to make enrollment convenient and efficient, and expand access to all credit and noncredit programs.

Goal Two: Promoting Student Success
Angelina College will assist students in identifying and achieving their educational goals including program completion, academic transfer, basic skills improvement, career preparation, and personal and professional growth.

Goal Three: Pursuing Excellence through Continuous Improvement
Angelina College will cultivate a learning and working environment committed to evidence-based decision making, identifying and implementing best practices, and continuously improving programs and services.

Goal Four: Engaging in Community Service
Angelina College will provide programs and services to support learners’ career and personal enrichment goals, to meet the human capital needs of employers, to contribute to the social and cultural environment of the region, and to support economic development in the college’s service area.

Goal Five: Investing Responsibly in Quality
Angelina College will manage resources in a prudent manner while investing to enhance educational offerings and the physical environment to meet student and community needs and expectations.
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  BBB  Elections
  BBC  Vacancies and Removal From Office
  BBD  Orientation and Training
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BKA
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BOARD LEGAL STATUS

SECTION ONE
GOVERNING BOARD NAME, POWER, AND AUTHORITY

1.01 The official name of the governing board of Angelina College shall be the “Board of Trustees.” *Education Code 130.082(b)*

1.02 The Board of Trustees shall constitute a body corporate and shall have the exclusive power to manage and govern the college district. *Education Code 1.001(a), 130.082(d), 1.084*

1.03 All authority not vested by Texas Education Code Chapter 130 or by other laws of the state in the Texas Higher Education Coordinating Board or in the Texas Education Agency is reserved and retained locally in the College District or the Board of Trustees as provided in the laws applicable. *Education Code 130.002*
RESPONSIBILITIES

The Board, being composed of lay members, shall exercise the traditional and time-honored role as it has evolved in the United States and shall constitute the keystone of the governance structure. In this regard, the Board:

1. Is expected to preserve institutional independence and to defend its right to manage its own affairs through its chosen administrators and employees.

2. Shall enhance the public image of the College District under its governance.

3. Shall interpret the community to the campus and interpret the campus to the community.

4. Shall nurture the College District under its governance to the end that it achieves its full potential within its role and mission.

5. Shall insist on clarity of focus and mission of the College District under its governance.

Education Code 51.352(a)

EXTENT OF STATE AND LOCAL CONTROL

All authority not vested by the laws of the state in the Coordinating Board or in the Central Education Agency shall be reserved and retained locally in the College District or in the Board as provided in the laws applicable. Education Code 130.002

The Board shall have specific powers and duties imposed by statutes of the state. The Board has the legal power and duty to:

1. Be governed in the establishment, management, and control of the College District by the general laws governing the establishment, management, and control of independent school districts insofar as the general law is applicable. Education Code 130.084

2. Set and collect any amount of tuition, rentals, rates, charges, or fees the Board considers necessary for the efficient operation of the College District, except that a tuition rate set under this subsection must
satisfy the requirements of Section 54.051(n). The Board may set a different tuition rate for each program, course, or course level offered by the College District, including a program, course, or course level to which a provision of Section 54.051 applies, as the Board considers appropriate to reflect course costs or to promote efficiency or another rational purpose. *Education Code 130.084*

<table>
<thead>
<tr>
<th>PROVIDE DIRECTION</th>
<th>3.</th>
<th>Provide policy direction for the College District and adopt such rules, regulations, and bylaws as the Board deems advisable. <em>Education Code 51.352(b), 130.082(d)</em></th>
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<td>4.</td>
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<tr>
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<td>5.</td>
<td>Adopt a tax rate each fiscal year as required by Tax Code 26.05. <em>Education Code 130.121</em></td>
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<tr>
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<td>6.</td>
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</tr>
<tr>
<td>ASSESSING AND COLLECTING</td>
<td>7.</td>
<td>Provide for assessing and collecting of taxes. <em>Education Code 130.121(a)</em></td>
</tr>
<tr>
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<td>8.</td>
<td>The Board shall approve an itemized current operating budget on or before September 1 of each year. <em>19 TAC 13.42</em></td>
</tr>
<tr>
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<td>9.</td>
<td>Have the accounts audited in accordance with the approved financial reporting system. <em>Education Code 61.065</em></td>
</tr>
<tr>
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<td>10.</td>
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</tr>
<tr>
<td>BEQUESTS AND GIFTS</td>
<td>11.</td>
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</tr>
<tr>
<td>ENDOWMENT FUND</td>
<td>12.</td>
<td>Establish an endowment fund outside the state treasury in a depository selected by the Board. <em>Education Code 130.007</em></td>
</tr>
</tbody>
</table>
Angelina College
03501

BOARD LEGAL STATUS
POWERS, DUTIES, RESPONSIBILITIES

DEPOSITORy  13. Select a depository for College District funds. 
              Education Code Ch. 45, Subch. G

ELECTIONS  14. Order elections as required by law. Education Code 130.082(f), 130.122(b)


APPOINT COLLEGE PRESIDENT  16. Appoint the College President, evaluate the College President, and assist the College President in the achievement of performance goals. Education Code 51.352(d)

EMPLOYMENT OF PERSONNEL  17. Appoint or employ agents, employees, and officials as deemed necessary or advisable to carry out any power, duty, or function of the Board; employ a dean, or other administrative officer; upon the College President’s recommendation, employ faculty and other employees of the College District. Education Code 130.082(d)

PASSING RESOLUTIONS OR ORDERS  18. Proceed by and through resolutions or orders adopted or passed by the Board. The affirmative vote of a majority of all Board members shall be required to adopt or pass a resolution or order. Education Code 130.082(d)

RENTALS, RATES, AND CHARGES  19. 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. Education Code 130.123(c)

PROPERTY ACQUISITION  20. May acquire and hold real and personal property. Education Code 11.151(a); Local Gov’t Code 271.004

LEASE OF PERSONAL PROPERTY  21. Execute, perform, and make payments under contracts, which may include leases, lease with

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option(s) to purchase, or installment purchase, with any person for the use, acquisition, or purchase of any personal property, or the financing thereof. The contracts shall be on terms and conditions that are deemed appropriate by the Board in accordance with state law. *Local Gov't Code 271.005*

**LAWSUITS**

22. Sue and be sued. *Education Code 11.151(a)*

**COMMUNICATE WITH COORDINATING BOARD**

23. Ensure that its formal position on matters of importance to the College District is made clear to the Coordinating Board when such matters are under consideration by the Coordinating Board. *Education Code 51.352(d)*

24. Set campus admission standards consistent with the role and mission of the College District and considering admission standards nationwide having a similar role and mission, as determined by the Coordinating Board. *Education Code 51.352(d)*
GENERAL QUALIFICATIONS

To hold the office of Trustee one must:

1. Be a qualified (registered) voter. *Education Code 130.082(d); Election Code 11.002*

2. Take the official oath of office. *Education Code 130.082(d)*


4. Reside in the District. *Texas Constitution, Art. XVI, Sec. 14; Prince v. Inman, 280 S.W.2d 779 (1955); Whitmarsh v. Buckley, 324 S.W.2d 298 (1959); Education Code 130.082(d)*

5. Be a U. S. citizen. *Election Code 141.001*

6. Be at least 18 years of age. *Election Code 141.001*

7. Be of sound mind. *Election Code 141.001*

8. Not have been convicted of a felony. *Election Code 141.001*

CANDIDATES’S RESIDENCY

TERM

An individual seeking election to the office of Trustee by having his or her name placed on the ballot must have been a resident of the state for twelve months, and a resident of the District for six months, prior to the last date on which the candidate could file to be listed on the ballot. An individual seeking election to the office of Trustee by write-in vote must have been a resident of the state for twelve months, and a resident of the District for six months, prior to the day of the election.

PREFILED CANDIDACY

WRITE-IN CANDIDACY

An individual appointed to the office of Trustee must have been a resident of the state for twelve months, and a resident of the District for six months, prior to the day on which the appointment is made.

*Election Code 141.001(a)(5)*
“RESIDENCE” DEFINED

“Residence” shall mean domicile, one’s home and fixed place of habitation to which one intends to return after any temporary absence; one does not lose one’s residence status by leaving to go to another place for temporary purposes only. *Election Code 1.015*
BOARD MEMBERS: ELECTIONS

SECTION ONE
ELECTIONS

1.01 The election of Board members shall be on the first Saturday in May in even-numbered years.

1.02 The Board shall consist of seven members.

1.03 Board members shall be elected at large.
VACANCY

Any vacancy occurring on the Board through death, resignation, or otherwise, shall be filled by a special election ordered by the Board or by appointment by resolution or order of the Board. The person appointed to fill the unexpired term shall serve until the next regular election of members to the Board, at which time the position shall be filled by election for a term appropriately shortened to conform with what regularly would have been the length of the term for that position.

SPECIAL ELECTION

A special election shall be conducted in the same manner as the general election on the next uniform election date that will afford enough time to hold the election in the manner required by law.

RESIGNATION

To be effective, a Board member’s resignation must be in writing and signed by the officer and must be delivered to the Board for acting on the resignation. The Board may not refuse to accept a resignation. If a Trustee submits a resignation, whether to be effective immediately or at a future date, a vacancy occurs on the date the resignation is accepted by the Board or on the eighth day after the date of its receipt by the Board, whichever is earlier.

NONRESIDENCE

A person elected to serve as a Board member must remain a resident of the District throughout the term of office. A Board member who ceases to reside in the District vacates his or her office.

REMOVAL FROM OFFICE

A Board member may be involuntarily removed from office for cause by due process. It requires a petition in the county district court as provided by Section BBC of TASB, Texas Community College Policy Reference Manual, and Government Code 87.015. Reasons for removal may include the following:

1. “Incompetency” which means gross ignorance or carelessness in the discharge of official duties or unfitness or inability to perform such duties.

2. “Official Misconduct” which means intentional, unlawful behavior relating to official duties.

3. “Conviction.” The conviction by a petit jury for any felony or a misdemeanor involving official misconduct operates as an immediate removal from office.

4. “Non-Attendance.” If a member is absent from more than half of the regularly scheduled board meetings for which the member is eligible to attend during a calendar year, not counting absences excused by a majority vote of the board, the member is subject to petition for removal.
5. A member who is convicted of a purchasing offense is considered to have committed official misconduct and is subject to removal.
BOARD MEMBERS ORIENTATION AND TRAINING

SECTION ONE
ORIENTATION AND TRAINING

1.01 The Board and the College President shall provide an orientation for new Board members within the calendar year of their election to assist them in understanding the Board's function, policies, and procedures. Assistance given in the orientation of new Board members may include the following, as appropriate or available:

1. Selected materials on the responsibilities of being a contributing member of the Board.
2. Material pertinent to meetings and an explanation of its use.
3. Invitations to meet with the College President and other administrative personnel designated by the College President to discuss services the administration performs for the Board.
4. Access to a copy of the Board's policies and administrative regulations and other documents and information currently in use by other Board members.
5. Information regarding appropriate meetings and workshops.
6. A formal orientation on legal and budgetary oversight responsibilities of the Board.
7. Other information and activities as the Board or the College President deems useful in fulfilling the role of Board member.

1.02 Public Information Coordinator
The College President or designee shall fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012.
See the following pages for forms that may be used for compliance with disclosure requirements.

Exhibit A: Affidavit Disclosing Substantial Interest in a Business Entity or Real Property, as defined in Local Government Code 171.002 — 2 pages

Exhibit B: Affidavit Disclosing Interest in Property under Government Code, Chapter 553, Subchapter A — 1 page

ADDITIONAL DISCLOSURE: The conflicts disclosure statement required of members of the board, the chief executive officer, and, as applicable, by other College District employees by Local Government Code 176.003–.004 is available on the Texas Ethics Commission website at http://www.ethics.state.tx.us/forms/CIS.pdf.
EXHIBIT A

AFFIDAVIT DISCLOSING SUBSTANTIAL INTEREST
IN A BUSINESS ENTITY OR REAL PROPERTY

STATE OF TEXAS
COUNTY OF _____________________

I, ___________________________ (name), as a local public official of the __________________________ College District, make this affidavit and on my oath state the following:

1. I, or a person(s) related to me in the first degree, have a substantial interest as defined in Local Government Code 171.002 in:

   □ a business entity, as defined in Local Government Code 171.001, that would experience a special economic effect distinguishable from its effect on the public by a vote or decision of the board.

   or

   □ real property for which it is reasonably foreseeable that the board's action or my action will have a special economic effect on the value of the property distinguishable from its effect on the public.

2. The business entity or real property is:
   _______________________________________________________.
   (name/address of business or description of property)
   ___________________________ (“I” or name of relative and relationship) (have)(has) a substantial interest in this business entity or real property as follows: (check all that apply)

   □ Ownership of ten percent or more of the voting stock or shares of the business entity.

   □ Ownership of ten percent or more of the fair market value of the business entity.

   □ Ownership of $15,000 or more of the fair market value of the business entity.

   □ Funds received from the business entity exceed ten percent of ________ (my, her, his) gross income for the previous year.

   □ Real property is involved and _________ (I, she, he) (have)(has) an equitable or legal ownership with a fair market value of at least $2,500.

3. The statements in this affidavit are based on my personal knowledge and are true and correct.

4. Upon the filing of this affidavit with the board’s official record keeper, I affirm that I shall abstain from participation in any decision involving this business entity or real property, unless permitted according to Local Government Code 171.004(c).
Signature of official: ______________________________________
Title: ______________________________________
Date: ______________________________________

STATE OF TEXAS

COUNTY OF _____________________

Sworn to and subscribed before me on this _____ day of _________________ (month),
______ (year).

_____________________________________, Notary Public, State of Texas
EXHIBIT B

AFFIDAVIT DISCLOSING INTEREST IN PROPERTY

STATE OF TEXAS
COUNTY OF _____________________

I, ___________________________________ (name of affiant), (check one of the following:)

☐ as an officer of, or
☐ as a board candidate for,

______________________________________ College District make this affidavit and on my oath state the following:

1. I have a legal or equitable interest in property to be acquired with public funds, either by purchase or condemnation. The property is fully described as follows:

______________________________________________________________________.

2. The nature, type, and amount of interest, including percentage of ownership, I have in the property is:

______________________________________________________________________.

3. I acquired my interest in the property on __________________ (date).

4. The information stated in this affidavit is personally known by me to be correct and contains the information required by Government Code 553.002.

Signature of affiant: ______________________________________

Office or public title: ______________________________________

Date: ______________________________________

Note: This affidavit must be filed with the county clerk(s) of the county or counties in which the property is located and of the county in which the public servant or candidate resides within ten days before the date on which the property is to be acquired by purchase or condemnation.
“Public servant” means a person elected, selected, appointed, employed, or otherwise designated as one of the following, even if the person has not yet qualified for office or assumed his or her duties:

1. An officer, employee, or agent of government; or
2. A candidate for nomination or election to public office.

_Penal Code 1.07(a)(41)_

**Bribery**

A person commits an offense if the person intentionally or knowingly offers, confers, or agrees to confer on another, or solicits, accepts, or agrees to accept from another:

1. Any benefit as consideration for the recipient’s decision, opinion, recommendation, vote, or other exercise of discretion as a public servant;
2. Any benefit as consideration for the recipient’s decision, vote, recommendation, or other exercise of official discretion in a judicial or administrative proceeding;
3. Any benefit as consideration for a violation of a duty imposed by law on a public servant;
4. Any benefit that is a political contribution as defined by Election Code Title 15 or that is an expenditure made and reported in accordance with Government Code Chapter 305, if the benefit was offered, conferred, solicited, accepted, or agreed to pursuant to an express agreement to take or withhold a specific exercise of official discretion if such exercise of official discretion would not have been taken or withheld but for the benefit.

_Penal Code 36.02(a)_

“Benefit” means anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest. _Penal Code 36.01(3)_

**Illegal Gifts**

A public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if the public servant solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion. _Penal Code 36.08(d)_

A public servant who receives an unsolicited benefit that the public servant is prohibited from accepting under Penal Code 36.08 may
donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax exempt charitable organization formed for educational, religious, or scientific purposes. *Penal Code 36.08(i)*

**EXCEPTIONS**

Penal Code 36.08 does not apply to:

1. A fee prescribed by law to be received by a public servant or any other benefit to which the public servant is lawfully entitled or for which the public servant gives legitimate consideration in a capacity other than as a public servant;

2. A gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient;

3. A benefit to a public servant required to file a statement under Government Code Chapter 572 or a report under Election Code Title 15 that is derived from a function in honor or appreciation of the recipient if:
   a. The benefit and the source of any benefit in excess of $50 is reported in the statement; and
   b. The benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or political subdivision;

4. A political contribution as defined by Election Code Title 15;

5. An item with a value of less than $50, excluding cash or a negotiable instrument as described by Business and Commerce Code 3.104;

6. An item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity;

7. Transportation and lodging expenses or meals in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory;

8. Complimentary legal advice or legal services relating to a will, power of attorney, advance directive, or other estate planning document rendered to a public servant who is a first responder; and through a program or clinic that is operated by a local bar association or the State Bar of Texas and approved by the governmental entity.
head of the agency employing the public servant, if the public servant is employed by an agency; or

9. Food, lodging, transportation, or entertainment accepted as a guest and, if the donee is required by law to report those items, reported by the donee in accordance with that law.

*Penal Code 36.07(b), .10(a)–(b)*

**HONORARIA AND EXPENSES**

A public servant commits an offense if the public servant solicits, accepts, or agrees to accept an honorarium in consideration for services that the public servant would not have been requested to provide but for the public servant’s official position or duties. This restriction does not prohibit a public servant from accepting transportation and lodging expenses in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory, or from accepting meals in connection with such an event. *Penal Code 36.07(a)–(b)*

**ABUSE OF OFFICE**

A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another, the public servant intentionally or knowingly violates a law relating to the public servant’s office or misuses government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant’s custody or possession by virtue of the public servant’s office or employment. *Penal Code 39.02(a)*

“Law relating to a public servant’s office” means a law that specifically applies to a person acting in the capacity of a public servant and that directly or indirectly imposes a duty on the public servant or governs the conduct of the public servant. *Penal Code 39.01(1)*

“Misuse” means to deal with property contrary to:

1. An agreement under which the public servant holds the property;

2. An oath of office of a public servant;

3. A law, including provisions of the General Appropriations Act specifically relating to government property, that prescribes the manner of custody or disposition of the property; or

4. A limited purpose for which the property is delivered or received.

*Penal Code 39.01(2)*
A public servant commits an offense if, in reliance on information to which the public servant has access by virtue of the person's office and that has not been made public, the person:

1. Acquires or aids another to acquire a pecuniary interest in any property, transaction, or enterprise that may be affected by the information;

2. Speculates or aids another to speculate on the basis of the information; or

3. As a public servant, including as a school administrator, coerces another into suppressing or failing to report that information to a law enforcement agency.

A public servant commits an offense if with intent to obtain a benefit or with intent to harm or defraud another, the public servant discloses or uses information for a nongovernmental purpose that the public servant has access to by means of his office or employment and has not been made public.

"Information that has not been made public" means any information to which the public does not generally have access, and that is prohibited from disclosure under Government Code Chapter 552.

Penal Code 39.06(a)–(b), (d)

A public servant acting under color of his office or employment commits an offense if the public servant:

1. Intentionally subjects another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that he knows is unlawful;

2. Intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing his conduct is unlawful; or

3. Intentionally subjects another to sexual harassment.

For purposes of this section, a public servant acts under color of the public servant's office or employment if he acts or purports to act in an official capacity or takes advantage of such actual or purported capacity.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly.

Penal Code 39.03(a)–(c)
NEPOTISM

A public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a position that is to be directly or indirectly compensated from public funds or fees of office if:

1. The individual is related to the public official within the third degree by consanguinity or within the second degree by affinity; or

2. The public official holds the appointment or confirmation authority as a member of a local board and the individual is related to another member of the board within the third degree by consanguinity or within the second degree by affinity.


The nepotism law governs the hiring of an individual, whether the individual is hired as an employee or an independent contractor. Atty. Gen. Op. DM-76 (1992)

A public official may not approve an account or draw or authorize the drawing of a warrant or order to pay the compensation of an ineligible individual if the official knows the individual is ineligible. Gov't Code 573.083


DEFINITIONS

"PUBLIC OFFICIAL"

"Public official" means:

1. An officer of this state or of a district, county, municipality, precinct, school district, or other political subdivision of this state; or

2. An officer or member of a board of this state or of a district, county, municipality, college district, or other political subdivision of this state.

Gov't Code 573.001(3)

"CONSANGUINITY"

Two individuals are related to each other by consanguinity if:

1. One is a descendant of the other; or

2. They share a common ancestor.

An adopted child is considered to be a child of the adoptive parent for this purpose.

Gov't Code 573.022
**“AFFINITY”**

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.

*Gov’t Code 573.024(a)–(b)*

**FORMER BOARD MEMBER EMPLOYMENT**

A public junior college may not employ or contract with an individual who was a member of the board of trustees of the junior college before the first anniversary of the date the individual ceased to be a member of the board of trustees. *Education Code 130.089*

**INCOMPATIBILITY OF OFFICE**

One person may not occupy two legally incompatible offices. Offices are legally incompatible when the faithful and independent exercise of one would necessarily interfere with the faithful and independent exercise of the other. A person may not serve in one branch of government while exercising any powers properly attached to either of the other branches of government. *Tex. Const. Art. II, Sec. 1; Turner v. Trinity Indep. Sch. Dist., 700 S.W.2d 1 (Tex. App.—Houston (14th Dist.) 1983); Atty. Gen. Op. GA-786 (2010)*

**RESTRICTIONS ON PUBLIC SERVANTS—FEDERAL LAW**

The term “public official” means a person acting for or on behalf of the United States, or any department, agency, or branch thereof, in any official function, under or by authority of any such department, agency, or branch of government.

The term “person who has been selected to be a public official” means any person who has been nominated or appointed to be a public official, or has been officially informed that such person will be so nominated or appointed.

*18 U.S.C. 201(a)(1)–(2); Dixson v. U.S., 465 U.S. 482, 499 (1984) (holding that employees of a private organization that administered federal housing grants for city were “public officials” because they had some degree of official responsibility for carrying out a federal program or policy); U.S. v. Franco, 632 F.3d 880 (5th Cir. 2011)*

A public official or person selected to be a public official commits an offense if the public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:

1. Being influenced in the performance of any official act;
2. Being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

3. Being induced to do or omit to do any act in violation of the official duty of such official or person.

18 U.S.C. 201(b)(2)

The term “agent” means a person authorized to act on behalf of another person or a government and, in the case of an organization or government, includes a servant or employee, and a partner, director, officer, manager, and representative.

The term “government agency” means a subdivision of the executive, legislative, judicial, or other branch of government, including a department, independent establishment, commission, administration, authority, board, and bureau, and a corporation or other legal entity established, and subject to control, by a government or governments for the execution of a governmental or intergovernmental program.

If an organization, government, or agency receives, in any one year period, benefits in excess of $10,000 under a federal program involving a grant, contract, subsidy, loan, guarantee, insurance, or other form of federal assistance, an agent of an organization, or of a state or local government, commits an offense if the agent:

1. Embezzles, steals, obtains by fraud, or otherwise without authority knowingly converts to the use of any person other than the rightful owner or intentionally misapplies, property that:
   a. Is valued at $5,000 or more, and
   b. Is owned by, or is under the care, custody, or control of the organization, government, or agency; or

2. Corruptly solicits or demands for the benefit of any person, or accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions of the district involving anything of value of $5,000 or more.

This provision does not apply to bona fide salary, wages, fees, or other compensation paid, or expenses paid or reimbursed, in the usual course of business.

18 U.S.C. 666
OFFICERS

The Board shall elect one of its members as President of the Board. The Board President shall preside at meetings of the Board and perform other duties and functions as are prescribed by the Board. The Board President shall have a vote the same as other members.

The Board shall elect a vice president who shall preside at meetings and perform other duties and functions of the Board President in the absence of the President.

The Board shall elect a Secretary of the Board who may or may not be a member of the Board and who shall be the official custodian of the minutes, books, records, and seal of said Board, and who shall perform such other duties and functions as are prescribed by the Board. A Secretary who is not a member of the Board shall not vote or participate in Board discussions.

The Board shall be authorized to elect any other officers as deemed necessary or advisable. Officers of the Board shall be elected at the first regular meeting of the Board following the regular election of members of the Board every two years, or at any other time thereafter in order to fill a vacancy.
The Board may from time to time, as it deems necessary, create committees to facilitate the efficient operation of the Board. A committee that includes one or more Board members is subject to the Open Meetings Act when it meets to discuss public business or policy.
ADVISORY COMMITTEES

Business and industry participation is a vital element in offering relevant workforce education programs. Local citizens will be recruited to assist the College District faculty and administration with the planning and evaluating of workforce education programs and services. The advice given may be related to facilities and equipment, curriculum development and renewal, cooperative learning plans, professional development of instructors, and employment opportunities.

Associate Deans of Instruction are responsible for ensuring advisory committees are formed, and for guiding the committee chair to ensure the committee conducts its activities in compliance with rules published in the Guidelines for Instructional Programs in Workforce Education (GIPWE), which were adopted by the Texas Higher Education Coordinating Board. A record of all committee meeting minutes will be stored in the respective Associate Dean of Instruction’s office.
Regular meetings of the Board shall be held in the Angelina College Administration Building Board Room on the second Monday of each month at 5:30 p.m. unless otherwise provided by the Board.

An agenda shall be prepared under the direction of the College President. For an item of business to appear on the agenda, the College President must be notified no later than noon of the day the agenda and notice have to be prepared, which normally will be the fifth day preceding the regular or special meeting. All decisions regarding the preparation of the Board agenda are left to the sound discretion of the College President and of the Board President.

Written notice of the date, hour, place, and subject of each meeting of the Board shall be given as prescribed by law.

Notice will be:

1. Posted on the bulletin board in the administration building; in the established posting location.

2. Mailed or delivered to news media, including the student newspaper, requesting such notice and consenting to pay any and all expenses incurred by the college in providing special notice.

3. Posted, delivered, or given at least 72 hours prior to the hour of the meeting.


Members of the Board shall be given notice of regular, or special meetings at least 72 hours prior to the hour of the meeting by the secretary in the office of the College President.

All meetings of the Board shall be opened in public, as prescribed by law.

A quorum for meetings of the Board will be four board members.

Notice of all emergency meetings shall include the date, hour, place, and subject of the meeting.

Such notice will also express the nature of the emergency, or urgent public necessity, which requires an emergency meeting.

Such notice will be posted at least two hours before the meeting is convened.
BOARD MEETINGS

The presiding officer or member calling such meeting shall notify all news media that have previously requested such notice.

CLOSED MEETINGS OR EXECUTIVE SESSIONS

Closed meetings or executive sessions will not be held unless the Board has first been convened in open meeting for which notice has been given. If, during the open meeting, a closed or executive session is necessary, the presiding officer of the Board shall announce that a closed or executive session will be held and identify the section, or sections, under the Texas Government Code Chapter 551 which authorizes the holding of such closed or executive sessions.

The Board will not take any final action or final vote, or make any final decisions with regard to any matter considered in a closed or executive session. Such final actions, final votes, or final decisions with regard to any matter considered in closed session will be made only in a meeting which is open to the public and for which proper notice is given.

After any and all closed or executive sessions, the Board will reconvene the public meeting or session before adjourning.

CONDUCT OF MEETINGS

Board meetings are held to transact the business of the College District and are open to the public except when closed meetings are permitted by law. Citizens shall be allowed to address the Board during the regular monthly Board meeting by requesting a place on the agenda according to policy. The Board shall set reasonable restraints on the number, length, and frequency of presentations.

When the Board agenda contains an item entitled “open forum” or “public forum”, individuals who desire to address the Board must first complete the request to address the Board card provided at the sign-in table at the Board meeting in order to be allowed to address the Board. The Board shall have exclusive authority to control the number of speakers, the length in time of each presentation, and to impose a requirement that groups and delegations select one spokesperson in order to maintain control and order over the conduct of the Board meeting.

If the Board President determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate grievance policy and person for attempted resolution before bringing the matter to the Board. The Board hereby adopts Roberts’ Rules of Order, Newly Revised as the standard and authority for the resolution of all questions of parliamentary procedure. Any conflict between Roberts’ Rules of Order, Newly Revised and state law or Board policies and procedures of the College District shall be controlled by the state law and the policies and procedures of the College District.
VOTING AND MINUTES

Voting shall be by voice or show or hands, as directed by the Board President. Any member may abstain from voting, and a member’s vote or failure to vote shall be recorded.

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

The official minutes of the Board, excepting certified agendas of closed meetings, shall be retained on file in the office of the College President and shall be available for examination during regular office hours.
The College District recognizes the importance of a policy and procedures manual as a dynamic and changing document subject to periodic revision to meet the changing needs of students and community and reflecting changes in state and federal laws and regulations.

Board policies and policy amendments may be proposed or identified by the College President, the Board, employees, or the external community but shall be recommended for the Board’s consideration only by a Board member or the College President.

The College President should lead the executive council in periodic administrative review of policies with each administrator being responsible for identifying duplicate, extraneous, out-of-date, or missing policies or procedures in their area.

Policy and procedures content revision and development will normally include the following steps:

1. Review by executive council;
2. Review and input by appropriate faculty standing committee and educational program advisory council;
3. Organization and codification;
4. Final review by Board policy review committee, if Board policy;
5. Legal review, if necessary;
6. Board adoption, if Board policy;
7. Distribution of policy to all divisions, administrative offices, and official policy books.

In addition to Board policies the official College District bulletin and the student handbook shall be considered enforceable College District regulations unless found to be in conflict with Board policy.

The Board shall have the sole right to adopt or amend Board policies by majority vote in one reading. When action, procedures, or interpretations are urgently required in an area not covered by Board policy, the College President shall have the power to act and inform the Board of such action subject to review by the Board at its discretion.
The College President is authorized to designate an administrator to act in behalf of the College President in the event emergency circumstances prevent the College President from being available when action is required.

The Board shall designate one copy of the policy manual as the official policy manual of the district. The official copy shall be kept in the College President’s office, and the College President or designee shall be responsible for its accuracy and currency. If discrepancies occur between different copies of the manual distributed throughout the district, the version contained in the official policy manual shall be regarded as authoritative.

Amendments to by-laws and policies may be made by official Board action by a majority vote of all Board members present and voting. Additions, deletions, and amendments required by statutes of the state of Texas will be made in accordance with these statutes. By-laws and policies may be amended except in instances where these rules and regulations are established by statutes of the state.

In the absence of a specific local policy, the Board will follow the policy guidelines in the current “Policy Reference Manual for Texas Community Colleges” of the Texas Association of School Boards (TASB) and the appropriate part of the Texas Education Code, Election Code, or state Constitution referenced by the manual.

This will apply specifically to the following sections:

- BBC – Board Vacancies and Removal from Office
- BBD – Orientation and Training
- BBF – Ethics and Conflict of Interest
- BBG – Compensation and Expenses
- BD – Voting and Meetings
The Board selects and employs the College President and charges the College President with the responsibility for implementing the policies and regulations as established and set forth by the Board. The College President is responsible to the Board on all matters of College District operation. Within the framework of policies and regulations adopted by the Board, the College President shall exercise broad, discretionary authority in carrying out responsibilities of the position.

In addition, the College President has primary responsibility for the organization of the College District. The College President will in turn delegate responsibility and authority to such officers and staff members as is necessary in order to effect the orderly and efficient operation of the College District. The organizational chart outlines the relationships of College District personnel and the lines of authority.

**JOB DESCRIPTION**

The College President will act as chief executive officer and leader of the College District, responsible for the overall operation, development, and promotion of the College District pursuant to the policies of the Board. The College President shall provide leadership in policy development, fiscal management, personnel management, educational program planning, and communication to further the public image of the College District and move the institution toward fulfilling its mission and goals. The College President will:

1. Recommend to the Board changes and development of policies needed to reflect new state or federal regulations, student and community needs, or efficient operation of the College District.

2. Be informed and exert leadership toward the development of local, state, and national educational policies.

**POLICY DEVELOPMENT**

3. Prepare and submit an annual budget to the Board and make recommendations to the Board for budget changes.

4. Develop and implement appropriate administrative procedures for the handling of offers of gifts to the College District and further institutional development within the overall mission and goals of the College District.

**FISCAL MANAGEMENT**

5. Make recommendations to the Board for the appointment of all administrative, faculty, professional, and contract personnel, appoint non-contract personnel for approved positions, suspend employees with or without pay, and accept resignations from any employee.
###QUALIFICATIONS AND DUTIES

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<td>Develop, review, and implement procedures for the recruitment, selection, development, evaluation, promotion and termination of College employees.</td>
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<td>7.</td>
<td>Develop, review, and update job descriptions for all professional employees at the College District.</td>
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<td>8.</td>
<td>Provide for appropriate professional growth programs for College District employees.</td>
</tr>
<tr>
<td>9.</td>
<td>Make recommendations to the Board for the adoption of programs of instruction and other educational and community services.</td>
</tr>
<tr>
<td>10.</td>
<td>Review the educational program on a continuing basis and recommend changes which will improve the quality and scope of services offered by the College District.</td>
</tr>
<tr>
<td>11.</td>
<td>Provide leadership in the development and implementation of a master plan for College District and campus development.</td>
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<tr>
<td><strong>COMMUNICATION AND IMAGE</strong></td>
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<tr>
<td>12.</td>
<td>Represent the College to the community by interpreting the community College District to the public, parents, media, and to the community organizations.</td>
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<tr>
<td>13.</td>
<td>Be responsible for the formulation of all reports required by local, state, and federal agencies.</td>
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<td>14.</td>
<td>Provide the Board with the flow of information regarding the College District and its needs.</td>
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<tr>
<td>15.</td>
<td>Maintain liaison with the leadership of other educational institutions to ensure articulation between the educational programs of cooperating institutions for the benefit of students and community.</td>
</tr>
<tr>
<td>16.</td>
<td>Maintain communication with faculty and staff and act as spokesman to the Board President for the faculty and to the faculty for the Board.</td>
</tr>
<tr>
<td>17.</td>
<td>Perform such other duties as the Board may assign.</td>
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</table>
The Board will evaluate the performance of the College President annually at the regular meeting in which other contracts and the annual personnel plans are considered. The evaluation will focus on three areas;

1. Accomplishment of College District goals for the preceding year;

2. Performance of the College President’s job description; and

3. Fulfillment of the code of ethics and leadership responsibilities of the American Association of Community Colleges.

A written summary of the evaluation will be signed by the Board President and the College President and will note any areas needing special goals for improvement. Action may be taken on the contract terms of the College President following the evaluation session.

The Board may also use this annual review session to assess their own performance of their governance and policy-making role through self-evaluation and evaluation by the College President.

The primary purpose of all administrative evaluation will be to effect improvement in administrative leadership in order to achieve the goals of the College District.
The primary function of administration is to provide effective, efficient and dynamic leadership that will ensure that the College District fulfills its mission and achieves its goals. The administration is fully committed to the concept that instruction, the teaching/learning interaction between faculty and learners, is the focal point of the College District, and the primary reason for its existence.

Administrators should do everything possible to create an atmosphere in which faculty and learners can optimally function. Administrators are expected to operate in accordance with the College District policies in carrying out their responsibilities. In this setting, it is the duty and responsibility of the faculty and the learners to communicate to the administrators any obstacle in the form of policies and procedures that appears to stand in the way of the optimum teaching/learning process and to recommend the appropriate changes.

The President is the chief administrative officer of the College District, subject to the policies and action of the Board. The Vice President of Academic Affairs, the Vice President of Business Affairs, the Dean of Student Affairs, the Dean of Community Services, the Director of Information Technology, the Director of Human Resources, and the Director of Communications are each responsible to the College President for their respective areas of operation. In the absence of the College President, the Vice President of Academic Affairs and the Vice President of Business Affairs are authorized to perform necessary functions and take necessary decisions normally taken by the College President.

At the head of each instructional division of the College District is an Associate Dean of Instruction, who is responsible to the Vice President of Academic Affairs for the operation of that division. Each individual faculty member reports to an Associate Dean of Instruction.

The ultimate responsibility for the governing of the College District shall be vested in the College President and the Board of Trustees.

The components of a shared responsibility for leadership and decision-making are as follows:

- Executive Council, which comprises the Vice President of Academic Affairs, Vice President of Business Affairs, Dean of Student Affairs, and Dean of Community Services.

- The College District’s Standing Committees, which form a
framework for shared governance; strategic planning and execution; assessment and continuous improvement; and compliance with SACSCOC accreditation standards, THECB regulations, and state and federal laws. The Accreditation and Planning Steering standing committee annually appoints the chair and members of each Standing Committee, and monitors committee work through meeting minutes and reports.

- College President

- Board of Trustees

Other lines of responsibility are indicated on the organizational chart. Each staff and faculty member is encouraged to follow the organizational chart.
The Executive Council meets as needed and as called by the College President to review general College District issues, operations, and planning and policy guidelines. The council serves a key communication role in coordinating the major operational units of the College District so that the overall goals and mission of the College District may be achieved with maximum efficiency and effectiveness.

The executive council includes the following administrative officers:

- Vice President of Academic Affairs,
- Vice President of Business Affairs,
- Dean of Student Affairs, and
- Dean of Community Services.

Each member of the executive council may form and charge working committees to facilitate the operation of his/her branch of the College District.

Chaired by the Vice President of Academic Affairs, the Academic Affairs Council meets monthly to discuss topics related to the operation of the Academic Affairs branch.

The Academic Affairs Council comprises:

- Vice President of Academic Affairs,
- All Associate Deans of Instruction,
- Dean Student Affairs,
- Dean of Community Services,
- Library Director,
- Senior Director of Distance Education,
- Associate Dean of Student Affairs,
- Coordinator of Quality Enhancement & Innovative Projects, and
- Institutional Research Specialist.

Shared responsibility and leadership are essential to accomplish the mission and goals of Angelina College. The following standing committees form a framework for shared governance; strategic planning and execution; assessment and continuous improvement; and compliance with SACSCOC accreditation standards, THECB regulations, and state and federal laws.

Standing committees develop recommendations and take decisions as necessary to foster a culture of evidence, of shared governance, and of
continuous improvement within the college. The committees interpret SACSCOC criteria, define adequacy of resources as appropriate to the college, and identify and address potential compliance and/or documentation issues. Standing committees may form subcommittees to address highly specialized topics; however, the subcommittees’ function is to make recommendations to the primary committee, and they are not to take decisions independently.

The Accreditation and Planning Steering Committee manages, reviews, and validates the College District's compliance with all SACSCOC core requirements, comprehensive standards, and federal requirements. The steering committee also collects input from stakeholder groups, conducts environmental scanning, and synthesizes resulting qualitative and quantitative data to develop the institution’s strategic plan.

The steering committee is responsible for monitoring compliance with SACSCOC standards relating to the college mission statement and its translation into action, the role and actions of the governing board, evidence of CEO selection and evaluation processes, staff evaluations, fund raising activities, intellectual property practices, and intercollegiate athletics. The steering committee manages the process of selecting the Quality Enhancement Plan topic.

The steering committee appoints the chair and members of each Standing Committee annually, and monitors committee work through meeting minutes and reports.

The Accreditation Planning & Steering Committee comprises:
- College President (Chair),
- Vice President of Academic Affairs,
- Vice President of Business Affairs,
- Dean of Student Affairs,
- Dean of Community Services,
- Representative Associate Dean of Instruction,
- Chair of the Faculty Forum (elected by full-time faculty), and
- Representative of nonteaching exempt staff.

The Integrity and SACSCOC Policy Compliance Standing Committee reviews College District submissions to SACSCOC, the state of Texas, and the federal government prior to President’s final review and signature. Ensures the College Districts deals honestly and openly with its constituents and with SACSCOC. Assesses the extent to which the
College District complies with SACSCOC policies, including substantive changes.

**EDUCATIONAL PROGRAMS STANDING COMMITTEE**

The Educational Programs Standing Committee examines all academic and community service programs to determine whether governance, policies, and practices support institutional mission. Considers state and national issues and public policies impacting instruction. Ensures the curriculum is consistent with the philosophy and purpose of the College District, and establish procedures for review of proposed changes in the curriculum. Faculty representatives from each academic division are members of the Educational Programs standing committee.

**FACULTY STANDING COMMITTEE**

The Faculty Standing Committee reviews instructors’ academic records, develops an ongoing internal faculty development program, documents internal and external faculty development, and describes academic freedom and relevant governance practices.

**FINANCIAL & PHYSICAL RESOURCES STANDING COMMITTEE**

The Financial & Physical Resources Standing Committee examines the College District’s financial stability and control, assesses the College District’s control of and the safety of physical resources, and validates that physical resources serve the College District’s mission. Makes recommendations for existing and new beautification projects for the campus, and recommendations for improved campus safety and security.

**INSTITUTIONAL EFFECTIVENESS STANDING COMMITTEE**

The Institutional Effectiveness Standing Committee promotes and facilitates a culture of evidence and inquiry. Facilitates ongoing, integrated, institution-wide, research-based planning and evaluation processes that (a) incorporate a systematic review of institutional mission, goals, strategies, and outcomes; (b) result in continuing improvement in institutional quality; and (c) demonstrate the institution is effectively accomplishing its mission. Plans and hosts institution-wide biannual effectiveness summits, and ensures representation of key institutional stakeholder groups (i.e., student representatives from each academic division, instructors from each academic division, a representative cross section of classified and professional staff members, and administrators) at each summit. Coordinates, communicates, and oversees assessment functions including data management, security, and analysis.
The Library and Information Technology Standing Committee examines the library, including holdings, budget, staff, resources, technology, programming, procedures, policies, and goals to determine extent to which they meet the College District’s needs. Ensures library media center operations integrate with other academic activities of the College District. Develops recommendations regarding the acquisition, expansion, and use of technology and computers for administrative or instructional purposes. Ensures distance education and outreach technology is relevant and supports effective teaching and learning.

The Quality Enhancement Program Standing Committee develops recommendations of future QEP topics. Monitors and guides the college-wide implementation and evaluation of the current QEP.

The Student Affairs, Support, and Services Standing Committee reviews student rights and responsibilities, records, programming, and staff credentials. Evaluates and makes recommendations concerning admission policy, and considers student petitions for admission or readmission. Awards academic scholarships to eligible students and formulates scholarship policies. Reviews policies, goals, and objectives in student affairs, gathers input from the faculty, and makes recommendations pertaining to campus organizations and clubs, student conduct, intramural and intercollegiate athletics, performing arts, guest lectures, student entertainment, and student publications. Recognizes especially-deserving individuals from throughout the College District community and assists with special events. Implements the Employee Wellness Program with input from employees.

The General Education Standing Committee reviews core curriculum and determines the degree to which it meets the goals of general education.

The faculty forum is a standing committee whose purpose is to facilitate communication between the faculty and the administration. The committee should present general faculty issues and viewpoints. All members will be full-time faculty. One member will be elected by each of the six instructional divisions. Elected members serve three-year terms. Two additional full-time instructors will be elected as at-large members of the committee by the general faculty each year.
When structuring the committee, the committee on committees will assign at-large faculty and staff. These members will provide new dimension and an insight which can prove beneficial to institutional effectiveness. Members are appointed for one or two year terms which may be consecutive. Provisions are made for staggered replacement to ensure continuity. The committee on committees will determine the rotation process and will maintain up-to-date service records for the council.

It is recommended that one council meeting be held in the spring of each year. If the need dictates, additional meetings may be called by the chairperson. The number of meetings for each sub-committee may vary. A council chairperson will preside at the council meetings and a secretary will maintain records. These officers will be elected and serve for one year.

Broadly stated, the function of this council is to compile assessment data based on research data and internal and external assessment and to evaluate the achievement of outcome measures related to College District goals. The council also revises goals, if appropriate. More specifically, these functions include:

1. Assessing the accomplishments of all functional areas, correlating these to goals and objectives and support of the mission.

2. Receiving and reviewing all needs-assessment data, which includes all proposals and suggestions.

3. Assisting in the establishment of short-term goals, which includes reviewing current long-range goals and those which were accomplished.

4. Recommending appropriate responses to all reports received.

5. Serving as a communication channel to the decision-making structure for long-range planning and budget making.
SECTION ONE

1.01 The Board of Trustees requires the Administration to ensure the integrity, accuracy, and currency of all reports submitted to SACSCOC, including but not limited to Compliance Certification, Fifth-Year and Focused Reports, and Substantive Change Notifications, as well as all reports submitted to other accrediting bodies, by providing adequate financial resources and exercising its authority pursuant to Board Policies in an appropriate and timely manner. Further, it is the clear expectation of the Board that all of the submissions to SACSCOC will be accurate reflections of the condition of the College.

SECTION TWO

PUBLICATION, APPROVAL, IMPLEMENTATION, AND ENFORCEMENT

2.01 Publication
The Policy is published in the online Angelina College Policy & Procedure Manual and is available in the Office of the President.

2.02 Approval
The Policy was approved on November 14, 2016, by the Board of Trustees.

2.03 Implemented
The Board of Trustees will be notified by the President two years in advance of the submission of Compliance Certifications and Fifth-Year Reports and three months in advance of Substantive Change Notifications, and will be given timely progress reports when a certification, report, or notification is in development.

2.04 Enforced
The Policy will be enforced by action of the President.
COMPLIANCE WITH SACSCOC STANDARDS AND REQUIREMENTS

SECTION ONE

1.01 The President shall chair the SACSCOC COMPLIANCE COMMITTEE comprising the Vice President of Academic Affairs, the Vice President of Business Affairs, the Dean of Students, and the Dean of Community Services. The Committee’s charge shall be to determine compliance with Core Requirements, Comprehensive Standards, and Federal Requirements named in the SACSCOC Fifth-Year Review, including an analysis of the Quality Enhancement Plan’s implementation status. The President shall provide a written report documenting the committee’s findings to the Board of Trustees in September of each Academic Year.

SECTION TWO
PUBLICATION, APPROVAL, IMPLEMENTATION, AND ENFORCEMENT

2.01 Publication
The Policy is published in the online Angelina College Policy & Procedure Manual and is available in the Office of the President.

2.02 Approval
The Policy was approved on November 14, 2016, by the Board of Trustees.

2.03 Implemented
The Policy will be implemented on an ongoing basis with a written findings report in September of each Academic Year.

2.04 Enforced
The Policy will be enforced by action of the Board of Trustees, which will receive the report in September of each Academic Year beginning in September 2017.
SECTION C: BUSINESS AND SUPPORT SERVICES

CA APPROPRIATIONS AND REVENUE SOURCES
CAAB State and Federal Revenue Sources - Federal
CAK Investments - Endowment Funds
CAM Investments
CC ANNUAL OPERATING BUDGET
CD ACCOUNTING
CDD Payroll Procedures
CF PURCHASING AND ACQUISITION
CG SAFETY PROGRAM
CGC Emergency Plans
CH SITE MANAGEMENT
CHC Traffic and Parking Controls
CHE Mail and Delivery
CHF Weapons
CHFA CONCEALED CARRY OF HANDGUNS
CI EQUIPMENT AND SUPPLIES MANAGEMENT
CJ TRANSPORTATION MANAGEMENT
CKD HEALTH AND LIFE INSURANCE
CP ENVIRONMENTAL POLICY
CR ELECTRONIC COMMUNICATION
CS INFORMATION SECURITY
PERKINS GRANTS

Except as provided in 20 U.S.C. 2352(b) and (c) and 20 U.S.C. 2353, each eligible agency, including the Coordinating Board, shall distribute the portion of the funds made available under 20 U.S.C. 2322(a)(1) to carry out 20 U.S.C. 2352 for any fiscal year to eligible institutions or consortia of eligible institutions within the state.

Each eligible institution or consortium of eligible institutions shall be allocated an amount that bears the same relationship to the portion of funds made available under 20 U.S.C. 2322(a)(1) to carry out 20 U.S.C. 2352 for any fiscal year as the sum of the number of individuals who are Federal Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in programs meeting the requirements of 20 U.S.C. 2355 offered by such institution or consortium in the preceding fiscal year bears to the sum of the number of such recipients enrolled in such programs within the state for such year.

20 U.S.C. 2352(a)(1)–(2)

RETIREMENT CONTRIBUTIONS

If an employer, including a college district, applies for money provided by the United States or an agency of the United States and if any of the money will pay part or all of any employee’s salary, the employer shall apply for any legally available money to pay state contributions required by Government Code 825.404 or 830.201 in accordance with Government Code 825.406.

An employer who fails to comply with Government Code 825.406 may not, after the failure, apply for or spend any money from a federal or private grant. The attorney general shall bring a writ of mandamus against the employer to compel compliance.

A person commits an offense if the person is an administrator of an employer and knowingly fails to comply with Government Code 825.406.

Gov’t Code 825.406

ADMINISTRATION OF FEDERAL AWARDS

The U.S. Office of Management and Budget (OMB) establishes uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities, as described in 2 C.F.R. 200.101 (Applicability). Federal awarding agencies must not impose additional or inconsistent requirements, except as provided in 2 C.F.R. 200.102 (Exceptions) and 200.210 (Information contained in a federal award), or unless specifically required by federal statute, regulation, or Executive Order. 2 C.F.R. 200.100(a)(1)

The non-federal entity is responsible for complying with all requirements of the federal award. For all federal awards, this includes

“Non-federal entity” means a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit organization that carries out a federal award as a recipient or subrecipient. 2 C.F.R. 200.69

Each state must expend and account for the federal award in accordance with state laws and procedures for expending and accounting for the state’s own funds. In addition, the state’s and the other non-federal entity's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award. [See also 2 C.F.R. 200.450 Lobbying]

The financial management system of each non-federal entity must provide for the following [see also 2 C.F.R. 200.333 (Retention requirements for records), 200.334 (Requests for transfer of records), 200.335 (Methods for collection, transmission and storage of information), 200.336 (Access to records, and 200.337 (Restrictions on public access to records)]:

1. Identification, in its accounts, of all federal awards received and expended and the federal programs under which they were received. Federal program and federal award identification must include, as applicable, the Catalog of Federal Domestic Assistance (CFDA) title and number, federal award identification number and year, name of the federal agency, and name of the pass-through entity, if any.

2. Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the reporting requirements set forth in 2 C.F.R. 200.327 (Financial reporting) and 200.328 (Monitoring and reporting program performance).
3. Records that identify adequately the source and application of funds for federally funded activities. These records must contain information pertaining to federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest and be supported by source documentation.

4. Effective control over, and accountability for, all funds, property, and other assets. The non-federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes. [See 2 C.F.R. 200.303 (Internal controls)]

5. Comparison of expenditures with budget amounts for each federal award.

6. Written procedures to implement the requirements of 2 C.F.R. 200.305 (Payment).

7. Written procedures for determining the allowability of costs in accordance with 2 C.F.R. Part 200, Subpart E—(Cost principles of this part and the terms and conditions of the federal award).

2 C.F.R. 200.302

The non-federal entity must:

1. Establish and maintain effective internal control over the federal award that provides reasonable assurance that the non-federal entity is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework,” issued by the Committee of Sponsoring Organizations (COSO) of the Treadway Commission.

2. Comply with federal statutes, regulations, and the terms and conditions of the federal awards.

3. Evaluate and monitor the non-federal entity’s compliance with statutes, regulations, and the terms and conditions of federal awards.

4. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

5. Take reasonable measures to safeguard protected personally identifiable information and other information the federal
awarding agency or pass-through entity designates as sensitive or the non-federal entity considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

2 C.F.R. 202.303

The non-federal entity must be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement by the non-federal entity, and financial management systems that meet the standards for fund control and accountability as established in this part. Advance payments to a non-federal entity must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the non-federal entity in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-federal entity for direct program or project costs and the proportionate share of any allowable indirect costs. The non-federal entity must make timely payment to contractors in accordance with the contract provisions.

Standards governing the use of banks and other institutions as depositories of advance payments under federal awards are as follows:

1. The federal awarding agency and pass-through entity must not require separate depository accounts for funds provided to a non-federal entity or establish any eligibility requirements for depositories for funds provided to the non-federal entity. However, the non-federal entity must be able to account for the receipt, obligation, and expenditure of funds.

2. Advance payments of federal funds must be deposited and maintained in insured accounts whenever possible.

The non-federal entity must maintain advance payments of federal awards in interest-bearing accounts, unless the following apply:

1. The non-federal entity receives less than $120,000 in federal awards per year.

2. The best reasonably available interest-bearing account would not be expected to earn interest in excess of $500 per year on federal cash balances.

3. The depository would require an average or minimum balance so high that it would not be feasible within the expected federal and non-federal cash resources.
4. A foreign government or banking system prohibits or precludes interest-bearing accounts.

Interest earned amounts up to $500 per year may be retained by the non-federal entity for administrative expense. Any additional interest earned on federal advance payments deposited in interest-bearing accounts must be remitted as described by 2 C.F.R. 200.305(b)(9).

2 C.F.R. 200.305(b)(1), (7)–(9)

BUDGETS AND PROGRAM PLANS

Recipients are required to report deviations from budget or project scope or objective, and request prior approvals from federal awarding agencies for budget and program plan revisions, in accordance with 2 C.F.R. 200.308. 2 C.F.R. 200.308(b)

COST PRINCIPLES

The cost principles described by 2 C.F.R. Part 200, Subpart E must be used in determining the allowable costs of work performed by the non-federal entity under federal awards. These principles also must be used by the non-federal entity as a guide in the pricing of fixed-price contracts and subcontracts where costs are used in determining the appropriate price. The principles do not apply to:

1. Arrangements under which federal financing is in the form of loans, scholarships, fellowships, traineeships, or other fixed amounts based on such items as education allowance or published tuition rates and fees.

2. For institutions of higher education, capitation awards, which are awards based on case counts or number of beneficiaries according to the terms and conditions of the federal award.

3. Fixed amount awards. [See also Subpart A—(Acronyms and definitions), 200.45 (Fixed amount awards) and 200.201 (Use of grant agreements) (including fixed amount awards), cooperative agreements, and contracts]

4. Federal awards to hospitals [see Appendix IX to Part 200—Hospital Cost Principles].

5. Other awards under which the non-federal entity is not required to account to the federal government for actual costs incurred.

The application of these cost principles is based on the fundamental premises that:

1. The non-federal entity is responsible for the efficient and effective administration of the federal award through the application of sound management practices.
2. The non-federal entity assumes responsibility for administering federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the federal award.

3. The non-federal entity, in recognition of its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the federal award.

4. The application of these cost principles should require no significant changes in the internal accounting policies and practices of the non-federal entity. However, the accounting practices of the non-federal entity must be consistent with these cost principles and support the accumulation of costs as required by the principles and must provide for adequate documentation to support costs charged to the federal award.

5. In reviewing, negotiating, and approving cost allocation plans or indirect cost proposals, the cognizant agency for indirect costs should generally assure that the non-federal entity is applying these cost accounting principles on a consistent basis during their review and negotiation of indirect cost proposals. Where wide variations exist in the treatment of a given cost item by the non-federal entity, the reasonableness and equity of such treatments should be fully considered. [See 2 C.F.R. 200.56 Indirect (facilities & administrative (F&A)) costs]

6. For non-federal entities that educate and engage students in research, the dual role of students as both trainees and employees, including pre- and post-doctoral staff, contributing to the completion of federal awards for research must be recognized in the application of these principles.

7. The non-federal entity may not earn or keep any profit resulting from federal financial assistance, unless explicitly authorized by the terms and conditions of the federal award. [See also 2 C.F.R. 200.307 (Program income)]

2 C.F.R. 200.400-.401

COST SHARING

Cost sharing related to federal awards is subject to 2 C.F.R. 200.306. 2 C.F.R. 200.306

PROGRAM INCOME

Non-federal entities are encouraged to earn income to defray program costs where appropriate. Such income is subject to 2 C.F.R. 200.307. 2 C.F.R. 200.307
A non-federal entity may charge to the federal award only allowa-
ble costs incurred during the period of performance (except as de-
scribed in 2 C.F.R. 200.461 (Publication and Printing Costs)) and
any costs incurred before the federal awarding agency or pass-
through entity made the federal award that were authorized by the
federal awarding agency or pass-through entity. 2 C.F.R. 200.309

The non-federal entity must disclose in writing any potential conflict
of interest to the federal awarding agency or pass-through entity in
accordance with applicable federal awarding agency policy. 2
C.F.R. 200.112

The non-federal entity must maintain written standards of conduct
covering conflicts of interest and governing the actions of its em-
ployees engaged in the selection, award, and administration of
contracts. No employee, officer, or agent may participate in the se-
lection, award, or administration of a contract supported by a fed-
eral award if he or she has a real or apparent conflict of interest.
Such a conflict of interest would arise when the employee, officer,
or agent, any member of his or her immediate family, his or her
partner, or an organization which employs or is about to employ
any of the parties indicated herein, has a financial or other interest
in or a tangible personal benefit from a firm considered for a con-
tract. The officers, employees, and agents of the non-federal entity
may neither solicit nor accept gratuities, favors, or anything of mon-
eyary value from contractors or parties to subcontracts. However,
non-federal entities may set standards for situations in which the fi-
ancial interest is not substantial or the gift is an unsolicited item of
nominal value. The standards of conduct must provide for discipli-
nary actions to be applied for violations of such standards by offic-
ers, employees, or agents of the non-federal entity. 2 C.F.R.
200.318(c)(1)

Real property, equipment, intangible property, and other property
acquired or improved under a federal award are subject to the

The non-federal entity must, at a minimum, provide the equivalent
insurance coverage for real property and equipment acquired or
improved with federal funds as provided to property owned by the
non-federal entity. Federally owned property need not be insured
unless required by the terms and conditions of the federal award.
2 C.F.R. 200.310

The non-federal entity must use its own documented procurement
procedures, which reflect applicable state, local, and tribal laws
and regulations, provided that the procurements conform to appli-
cable federal law and the standards identified in this 2 C.F.R. Part
200. 2 C.F.R. 200.318(a)
The non-federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. [See also 2 C.F.R. 200.213 (Suspension and Debarment)] 2 C.F.R. 200.318(h)

The non-federal entity must take all necessary affirmative steps, including those described by 2 C.F.R. 200.321, to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. 2 C.F.R. 200.321(a)

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of 2 C.F.R. 200.319. 2 C.F.R. 200.319(a)

The non-federal entity must use one of the methods of procurement described by 2 C.F.R. 200.320, including procurement by micro-purchases, procurement by small purchase procedures, procurement by sealed bids, procurement by competitive proposals, and procurement by noncompetitive proposals. 2 C.F.R. 200.320

The non-federal entity's contracts must contain the applicable provisions described in Appendix II to 200 C.F.R. Part 200—Contract Provisions for non-federal Entity Contracts Under Federal Awards. 2 C.F.R. 200.326

The non-federal entity may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a non-federal entity is the sum of:

1. The actual cost of materials; and

2. Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls. 2 C.F.R. 200.318(j)
The non-federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-federal entity must make independent estimates before receiving bids or proposals.

The non-federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-federal entity under Subpart E—Cost Principles of this part. The non-federal entity may reference its own cost principles that comply with the federal cost principles.

The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

2 C.F.R. 200.323

The non-federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the federal government, the non-federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

The non-federal entity is encouraged to use federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

The non-federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering
is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

2 C.F.R. 200.318(d)–(g)

PROCUREMENT OF RECOVERED MATERIALS

A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines. 2 C.F.R. 200.322

BONDING REQUIREMENTS

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-federal entity in accordance with 2 C.F.R. 200.325. 2 C.F.R. 200.325

OVERSIGHT BY NON-FEDERAL ENTITIES

Non-federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. 2 C.F.R. 200.318(b)

BY OTHER GOVERNMENTAL ENTITIES

The non-federal entity must make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-federal entity desires to have the review accomplished after a solicitation has been developed, the federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

The non-federal entity must make available upon request, for the federal awarding agency or pass-through entity pre-procurement
review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

1. The non-federal entity’s procurement procedures or operation fails to comply with the procurement standards in 2 C.F.R. Part 200;

2. The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

3. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a “brand name” product;

4. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

5. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

The non-federal entity is exempt from the pre-procurement review if the federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of 2 C.F.R. Part 200.

The non-federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis.

The non-federal entity may self-certify its procurement system. Such self-certification must not limit the federal awarding agency's right to survey the system. Under a self-certification procedure, the federal awarding agency may rely on written assurances from the non-federal entity that it is complying with these standards. The non-federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

2 C.F.R. 200.324

The non-federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited
to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-federal entity of any contractual responsibilities under its contracts. The federal awarding agency will not substitute its judgment for that of the non-federal entity unless the matter is primarily a federal concern. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction. 2 C.F.R. 200.318(k)

Financial records, supporting documents, statistical records, and all other non-federal entity records pertinent to a federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-federal entities with the exception of those situations described by 2 C.F.R. 200.333. 2 C.F.R. 200.333

The non-federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. 2 C.F.R. 200.318(i)

In accordance with the May 2013 Executive Order on Making Open and Machine Readable the New Default for Government Information, the federal awarding agency and the non-federal entity should, whenever practicable, collect, transmit, and store federal award-related information in open and machine readable formats rather than in closed formats or on paper. The federal awarding agency or pass-through entity must always provide or accept paper versions of federal award-related information to and from the non-federal entity upon request. If paper copies are submitted, the federal awarding agency or pass-through entity must not require more than an original and two copies. When original records are electronic and cannot be altered, there is no need to create and retain paper copies. When original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable. 2 C.F.R. 200.335
### ACCESS TO RECORDS

The federal awarding agency, Inspector General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-federal entity which are pertinent to the federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-federal entity's personnel for the purpose of interview and discussion related to such documents. The rights of access are not limited to the required retention period but last as long as the records are retained. 2 C.F.R. 200.336(a), (c)

### BY THE PUBLIC

No federal awarding agency may place restrictions on the non-federal entity that limit public access to the records of the non-federal entity pertinent to a federal award, except for protected personally identifiable information (PII) or when the federal awarding agency can demonstrate that such records will be kept confidential and would have been exempted from disclosure pursuant to the Freedom of Information Act, 5 U.S.C. 552, or controlled unclassified information pursuant to Executive Order 13556 if the records had belonged to the federal awarding agency. The Freedom of Information Act (FOIA), 5 U.S.C. 552, does not apply to those records that remain under a non-federal entity's control except as required under 2 C.F.R. 200.315 (Intangible property). Unless required by federal, state, and local statute, non-federal entities are not required to permit public access to their records. The non-federal entity's records provided to a federal agency generally will be subject to FOIA and applicable exemptions. 2 C.F.R. 200.337

### PERFORMANCE REPORTS

The non-federal entity is responsible for oversight of the operations of the federal award supported activities. The non-federal entity must monitor its activities under federal awards to assure compliance with applicable federal requirements and performance expectations are being achieved. Monitoring by the non-federal entity must cover each program, function, or activity. [See also 2 C.F.R. 200.331 Requirements for Pass-through entities] 2 C.F.R. 200.328(a)

### NONCONSTRUCTION PERFORMANCE REPORTS

The federal awarding agency must use standard, OMB-approved data elements for collection of performance information, including performance progress reports, Research Performance Progress Report, or such future collections as may be approved by OMB and listed on the OMB website.

The non-federal entity must submit performance reports at the interval required by the federal awarding agency or pass-through entity to best inform improvements in program outcomes and productivity. Intervals must be no less frequent than annually nor more
frequent than quarterly except in unusual circumstances, for example where more frequent reporting is necessary for the effective monitoring of the federal award or could significantly affect program outcomes. Annual reports must be due 90 calendar days after the reporting period; quarterly or semiannual reports must be due 30 calendar days after the reporting period. Alternatively, the federal awarding agency or pass-through entity may require annual reports before the anniversary dates of multiple year federal awards. The final performance report will be due 90 calendar days after the period of performance end date. If a justified request is submitted by a non-federal entity, the federal agency may extend the due date for any performance report.

The non-federal entity must submit performance reports using OMB-approved governmentwide standard information collections when providing performance information. As appropriate in accordance with above-mentioned information collections, these reports will contain, for each federal award, brief information on the following unless other collections are approved by OMB:

1. A comparison of actual accomplishments to the objectives of the federal award established for the period. Where the accomplishments of the federal award can be quantified, a computation of the cost (for example, related to units of accomplishment) may be required if that information will be useful. Where performance trend data and analysis would be informative to the federal awarding agency program, the federal awarding agency should include this as a performance reporting requirement.

2. The reasons why established goals were not met, if appropriate.

3. Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

2 C.F.R. 200.328(b)

REPORTING

For the most part, onsite technical inspections and certified percentage of completion data are relied on heavily by federal awarding agencies and pass-through entities to monitor progress under federal awards and subawards for construction. The federal awarding agency may require additional performance reports only when considered necessary. 2 C.F.R. 200.328(c)

SIGNIFICANT DEVELOPMENTS

Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In
such cases, the non-federal entity must inform the federal awarding agency or pass-through entity as soon as the following types of conditions become known:

1. Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the federal award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.

2. Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

2 C.F.R. 200.328(d)

SITE VISITS

The federal awarding agency may make site visits as warranted by program needs. 2 C.F.R. 200.328(e)

WAIVER

The federal awarding agency may waive any performance report required by 2 C.F.R. Part 200 if not needed. 2 C.F.R. 200.328(f)

AUDITS

A non-federal entity that expends $750,000 or more during the non-federal entity's fiscal year in federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of 2 C.F.R. Part 200, Subpart F. A non-federal entity that expends less than $750,000 during the non-federal entity's fiscal year in federal awards is exempt from federal audit requirements for that year, except as noted in 200.503 Relation to Other Audit Requirements, but records must be available for review or audit by appropriate officials of the federal agency, pass-through entity, and Government Accountability Office (GAO). 2 C.F.R. 200.501(a), (d)

COLLECTION OF AMOUNTS DUE

Any funds paid to the non-federal entity in excess of the amount to which the non-federal entity is finally determined to be entitled under the terms of the federal award constitute a debt to the federal government. If not paid within 90 calendar days after demand, the federal awarding agency may reduce the debt by:

1. Making an administrative offset against other requests for reimbursements;

2. Withholding advance payments otherwise due to the non-federal entity; or

3. Other action permitted by federal statute.

Except where otherwise provided by statutes or regulations, the federal awarding agency will charge interest on an overdue debt in
accordance with the Federal Claims Collection Standards, 31 C.F.R. Parts 900 through 999. The date from which interest is computed is not extended by litigation or the filing of any form of appeal.

2 C.F.R. 200.345

**MANDATORY DISCLOSURE**

The non-federal entity or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make required disclosures can result in any of the remedies described in 2 C.F.R. 200.338 (Remedies for non-compliance), including suspension or debarment. [See also 2 C.F.R. Part 180 and 31 U.S.C. 3321] 2 C.F.R. 200.113

**NONCOMPLIANCE**

If a non-federal entity fails to comply with federal statutes, regulations, or the terms and conditions of a federal award, the federal awarding agency or pass-through entity may impose additional conditions, as described in 2 C.F.R. 200.207 (Specific conditions). If the federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the non-federal entity or more severe enforcement action by the federal awarding agency or pass-through entity.

2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.

3. Wholly or partly suspend or terminate the federal award.

4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and federal awarding agency regulations, or in the case of a pass-through entity, recommend such a proceeding be initiated by a federal awarding agency.

5. Withhold further federal awards for the project or program.

6. Take other remedies that may be legally available.

2 C.F.R. 200.338

**OPPORTUNITIES TO OBJECT**

Upon taking any remedy for non-compliance, the federal awarding agency must provide the non-federal entity an opportunity to object.
and provide information and documentation challenging the suspension or termination action, in accordance with written processes and procedures published by the federal awarding agency. The federal awarding agency or pass-through entity must comply with any requirements for hearings, appeals, or other administrative proceedings to which the non-federal entity is entitled under any statute or regulation applicable to the action involved. 2 C.F.R. 200.341

SUSPENSION AND DEBARMENT

Non-federal entities are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. 2 C.F.R. 200.213

TERMINATION OF FEDERAL AWARD

The federal award may be terminated in whole or in part as follows:

1. By the federal awarding agency or pass-through entity, if a non-federal entity fails to comply with the terms and conditions of a federal award;

2. By the federal awarding agency or pass-through entity for cause;

3. By the federal awarding agency or pass-through entity with the consent of the non-federal entity, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated; or

4. By the non-federal entity upon sending to the federal awarding agency or pass-through entity written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the federal awarding agency or pass-through entity determines in the case of partial termination that the reduced or modified portion of the federal award or subaward will not accomplish the purposes for which the federal award was made, the federal awarding agency or pass-through entity may terminate the federal award in its entirety.

2 C.F.R. 200.339(a)

U.S. EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS

The U.S. Department of Education adopts the OMB Guidance in 2 C.F.R. Part 200, except for 2 C.F.R. 200.102(a) and 2 C.F.R. 200.207(a). Thus, 2 C.F.R. Part 3474 gives regulatory effect to the OMB guidance and supplements the guidance as needed for the Department. 2 C.F.R. 3474.1(a)
The regulations in 34 C.F.R. Part 75 apply to each direct grant program of the U.S. Department of Education. 34 C.F.R. 75.1(a)

The regulations in 34 C.F.R. Part 76 apply to each state-administered program of the U.S. Department of Education. 34 C.F.R. 76.1(a)

The regulations in 34 C.F.R. Part 81 govern the enforcement of legal requirements under applicable programs administered by the U.S. Department of Education and implement Part E of the General Education Provisions Act (GEPA). 34 C.F.R. 81.1

Title 2 C.F.R. Part 400 adopts the OMB guidance in 2 C.F.R. Part 200, Subparts A–F, as supplemented by 2 C.F.R. Part 400, as U.S. Department of Agriculture (USDA) policies and procedures for uniform administrative requirements, cost principles, and audit requirements for federal awards. It thereby gives regulatory effect for the USDA to the OMB guidance, as supplemented by 2 C.F.R. Part 400. 2 C.F.R. 400.1

The U.S. Department of Health and Human Services (HHS) adopts the OMB Guidance in 2 C.F.R. Part 200, and has codified the text, with HHS-specific amendments in 45 C.F.R. Part 75. Thus, 2 C.F.R. Part 300 gives regulatory effect to the OMB guidance and supplements the guidance as needed for HHS. 2 C.F.R. 300.1

The U.S. Department of Justice adopts the OMB Guidance in 2 C.F.R. Part 200, except as otherwise may be provided by 2 C.F.R. Part 2800. Unless expressly provided otherwise, any reference in 2 C.F.R. Part 2800 to any provision of law not in 2 C.F.R. Part 2800 shall be understood to constitute a general reference and thus to include any subsequent changes to the provision. 2 C.F.R. 2800.101

The U.S. Department of Labor (DOL) adopts the OMB Guidance in the uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities, 2 C.F.R. Part 200, Subparts A–F, as supplemented by 2 C.F.R. Part 2900, as the DOL policies and procedures for financial assistance administration. Part 2900 satisfies the requirements of 2 C.F.R. 200.110(a) and gives regulatory effect to the OMB guidance as supplemented by Part 2900. The DOL also has programmatic and administrative regulations located in 20 and 29 C.F.R. 2 C.F.R. 2900.4
Angelina College ("Angelina College" or the "College") shall adopt rules governing the investment of College endowment funds and said rules shall clearly specify the scope of authority of officers and employees of the Board of Trustees that are designated to invest funds.

This policy will be reviewed and adopted by resolution at least annually.

Qualified brokers authorized to engage in investment transactions with the College shall be reviewed and adopted annually by the Board of Trustees.

INVESTMENT POLICY

The endowment funds investment policy shall provide guidelines for the management, investment, and expenditure of endowment funds of Angelina College so that available resources will be maximized. This policy is subject to provisions of the Uniform Prudent Management of Institutional Funds Act, Chapter 163 of the Property Code ("UPMIFA"). Angelina College is an "institution of higher education", as such term is defined in UPMIFA. As used herein, "endowment funds" shall have the same meaning given said term in UPMIFA.

STANDARD OF CARE

In the administration of the powers to appropriate appreciation, to make and retain investments, to develop and apply investment and spending policies, and to delegate investment management of institutional funds, the Board of Trustees shall exercise ordinary business care and prudence under the facts and circumstances prevailing at the time of the action or decision. The Board of Trustees shall consider both the long-term and short-term needs of the institution in carrying out its purposes, its present and anticipated financial requirements, the expected return on its investments, price level trends, and general economic conditions.

INVESTMENT OBJECTIVE

The Angelina College Endowment Funds Assets are held with the intent to provide earnings to support the scholarships or other donor purposes over the long-term. Accordingly, the primary investment objectives for its assets are to:

1. Preserve the real purchasing power of the principal, and

2. Provide a stable source of perpetual financial support to scholarships in accordance with the endowment spending policy.

In regards to the investment of College endowment funds, the performance objective is to meet or exceed the following indexes depending on the type of investment:
APPROPRIATIONS AND REVENUE SOURCES: CAK
INVESTMENTS – ENDOWMENT FUNDS (LOCAL)

- Equity Investments - S&P 500 index,
- Fixed Income Investments - Lehman Brothers Aggregate Bond Index, and
- Cash Equivalents - 30-day Treasury Bill Index

as measured for the year immediately preceding at December 31.

AUTHORIZED INVESTMENTS

Authorized endowment investments shall include the following:

1. Cash equivalents: Treasury bills, money market funds, commercial paper, banker's acceptances, repurchase agreements, and certificates of deposit.

2. Fixed income: U.S. Government and agency securities, corporate notes and bonds, mortgage backed bonds, preferred stock, mutual funds that invest in securities allowed in this statement.

3. Equity securities: Common stocks, convertible notes and bonds, convertible preferred stocks, American depositary receipts of non-U.S. companies, and mutual funds that invest in securities allowed in this statement.

Prohibited endowment investments shall include the following:

Collateralized mortgage obligations, commodities and futures contracts, private placements, options, limited partnerships, venture-capital investments, and derivative securities.

ASSET ALLOCATION

The target asset allocation and permitted ranges for the endowment's assets are as follows:

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<thead>
<tr>
<th></th>
<th>Target Allocation</th>
<th>Permitted Ranges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Equivalents</td>
<td>5%</td>
<td>0% to 20%</td>
</tr>
<tr>
<td>Fixed Income Investments</td>
<td>50%</td>
<td>30% to 70%</td>
</tr>
<tr>
<td>Equity Investments</td>
<td>45%</td>
<td>25% to 55%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td></td>
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APPROVED: 05/15
The asset allocation will be reviewed semi-annually by the investment officer(s). Should the overall asset allocation fall outside the ranges established above, cash flows will be analyzed over the next quarter to determine if the portfolio can be re-balanced with contributions or disbursements. If this process fails to re-balance the portfolio, the investment officer(s) will instruct the authorized broker(s) to re-balance the asset allocation in accordance with the established guidelines. The investment officer(s) will report to the Board of Trustees on any such instruction to re-balance the asset allocation promptly after such instruction is given. In situations where mutual funds owned by the endowment in its portfolio invest in prohibited investments, the authorized broker should inform the College investment officer(s) prior to making an investment in the fund.

Understanding that risk is present in all types of securities and investment styles, the Board of Trustees recognizes that some risk is necessary to produce long-term investment results that are sufficient to meet the Endowment Funds' objectives. However, the investment officer(s) authorized broker is to make reasonable efforts to control risk and ensure that the risk assumed is commensurate with the objectives.

The Board of Trustees may appropriate for expenditure, for the uses and purposes for which the endowment is established, the net appreciation, realized and unrealized, in the fair market value of the assets over the historic dollar value of the fund.

All gifts that are given with restrictions by the donor must be spent in accordance with those restrictions.

The long-term objective of the spending guidelines is to maintain the purchasing power of the endowment with the goal of providing a reasonable, predictable, stable, and sustainable level of income to support scholarship distributions. The designated annual spending rate is 5% as applied to a 36-month moving average of market value less current year contributions as measured at August 31 of each year.

The market price of acquired investments shall be monitored by the business office on a monthly basis.

The College's Vice President of Business Services or Controller shall serve as the investment officer of the College and invest the College's funds in authorized investments.

The investment officer shall possess the experience, training and capabilities necessary to perform requirements of the position, and shall comply with training requirements under the PFI.

APPROVED: 05/15
Any investment officer of the College who has a personal business relationship with an entity seeking to sell an investment to the College shall file a statement disclosing that personal business interest either at the time of employment with the College or immediately at such time as the personal business relationship with an entity doing business with the College shall arise. Any investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the College shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the Board of Trustees of Angelina College.

A monthly investment summary report shall be prepared by the investment officer. A report shall be submitted at least quarterly to the Board of Trustees and the President of the College. The quarterly report shall:

1. Describe in detail the investment position of the College on the date of the report.

2. Be signed by each investment officer of the College.

3. Contain a summary statement of the endowment fund, prepared in compliance with generally accepted accounting principles, that states the:
   a. beginning market value for the reporting period,
   b. additions and changes to the market value during the period (including fully accrued interest for the reporting period), and
   c. ending market value for the period.

4. State the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested.

5. State the maturity date of each separately invested asset that has a maturity date.

INVESTMENT ADVISORS

The Board of Trustees may utilize investment advisors, in addition to the College's depository, to assist in the placement of College investments. A written copy of this investment policy shall be presented to any person acting as an investment advisor.

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or seeking to sell to the College an authorized investment. The qualified representative of the business organization seeking to sell an authorized investment shall execute a written instrument substantially to the effect that the registered principal has:

1. Received and thoroughly reviewed the investment policy of the College.

2. Acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the College and the organization that are not authorized by the College’s endowment investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the College’s entire portfolio or requires an interpretation of subjective investment standards.

The investment officer may not buy any securities from a person who has not delivered to the College a signed certification form.

The investment advisor is responsible for making all investment decisions regarding the assets assigned to him/her. The investment advisor will comply with all applicable laws, rules and regulations, and with the terms of endowment investment policy as outlined herein.

ANNUAL AUDIT

In conjunction with the annual financial audit, the Board of Trustees will request a compliance audit of management controls on investments and adherence to the College’s established endowment investment policy. Additionally, the independent auditor shall conduct a formal review of the quarterly reports and report the results to the Board of Trustees. The results of the compliance audit shall be reported to the State Auditor.

Angelina College ("Angelina College" or the "College") shall adopt rules governing the investment of college funds and said rules shall clearly specify the scope of authority of officers and employees of the Board of Trustees that are designated to invest funds.

This policy will be reviewed and adopted by resolution at least annually according to Government Code 2256.005 (e). Hereafter, Chapter 2256 of the Texas Government Code (Public Funds Investments) shall be referred to as the "PFI".

Qualified brokers authorized to engage in investment transactions with the College shall be reviewed and adopted annually by the Board of Trustees.
INVESTMENT POLICY

The funds management and investment policy of Angelina College shall be to:

1. Assure the safety of the College’s funds.
2. Maintain sufficient liquidity to provide adequate and timely working funds.
3. Attain a rate of return consistent with safety and liquidity considerations.
4. Match the maturity of investment instruments to the daily cash flow requirements.
5. Diversify investments as to maturity, instruments, and financial institutions as permitted under State law.
6. Actively pursue portfolio management techniques.
7. Avoid investment for speculation.
8. The dollar amount invested in any single investment should be sufficient to assure a ready resale market if liquidation is required.

AUTHORIZED INVESTMENTS

Authorized investments shall comply with the PFI, and shall include the following:

1. Obligations of the United States or its agencies and instrumentalities.
2. Direct obligations of this state or its agencies and instrumentalities.
3. 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. These obligations must be rated not less than A or its equivalent by at least one nationally recognized investment rating firm.
4. Corporate bonds, debentures, or similar debt obligations rated by Moody’s Investors Service or Standard & Poor’s Corporation in one of the two highest long-term rating categories, without regard to gradations within those categories. Section 2256.020(3)
5. Properly collateralized or FDIC insured Certificates of Deposit, including Certificates of Deposit authorized under Section 2256.010(b).

6. Investment pools as approved by resolution of the Board of Trustees. The pools: (1) May only invest in obligations permitted by the PFI and approved by the Board of Trustees, (2) Must provide an offering circular containing information required by the Act, (3) Must provide investment transaction confirmations, (4) Must provide a monthly report containing information required by the Act, and (5) Must have an advisory board as specified by the Act. If the pool was created to function as a money market mutual fund, it must mark its portfolio to market daily and stabilize at a $1.00 net asset value.

7. No load money market mutual funds, registered with and regulated by the Securities and Exchange Commission, with a dollar-weighted average stated maturity of 90 days or fewer, and having as an objective the maintenance of a stable net asset value of $1.00/share. Amounts invested shall not exceed limitations as provided by the PFI. Prior to entering into an investment with such a fund, the fund must provide the College with a prospectus and other information required by federal law. The College may not own more than 10% of the total assets of a money market mutual fund described by this clause (g).

8. Other no load mutual funds registered with the Securities and Exchange Commission, with an average weighted maturity of less than two years, invested exclusively in obligations allowed under the PFI, and continuously rated as to investment quality by at least one nationally recognized investment rating firm of not less than AAA or its equivalent. The mutual funds must comply with information and reporting requirements for investment pools as described in the Act. Invested amounts must be limited to 15% of the College’s monthly average fund balance, excluding bond proceeds, reserves, and debt service funds. Neither bond proceeds, reserves, nor debt service funds may be invested in mutual funds described by this clause (h). The College may not own more than 10% of the total assets of a mutual fund described by this clause (h).

9. Commercial paper which has a stated maturity of 270 days or fewer from the date of its issuance, and is rated not less than A-1 or P-1 or an equivalent rating by at least (A) two nationally recognized credit rating agencies, or (B) one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank

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10. A fully collateralized repurchase agreement which has a defined termination date; is secured by obligations described in Section 2256.009(a)(1) of the PFI; requires the securities being purchased by Angelina College to be pledged to Angelina College, held in the College’s name, and deposited at the time the investment is made with Angelina College or with a third party selected and approved by Angelina College; and is placed through a financial institution doing business in Texas.

The maximum allowable stated maturity of any individual investment, pool, or mutual fund owned by the College shall be as provided for in the PFI as enacted or as it may be amended from time to time. If no maximum allowable stated maturity is provided for a particular investment owned by the College, the maximum allowable stated maturity, or average dollar-weighted maturity if applicable, for such investment shall be for a term no greater than 10 years; provided, that in connection with the purchase of investments related to the refunding of bonds, the maturity of the investments escrow will be no greater than the term of the refunded bonds.

The market price of acquired investments shall be monitored on a monthly basis by comparing the cost basis of a sample of purchased securities as stated on each month end transaction detail with prices of the same investments through a nationally recognized financial source such as Bloomberg.com.

Investments must be settled on a delivery versus payment basis with the exception of investment pools and mutual funds.

INVESTMENT OFFICER

The College’s Vice President of Business Services or Controller shall serve as the investment officer of the College and invest the College’s funds in legally authorized and adequately secured investments in accordance with the PFI.

The investment officer shall possess the experience, training and capabilities necessary to perform requirements of the position, and shall comply with training requirements under the PFI.

Any investment officer of the College who has a personal business relationship with an entity seeking to sell an investment to the College shall file a statement disclosing that personal business interest either at the time of employment with the College or immediately at such time as the personal business relationship with an entity doing business with the College shall

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arise. Any investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the College shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the Board of Trustees of Angelina College.

The investment officer is expected to display prudence in the selection of securities, as a way to eliminate default risk. No individual transaction shall be undertaken where there is uncertainty as to the maturity and/or rate of return of the investment.

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person’s own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investment of funds shall be governed by the following investment objectives, in order of priority:

1. Preservation and safety of principal.
2. Liquidity.
3. Yield.

In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

1. The investment of all funds, or funds under the College’s control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment.
2. Whether the investment decision was consistent with the written investment policy and investment strategy of the College.

A monthly investment summary report shall be prepared by the investment officer. A report shall be submitted at least quarterly to the Board of Trustees and the President of the College. The quarterly report shall:

1. Describe in detail the investment position of the College on the date of the report.
2. Be signed by each investment officer of the College.
3. Contain a summary statement of each pooled fund group, prepared in compliance with generally accepted accounting principles, that states the:

a. beginning market value for the reporting period,

b. additions and changes to the market value during the period (including fully accrued interest for the reporting period), and

c. ending market value for the period.

4. State the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested.

5. State the maturity date of each separately invested asset that has a maturity date.

6. State the account or fund or pooled group fund in the College for which each individual investment was acquired.

7. State the compliance of the investment portfolio of the College as it relates to the investment policy and the PFI.

INVESTMENT ADVISORS

In accordance with the PFI, Section 2256.005(k), a written copy of this investment policy shall be presented to any person acting as an investment advisor or seeking to sell to the College an authorized investment. The qualified representative of the business organization seeking to sell an authorized investment shall execute a written instrument substantially to the effect that the registered principal has:

1. Received and thoroughly reviewed the investment policy of the College.

2. Acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the College and the organization that are not authorized by the College's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the College's entire portfolio or requires an interpretation of subjective investment standards.

The investment officer may not buy any securities from a person who has not delivered to the College a signed certification form as provided in accordance with the PFI, Section 2256.005(l).

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The investment advisor is responsible for making all investment decisions regarding the assets assigned to him/her. The investment advisor will comply with all applicable laws, rules and regulations, and with the terms of investment policy as outlined herein.

The Board of Trustees may utilize investment advisors, in addition to the College's depository, to assist in the placement of College investments.

Bids for Certificates of Deposit may be solicited by any combination of one or more of the following methods:

1. Oral bids;
2. Written bids; and
3. Electronic bids.

In conjunction with the annual financial audit, the Board of Trustees will request a compliance audit of management controls on investments and adherence to the College's established investment policies in accordance with the PFI, Section 2256.005(m). Additionally, the independent auditor shall conduct a formal review of the quarterly reports and report the results to the Board of Trustees. The results of the compliance audit shall be reported to the State Auditor.

INVESTMENT STRATEGIES

Investment strategies for funds are as follows:

CURRENT FUNDS

Current Funds include educational and general funds, auxiliary funds, and restricted funds. Current funds shall be invested with the primary objective of preservation and safety of principal. Certificates of Deposit are most appropriate for these funds to insure that maturing investments are available to meet current cash demands and are suitable for achieving the strategic objective for investing Current Funds. A liquidity base should be established to provide for known short term disbursement requirements, and remaining maturities should be selected based on return offered.

LOAN FUNDS

Loan Funds are intended to provide short term student loans for each semester. Loan Funds invested must mature to meet loan demands. Certificates of Deposit are most appropriate for these funds to insure that maturing investments are available to meet current cash demands, and are suitable for achieving the strategic objective for investing Loan Funds.

ENDOWMENT FUNDS

Endowment Funds - See "Investment Policy - Endowment Funds."

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PLANT FUNDS

Plant Funds are utilized for new construction, as well as renewal and replacement of existing facilities. Plant Funds shall be invested with the primary objective of preservation and safety of principal. Certificates of Deposit are most appropriate for these funds to insure that maturing investments are available to meet current cash demands. Other short term instruments may be utilized to reduce market risk and generate superior returns. These types of investments are suitable for achieving the strategic objective for investing Plant Funds.

DEBT SERVICE FUNDS

Angelina College shall maintain as its primary objective, the safety of principal with regard to all monies collected or allocated for debt service. Secondly, Angelina College will seek to maximize the return on such funds while insuring sufficient funds are available for timely payment of its debt obligations. In order to accomplish this, Angelina College will invest such funds in amounts and maturity dates that most likely will meet the debt service requirements of the College. Investment of moneys collected or allocated for debt service also shall be subject to covenants contained in the financing documents approved by the Board of Trustees authorizing the issuance of obligations for which debt service shall be due and owing. The investments selected for Debt Service Funds shall be suitable for achieving this strategic objective.

DEBT SERVICE RESERVE FUND

Investments of the debt service reserve fund shall have as their primary objective the ability to generate revenue while maintaining a low degree of price volatility. Except as may be required by the financing documents specific to an individual bond issue, securities should be of high quality, with short to intermediate term maturities. A laddering strategy may be used to insure availability of funds with minimum sacrifice of yield and is suitable to achieving the strategic objective for investing debt service reserve funds.
In compliance with the Texas Government Code (Public Funds Investment Act) Sec. 2256.005 (k) - (l), Broker/Financial Institution Representative acknowledges that the qualified representative and all sales personnel conducting investments transactions with Angelina College ("AC") have received and have thoroughly reviewed the AC Endowment Investment Policy. Broker/Financial Institution Representative acknowledges that Broker/Financial Institution Representative has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the college and the organization that are not authorized by the college's endowment investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the college's entire portfolio or requires an interpretation of subjective investment standards.

________________________________________
(Firm)

________________________________________
(Signature of Registered Principal)

________________________________________
(Name)

________________________________________
(Title)

________________________________________
(Date)

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GIFTS POLICY

SECTION ONE
GIFTS

1.01 All bequests of property for the benefit of the College District shall vest the property in the Board of Trustees. When not specified by the grantor, funds or other property donated, or the income thereby generated, may be expended in any manner authorized by statute. The College President shall have the authority to accept gifts and donations on behalf of the Board.

1.02 Final authority for the acceptance of gifts of real property rests with the Board of Trustees.

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

1.04 All gifts and grants accepted must contribute to the College District’s basic mission and purpose and enhance overall College District resources without undue budgetary expenditures or constraints.

SECTION TWO
SOCILITATION

2.01 The College President must give prior approval for the solicitation or acceptance of all grants or gifts, and must approve all external fund raising activities.

2.02 Solicitations involving only the campus community must be approved by the Dean of Student Affairs.

ENDOWMENT POLICY

SECTION ONE
PURPOSE

1.01 The purpose of the endowment is to create a corpus from which the earnings are to be distributed to support the mission and goals of the College District including scholarships consistent with donor intentions.

1.02 An endowment may be established for any purpose which may be reasonably construed to support the mission and goals of the College District.
SECTION TWO
ESTABLISHING AN ENDOWMENT

2.01 Minimum Funding Level
A donor(s) may establish an endowment with a minimum initial donation of $10,000. The donor(s) may accumulate the endowment gift over a one-year period with earnings during the accumulation period to be added to the corpus. Earnings during the accumulation period may not be used to reduce the donors’ commitment to fund the endowment at the minimum level. Once funded, earnings will be distributed both to make awards under terms of the Donor Agreement and to increase the corpus of the endowment as allowed by economic conditions and existing Board policies.

2.02 Establishing of Endowment
Upon receiving a minimum of $10,000, the College District will permanently endow a scholarship for the donor(s). Guidelines for the use of the endowment will be agreed upon and an Angelina College Summary of Donor’s Intentions will be completed in the Office of Student Financial Aid.

2.03 Failure to Meet the Minimum Funding Level
Donors will be contacted at the end of one year if the minimum funding level is not achieved. If, at that time, the donor is unable to fully endow the scholarship, monies already donated will be transferred to the general permanent endowment fund and the intent to endow the scholarship will be voided.

A donor wishing to contribute less than $10,000 should be encouraged to make his/her contribution to the Angelina College Alumni and Friends Endowment Fund.

2.04 Memorial Contributions
An endowment to be funded by the receipt of memorial contributions will be restricted by the individual who establishes it initially.

SECTION THREE
RECIPIENT RESTRICTIONS

3.01 The donor has the following options in specifying certain criteria for selection of an award recipient. A donor may specify:

- A preference among equally qualified applicants be given for recipient selection. However, College District policies prohibit discrimination against recipients being considered for an award on the basis of race, color, national origin, gender, religion, age, veteran status, or disability.
- Selection of a recipient be tied to the recipient’s academic performance, financial need, or geographic area of residence.
- Applicant eligibility be limited to an employer’s employees and their spouses or
dependents provided that final selection of recipient is made in accordance with policies of the College District.

- A recipient be a student in a particular Angelina College department or area of study.
- A recipient has completed a specified number of semester hours of college work.
- A recipient have a minimum required grade point average.
- Eligibility be limited to U.S. citizens and permanent residents.

3.02 If a donation is received without restriction, the Board may designate that the donation be established in the form of a quasi-endowment. Donations of this nature will be treated as permanent capital, but principal as well as income may be expended upon approval of the Board.

SECTION FOUR
RECIPIENT SELECTION

4.01 Donors may recommend or suggest scholarship recipients. However, the Internal Revenue Service will not recognize a contribution for charitable tax deduction if the donor retains control over the gift funds or how they are used. Therefore, a donor may not participate in the selection of scholarship or award recipients, name a non-Angelina College employee to the scholarship committee, or structure the criteria so narrowly as to limit selection to a small population comprised solely or primarily of individuals related to the donor or that the donor would choose without this restriction.

4.02 Angelina College will make the final recipient selection. Recipient selection will be based upon the requirements listed on the Angelina College Summary of Donor’s Intentions.

SECTION FIVE
INVESTMENTS

5.01 All endowed funds will be invested in accordance with the College District’s Investment Policy. The Angelina College Investment Policy is approved by the Board of Trustees, regulated by the State of Texas, and is designed to preserve the endowment.

5.02 The endowment is to be managed by professional investment managers, professional endowment managers, bank trust departments or a combination thereof, as designated by the Board.

5.03 Endowment managers shall be provided with a copy of the Board approved endowment scholarship policy and endowment investment policy, and shall sign the appropriate certification before managing College District funds.
SECTION SIX
DISTRIBUTION POLICY

6.01 The distribution policy of the Endowment Fund and Restricted Funds (Fund 41, 45 and 60) shall be as follows:

- Restricted funds must be awarded or spent according to the written intentions of the original donor who established the account or in accordance with subsequent written modifications made by the donor’s assignee or executor.
- The Endowment Investment policy references the Endowment Spending Policy.
- Funds not awarded or spent will accumulate in the account’s corresponding restricted account. Only funds associated with an endowment or from a previously approved restricted account will receive applicable interest earnings. Any earning on other restricted funds will be available for student scholarships.

SECTION SEVEN
TERMINATION OF ENDOWMENT

7.01 In the event that distributions from an endowment’s interest earnings can no longer be awarded for the original purpose (for example, the endowment was intended to provide scholarships for a major which no longer exists), an alternative use for the endowment to further the objective of the College District may be established, in the spirit of the donor’s original intent.

7.02 In the event that Angelina College closes or otherwise ceases to exist, all endowed funds will be either returned to the donor, their heirs, or transferred to a non-profit entity whose objective and mission is consistent with the mission of the College District.

7.03 The College may disburse any remaining funds from non-endowed scholarship, club, and other third party accounts that have been inactive for three or more years with no future distributions anticipated in a manner similar to the original intent of the account or for general scholarships, unless otherwise instructed by donor.
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 are considered by each budget manager prior to submission. Budget planning and evaluation are continuous processes and should be a part of each month’s activities.

BUDGET PREPARATION

The College President or designee shall supervise the development of a budget calendar and a specific plan for budget preparation that ensures appropriate input from all levels of operation within the College District. The budget shall conform to Texas Higher Education Coordinating Board requirements and meet the standards of the Southern Association of Colleges and Schools Commission on Colleges.

The College President or designee shall have:

1. Responsibility for the preparation of a budget covering estimated receipts and proposed expenditures of the College District for the ensuing fiscal year.

2. Responsibility for ensuring that proper records are kept and that copies of all forms, budget, and other reports are filed with the proper authorities at the proper times.

The College President may designate the vice president of business services as deputy officer. The deputy budget officer shall assist in professional and technical aspects of the budget preparation.

The budget must be itemized in detail according to classification and purpose of expenditure and shall be in the format required by the “Annual Financial Reporting Requirements for Public Community and Junior Colleges in Texas,” and Coordinating Board rules.

BUDGET MEETING

After the proposed budget has been prepared, the Board President shall call a Board meeting, giving public notice in a manner complying with the Open Meetings Law and stating the purpose of adopting a budget for the succeeding year.

Any taxpayer of the College District may be present and participate in the hearing.

The annual public hearing on the proposed budget shall be conducted as follows:
1. The Board President shall request at the beginning of the hearing that all persons who desire to speak on the budget give their names to the secretary. Only those who sign in with the secretary shall be heard.

2. Prior to the beginning of the hearing, the Board President may establish time limits for speakers and may determine the number of speakers for group presentations.

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 hearing.

AVAILABILITY OF PROPOSED BUDGET

After it is presented to the Board and prior to adoption, a copy of the proposed budget shall be available for inspection during regular business hours.

BUDGET ADOPTION

An itemized budget covering the operation of the College District shall be approved on or before September 1 of each year for the fiscal year beginning on September 1 of each year.

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 or designee who shall ensure that funds are expended in accordance with the adopted budget and any rules or guidelines in which the College District is serving as fiscal agent.

No public funds in the College District may be spent in any manner other than as provided for in the budget adopted by the Board.

The College District shall not lend its credit or gratuitously grant public money or things of value in aid of any individual, association, or corporation.

The College District shall not grant any extra compensation, fee, or allowance to a public officer, agent, servant, or contractor after service has been rendered or a contract entered into and performed in whole or in part. Nor shall the College District pay or authorize the payment of any claim against the College District under any agreement or contract made without authority of law.
A contract for the acquisition, including lease, of real or personal property is a commitment of the College District’s current revenue only, provided the contract contains either or both of the following provisions:

1. Retains to the Board the continuing right to terminate the contract at the expiration of each budget period during the term of the contract.

2. Is conditioned on a best efforts attempt by the Board to obtain and appropriate funds for payment of the contract.

Copies of the annual operating budget shall be furnished to the Coordinating Board (two copies), the Governor’s Budget and Planning Office, Legislative Budget Board, and Legislative Reference Library by December 1st of each year. Additional copies shall be delivered to the Legislators or State Offices and Officials as required.

BUDGET AMENDMENTS

The Board shall have the authority to amend the approved budget or to adopt a supplementary emergency budget to cover necessary unforeseen expenses.
Salary and wage rates are established by the College President subject to approval by the Board.

Changes to contracts are made only by recommendation of the College President to the Board.

Pay grades for classified support personnel may be adjusted based upon recommendation by the classified employee salary administration committee and approval by the President.

As a condition of employment, employees shall complete payroll forms as necessary to comply with federal and state laws, institutional policies, and other mandates.

**FULL-TIME**

Full-time classified support personnel shall be employed only when the following conditions have been met:

1. The College President has formally approved the job description and job specification sheet for a new position or a modified position.

2. The Vice President and Dean of Instruction has confirmed that the hiring process is in compliance with other applicable institutional policies as well as federal and state laws.

3. The College President or his designee has made a formal offer to the potential employee after consultation with the appropriate dean or director.

4. The offer is approved through written payroll authorization with appropriate signatures.

5. The employment is approved by action of the Board.

**PART-TIME**

Part-time classified support personnel shall be employed only when the following conditions have been met:

1. The President has formally approved the job description and determined the appropriate wage rate on the part-time employee wage scale.

2. The Human Resources Coordinator has confirmed that the hiring process is in compliance with other applicable institutional policies as well as federal and state laws.
3. The supervisor or Coordinator of Human Resources has made a formal offer to the potential employee after consultation with the College President.

4. The offer is approved through a Form 8 with appropriate signatures.

5. The employment is approved by action of the Board.

Faculty, administrators, and other contracted personnel shall be employed only when the following conditions have been met:

1. The College President has formally approved the job description and job specification sheet for a new position or a modified position.

2. The Vice President and Dean of Instruction has confirmed that the hiring process is in compliance with other applicable institutional policies as well as federal and state laws.

3. The College President has made a formal offer to the potential employee after consultation with the appropriate dean or director.

4. The offer is approved with a Form 8 with appropriate signatures.

5. The employment is approved by action of the Board.

All contract employees, other than part time faculty, shall be paid in 12 monthly installments made on or before the 23rd day of each month as denoted in the official payroll calendar.

Upon beginning employment, all full-time contract employees shall have their pay prorated from their hire date to the end of the academic year or contract period (see “Contract Period”).

Part time faculty shall be paid in four installments per semester as denoted in the official payroll calendar.

Part-Time Community Services (non-credit) teachers shall be paid at the completion of their course or service or more frequently in longer courses if approved by the Vice President of Community Services.

Full-time and part time classified support personnel shall be paid bi-weekly as denoted in the official payroll calendar.
All student employees shall be paid monthly as denoted in the official payroll calendar.

Payroll checks shall not be released prior to the designated pay date and time.

**OVERTIME**

Employees who are exempt from provisions of the Fair Labor Standards Act shall not receive overtime pay.

Employees subject to provisions of the Fair Labor Standards Act shall be eligible to receive overtime pay, but shall work overtime hours only with approval of their supervisor and the College President.

**CONTRACT PERIOD AND PRO-RATED PAY**

Employees hired after the academic year has started or who resign, retire, or leave after the year has started, will have salary contract amount pro-rated to actual hours worked according to the following guidelines.

12 month employees shall receive a prorated payment calculated on actual hours worked using 1,920 hours (240 days) as a basis, plus accrued vacation subject to final audit and policy limitations.

10.5 month faculty shall receive a prorated payment calculated on actual hours worked using 1,470 hours (210 days) as a basis.

10.5 month employees, other than faculty, shall receive a prorated payment calculated on actual hours worked using 1,680 hours (210 days) as a basis.

9 month employees shall receive a prorated payment calculated on actual hours worked using 1,190 hours (170 days) as a basis.

Computation of "Actual Hours Worked" will include paid holidays, but does not include Christmas Break or Spring Break.

Payment for accrued vacation hours is not subject to withholding for TRS retirement, but is subject to withholding for ORP retirement.

**RETIREMENT**

Retirees are required to enroll in the insurance program separate from active employees. If a person retires in the middle of an insurance year, he/she must re-enroll as a retiree.

All employees who retire or resign must complete a proper clearance form and obtain signatures from appropriate campus offices.
The College District will establish payroll deductions as required by federal and/or state laws, College District policy, and/or election of the individual employee.

**PAYROLL DEDUCTIONS**
College District employees are exempt from FICA OASDI withholding, but are subject to the FICA Medicare withholding unless exempted by date of employment.

Anyone who is employed by the College District shall receive all compensation through the regular payroll system.

**OTHER**
Individuals only performing contracted services for the college are not employees, but are independent contractors subject to the provisions outlined in the purchasing section of the policy. Such contracts must be approved by the College President or Vice President for Business Services prior to the agreement. Generally, if an individual is subject to the control or direction of another with respect to work objectives, but not with respect to the means and methods for accomplishing the objectives, he/she is considered an independent contractor and not an employee. (IRS code SEC.3401 Reg 31.3401)

**W-2’S AND 1099’S**
W–2’s are distributed in January of each year as per IRS guidelines.

1099’s are distributed in January of each year as per IRS guidelines.
Purchasing and Acquisition

Statutory Authority

Attorney General Opinion DM-387 provides that Chapter 44 of the Texas Education Code, which provides for purchases and contracts of a school district, also applies to a junior college district, and regional college District.

According to Section 271.003(9), “school district” means an independent school district, common school district, community college district, junior college district or regional college district organized under the laws of this state.

Texas Education Code 44.031 (a);(b), states that all contracts, except for the purchase of produce or vehicle fuel, valued at $50,000 or more, for each 12-month period are to be made by the method or methods that provide the best value to the district. The law enumerates several options for competitive procurement that are available to school districts. These options include:

1. Competitive bidding,

2. Competitive sealed proposals,

3. Request for proposals for services other than construction services,

4. An interlocal contract,

5. The reverse auction procedure as defined by Government Code 2155.062(d), and

6. The formation of a political subdivision corporation under Local Government Code 304.001.

Professional and nonprofessional service contracts involving federal funds are required to be let on a competitive basis (competitive proposals or bidding), under 34 CFR Section 80.36 (Code of Federal Regulations).

A district’s local policy concerning competitive bidding requirements may be more restrictive than corresponding statutorily defined requirements, according to the local Board’s exercise of discretion regarding fiscal management.

Competitive bidding is a formal process that may also be referred to as competitive sealed bidding, sealed bidding or formal bidding. The
competitive bidding process required that bids be evaluated and awards made based solely upon bid specifications, terms and conditions contained in the request for bids document, and according to the bid prices offered by vendors and pertinent factors that may affect contract performance.

The competitive sealed proposal process is an alternative to competitive bidding. The terms and conditions of competitive sealed proposals are identical to those for competitive bidding except that an important difference between competitive sealed proposals and competitive sealed bidding relates to the finality of initial offers. Under competitive sealed proposals, changes in the nature of a proposal, and in prices, may be negotiated after proposals are opened. In contrast, changes in the price of goods and services are not negotiable in the competitive bidding process.

The College District may contract or agree with another local government, the state or a state agency, including the State Purchasing and General Services Commission, to perform governmental functions and services. Requirements for interlocal contracts include:

1. Authorization by the governing body of each party to the contract,

2. Statement of the purpose, terms, rights and duties of the Contracting parties, and

3. Specifications that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. Design/build is a method of project delivery in which the school district contracts with a single entity to take responsibility for both the design and construction of a project. The use of a design/build contract must be through a request for proposals or similar competitive methodology for selection of the vendor to provide the facility and/or financing.

Except as specifically noted within the Board approved purchasing policy, the following guidelines apply to all rentals, leases, purchases, lease-purchases and contracts:

1. Purchases costing from $0 to $2,999 shall require no verbal or written quotes. However, all purchases should be made from the lowest responsible vendor. Purchasers are encouraged to obtain a minimum of three comparable quotes.
2. Purchases costing from $3,000 to $14,999 shall require competitive written quotes solicited from at least three vendors.

3. Purchases costing from $15,000 to $24,999 shall require either one of the methods described in Texas Education Code 44.031 or three written quotations. Vice President of Business Services may determine that it is in the best interest of the college to conduct a sealed competitive bid process.

4. Purchases costing $25,000 or more must use either formal sealed request for quotation (RFQ), formal sealed request for proposal (RFP), Interlocal Agreement or Sole Source. At least three vendors must be solicited, a formal bid opening conducted, and statutorily required advertising performed.

5. All purchases costing $25,000 or more require approval by the Board.

6. If originally bid, change orders greater than 25 percent of the total cost must be bid. Change orders greater than $25,000 require subsequent Board action.

EMERGENCY PURCHASES

In case of emergency purchases where the cost is $25,000 or more, the Vice President of Business Services must be notified, in writing, immediately so the proposed purchase can be approved by the College President and the Board finance committee before any funds are obligated. Such approval will be granted if the purchase is necessary to conduct classes or other essential school activities.

ETHICAL STANDARDS

College District officials and employees cannot accept anything of value from a vendor, such as personal gifts or gratuities, which may be construed to have been given to influence the purchasing process.

If a Board member or member of their immediate family has a financial interest in a business entity(s), they are required to disclose this relationship through the execution of an affidavit. Board members should abstain from voting on award of contracts to businesses in which they or their immediate family members have a financial interest.

An employee may not participate directly or indirectly in a procurement when the employee knows that:
1. The employee or any member of the employee’s immediate family has a financial interest pertaining to the procurement;

2. A business or organization in which the employee, or any member of the employee’s immediate family, has a financial interest pertaining to the procurement; or

3. Any other person, business or organization with whom the employee or any member of the employee’s immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

**SUBSEQUENT PURCHASES**

If not provided for in the original bid contract, subsequent purchases of $25,000 or more are to be treated as separate contracts and must also be bid. Such purchases cannot be made from the same vendor, even at the same bid price(s), without competitive bids.

**EXEMPTIONS FROM COMPETITIVE BIDDING**

The following purchases are exempted from competitive bidding requirements.

1. Purchases of produce and motor fuel.


3. Purchases from the Texas Department of Corrections.

4. Purchases from the Texas Industries for the Blind and Handicapped.

5. Purchases through cooperative bidding pools under inter-local agreements, wherein the administrator for the cooperative is responsible for complying with competitive bidding statutes.

6. Emergency purchases necessary to repair or replace damaged equipment that is destroyed or severely damaged, because the time delay imposed by the competitive bidding process would prevent or substantially impair the conduct of classes or other essential school activities.

7. Items available from only one source, in compliance with sole source purchasing guidelines contained within this policy.
8. Services of any licensed architect, physician, certified public accountant, land surveyor, professional engineer, fiscal agent, attorney, or construction management consultant. However, Government Code, Chapter 2254, requires a two-step negotiation process for the acquisition of architectural or engineering services. The two-step process only allows negotiation of price after an initial selection based upon demonstrated competence and qualifications of the person/firm.

SOLE SOURCE PURCHASES

Selected purchases may be exempt from competitive procurement if they meet established criteria for a sole source purchase. Documentation must be obtained from the vendor which identifies the item or product to be purchased, and confirms that competition in providing the item or product is precluded by the existence of a patent, copyright, secret process, or monopoly.

REJECTION OF BIDS

The Board may reject any and all bids, reject all bids and readvertise for any reason, or reject all bids and decide not to rebid.

SPLIT PURCHASES

Purchases that would be considered one project under normal purchasing practices, such as paving contiguous parking lots surrounding buildings at a campus, may not be split. The competitive bidding law applies to the aggregate purchase. Bidding requirements may not be circumvented by purchasing related items, or equivalent items from separate vendors, under separate purchase orders (component parts) that cannot serve in and of themselves the purpose and function for which the purchase is being made. Separate, sequential and component purchases are illegal.

AWARDING A CONTRACT TO OTHER THAN THE LOW BIDDER

There is no requirement in state law that a contract for personal property be awarded to the lowest bidder; however, a decision to award a contract to a bidder other than the lowest bidder should reflect the exercise of sound discretion by the district. Texas Education Code 44.031 states that in determining contract awards to vendors, the College District may consider:

1. Purchase price.
2. The reputation of the vendor and of the vendor’s goods and services.
3. The quality of the vendor’s goods and services.
4. The extent to which the goods or services meet the college
district's needs.

5. The vendor's past relationship with the college district.

6. The impact on the ability of the college district to comply with laws relating to historically underutilized businesses.

7. The total long-term cost to the college district to acquire the goods or services.

8. Any other relevant factor specifically listed in the request for bids or proposals.

**CONTRACTED SERVICES**

The College District may contract with certain individuals to perform services, including non-credit instructional services, on an "as needed" basis. The College District provides no training to these individuals to enable them to perform their function in a particular method or manner. Their services are not an integral part of the College District’s operations. Work is performed on a part time, nonrecurring basis. Independent contractors are paid by the job, although disbursements may be split at the convenience of the College District. Contractors do not perform services exclusively for the College District. Contractors are not subject to dismissal for reasons other than nonperformance of contract Specifications.

Termination of their relationship with the College District prior to completion of contract requirements may subject independent contractors to a penalty.

The College District’s relationship with an independent contractor is governed by the contract signed by both parties. Disbursements exceeding $600 in any calendar year shall be reported to the contractor and the Internal Revenue Service according to information provided by the contractor on the W-9 form.

All contracts must be approved in advance by the College District President or Vice President of Business Services, or the appropriate dean as applicable.

**GENERAL**

Circumstances not specifically addressed in the policy shall be governed by the applicable statutory authority as found in the Texas Education Code, Local Government Code, Texas Revised Civil Statutes, Texas Attorney General Opinions, federal regulations, and other sources.
SAFETY PROGRAM

SAFETY: INCLEMENT WEATHER AND CAMPUS CLOSINGS

There may be occasions when weather conditions prevent the normal operations of the College District. Should this condition occur, the following procedures are in effect:

1. Class cancellations will generally be determined by 6 a.m. for day classes and 3:00 p.m. for evening classes and teaching centers. Both radio and television announcements will be made only if classes are canceled. The decision to cancel classes due to weather conditions will always be based on student’s safety after consultation with the Texas Department of Public Safety or Department of Transportation and other public agencies. Any cancellation announcements will also be on the web page and voicemail greeting of the main College number (936-639-1301).

2. Only the College President, or designee, shall determine class cancellations and disseminate official announcements concerning cancellations.

3. Cancellation of classes does not automatically mean that all operations at the College District are suspended. In the event of a suspension of classes, all employees shall report for work unless weather conditions absolutely render unsafe any reasonable attempt to report. In such cases, the employees unable to report shall, as soon as possible, notify his/her immediate supervisor.

4. Should the entire College District operation be forced to come to a halt, minimum physical plant and campus security staff will be required to maintain and secure the College District.
The College President and the Director of Physical Plant shall be responsible for establishing procedures to respond to campus emergencies in coordination with local authorities. These procedures shall always place reasonable emphasis on the safety of students and staff; observe federal, state, and local laws; and be periodically reviewed by the campus safety committee.

Emergency procedures should be followed if any disaster, crisis or threat occurs that could adversely affect students, employees, visitors or property of the College District. Employees should familiarize themselves with the basic content of this guide and have it readily available for quick reference in times of emergency. The campus emergency number is “0” or 5280 or 936-676-2563 after 4 p.m.

Any employee who is first to observe any medical emergency or life threatening event of disaster should follow the following procedures:

1. Dial 0 or 5280 (or 936-676-2563 after 4:00 p.m.) and clearly report the location of the emergency, disaster or threat. 911 may also be contacted if the threat or crisis seems particularly severe or imminent.

2. Wait for the emergency dispatcher to repeat the message, so that there is no misunderstanding of the location and nature of the emergency.

3. Stay on the phone until instructed otherwise by the emergency dispatcher.

The switchboard or Physical Plant will immediately notify the President (or his administrative designee if the President is not on campus) who will activate the appropriate notifications systems as follows:

1. In the event of an emergency, the telephone notification system allows the President or the Physical Plant Director to call and communicate with all buildings or divisions on campus at the same time. This system has the capability to accommodate 20 persons simultaneously. Instructions will be given to the Director’s Office or appropriate contact in each building regarding lock-down, evacuation or other procedures.

2. The College maintains an alert system to send email messages and/or text messages with directions to faculty, staff, and students
SAFETY PROGRAM: EMERGENCY PLANS

Cog (Regulation)

FIRE AND EVACUATION PROCEDURES

during an emergency. Employees and students may sign up for email and/or text messages by visiting the Emergency Alert System link located on the College home page. It is important for faculty and staff to encourage students to register in this system every semester.

3. The Physical Plant Office will have a plan to immediately use their radios to dispatch an employee to each building or parking lot to assist in warning or closing areas of campus.

4. In a crisis situation the police or fire department will be contacted immediately if appropriate.

If a fire is detected on campus, dial 0, 5280 or 911 and proceed with the following plan:

1. Warn others and activate the nearest available emergency alarm. All employees should familiarize themselves with the location of fire alarms and extinguishers and evacuation routes posted in each classroom and lab. The Director of the Physical Plant will ensure that each building has appropriate evacuation routes posted, has access to first aid kits and appropriately marked exits. The faculty should inform the students on the first day of class of the plan and the location of the exit diagram.

2. Evacuate the building. Instructors should be familiar with and explain the building evacuation plan to their classes at the beginning of each semester.

3. Stay at least 500 feet away from the building and out of the fire department’s way. Also, stay away from overhead electrical power lines.

4. Keep access roads open for emergency vehicles.

5. Do not return to the building until fire department officials declare the area safe.

The President will make the decision regarding campus or building evacuation. If the President is unavailable the Vice President of Business Services, then the Vice President and Dean of Instruction, then the Director of Physical Plant will make the decision. If evacuation of the campus is necessary, College District security personnel and the city police will provide traffic control and information on evacuation
procedures. They will advise occupants of each campus building of the evacuation order and instructions for the routes to be used.

HAZARDOUS WEATHER

When weather conditions are sufficiently hazardous to warrant limited activities, students and employees will be notified by local media and given instructions about the status of College operations. (See CG)

In case of a tornado, students and employees should:

1. Remain in the building away from windows, doors, and outside walls.

2. Select the safest ground floor area within the building. Immediately go to interior space or hallways. Stay away from glassed areas. Cover head and body.

3. If caught outside a building during a tornado and with no nearby shelter, lie flat in the nearest ditch or ravine with hands shielding the head.

BOMB THREATS

Any person observing a suspicious object or potential bomb threat on campus should not handle the object, open drawers or cabinets or turn lights on or off. The object should be reported at once to campus security, extension 5280 or dial 0.

1. Any person receiving a bomb threat phone call should ask the caller:
   a. When the bomb is going to explode.
   b. Where the bomb is located.
   c. What kind of bomb it is.
   d. What the bomb looks like.
   e. Why the bomb is there.

2. He or she should go to a safe area and dial 0 or 5280. The switchboard operator will dial 911 to report the threat and notify campus security and administrators.

PSYCHOLOGICAL CRISSES AND VIOLENT OR CRIMINAL BEHAVIOR

A psychological crisis exists when an individual is threatening harm to himself/herself or to others. If such a crisis occurs, one should never try to handle it alone. If any danger exists dial 0, 5280, or campus security after 4:00 p.m. (cell 936-676–2563).

Anyone who observes a criminal act or a suspicious person on campus should dial 0 or report the incident immediately to campus security at 5280 (cell 936-676–2563).
The following information should be provided:

1. Location of the person
2. Description of the person
3. Reasons for suspicion
4. Your name and location

After notifying Campus Security, alert your immediate supervisor and others that could be in danger.

1. If possible, secure your area to prevent entry.
2. Also report to 911 if a weapon is visible.

Anyone who observes a gun or other weapon should dial 0 or 5280 (or cell 936-676-2563) and report the incident. Campus security will immediately investigate these situations and notify the city police.

The College does not suggest that reactive measures are inappropriate; however, threat assessment focuses not on short term reactions but on proactive prevention.

The College employee or student witnessing a student exhibiting behavioral problems or breaches of student conduct should contact campus security at 5280 or 0. On weekends or after 4 p.m. call campus security cell at 936-676-2563 or call 911. Do not hesitate to call.

Security notifies the Dean of Students and he/she responds in one of two ways:

1. If conduct is the issue, the Dean of Students addresses the issue.
2. If alleged threat or disruption represents a danger to self or others and may involve mental or physical health issues, the Dean of Students consults with the Behavioral Intervention Team.

If the latter of the two is the issue, the Dean of Students will call a meeting with the Behavioral Intervention Team (BIT). This team includes the Dean, Campus Nurse or designee, Director of Physical Plant/Security, Special Student Support Services Coordinator and a Counselor.

The team will meet with the student to assess the alleged threat/issue. If the team deems the threat/issue to be valid, the student is informed that
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SAFETY PROGRAM:  EMERGENCY PLANS

he/she is either suspended permanently or suspended until clearance is obtained from a mental health professional regarding safety of self and others. Documentation from the mental health professional must be provided by student.

If the student is already in the mental health system, the student must provide the Dean of Students with a consent form to release information and communicate with the student’s mental health provider and family of significant others.

PHYSICAL PLANT
Dial extension 5280 to report any problems with electrical/light fixtures, plumbing failure/flooding, gas leaks, improper ventilation, etc. On weekends or at night, call the security guard on duty to report any problems. The security guard’s cell number is 936-676-2563.

MEDIA
Official comments to media during any emergency will be given only by the College President or designee.

COMPLIANCE
The College District complies with Title II of the Crime Awareness and Campus Security Act of 1990, which requires that information on campus security and crime statistics be distributed to all current and prospective students and employees and that campus crime is reported to the Uniform Crime Report (UCR) on a scheduled basis. The Director of Physical Plant/Security is charged with this responsibility.
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SITE MANAGEMENT

PROPERTY AND PHYSICAL PLANT

All building alterations such as painting or altering drapes, carpets, etc. are prohibited without written, advance approval by the College President.

RECYCLING

The College District shall establish a program for the separation and collection of recyclable materials generated by the College District's operations.

KEYS

Keys are issued to employees by the director of physical plant upon the direction of the proper authority. Each employee is responsible for the key issued. If the key is lost or misplaced, it should be reported to the business office immediately. The loss of a key destroys the security of a building or office and can result in the rekeying of the entire facility. An employee who loses a key resulting in loss of assets or costs due to rekeying may be held monetarily liable. The financial responsibility of a College District employee shall be limited to a maximum of $50 in the case of the loss of one or more College District keys by that employee.
The College District maintains rules and regulations for the safety and welfare of students, employees, and property. The College District may maintain other rules and regulations deemed necessary to provide for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control, including but not limited to the following:

1. Limiting the rate of speed.
2. Assigning parking spaces and designating parking areas and their use and assessing a charge for parking.
3. Prohibiting parking as it deems necessary.
4. Removing vehicles parked in violation of institutional rules and regulations or law at the expense of the violator.
5. Instituting a system of registration for vehicle identification, including a reasonable charge.

It shall be unlawful for any person to park a vehicle on any property under the control and jurisdiction of the College District except in the manner designated by the College District. It shall also be unlawful to block or impede traffic through any driveway of College District property. All laws regulating traffic on highways and streets shall apply to the operation of vehicles within the property of the College District.

The College District provides for the issuance and use of suitable vehicle identification insignia. The College District may bar or suspend the permit of any vehicle from driving or parking on any College District property for the violation of any rule or regulation promulgated by the College President as well as for any violations of law. Reinstatement of the privileges may be permitted and a reasonable fee assessed.
Mail will be delivered to division offices daily from 9:30 a.m. – 12:00 p.m. Division secretaries will sort mail to appropriate instructor mail boxes in the division offices. If a secretary is not available at the time of delivery, the mail will be left in the division office unless other instructions are received. Mail may also be accessed by using mail box keys.

The College District mail and delivery service should not be used for personal purposes, and it may not be used as a public forum. Personal items should not be mailed with postage having been paid by the College District.

At the time of delivery, outgoing mail will be picked up and returned to the admissions office.

All external mail should be at the mailroom in the administration building by 8:30 a.m. Any mail to be delivered to an on-campus facility should be placed in their appropriate boxes in the records office by 9:00 a.m. prior to the off-campus’ delivery day.
SECTION ONE
DEFINITIONS

1.01 Campus
"Campus" means all land and buildings owned or leased by an institution of higher education. Gov’t Code 411.2031(a)(1), .2032

1.02 Firearm
A “firearm” is any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. Penal Code 46.01(3)

1.03 Illegal Knife
An “illegal knife” is a knife with a blade over five and one-half inches; hand instrument designed to cut or stab another by being thrown; dagger, including, but not limited to, a dirk, stiletto, and poniard; bowie knife; sword; or spear. Penal Code 46.01(6)

1.04 Club
A “club” is an instrument that is specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes, but is not limited to, a blackjack, nightstick, mace, and tomahawk. Penal Code 46.01(1)

1.05 Prohibited Weapons
“Prohibited weapons” include:
1. Any of the following items, unless the item is registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives or classified as a curio or relic by the U.S. Department of Justice:
   a. An explosive weapon (any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon). Penal Code 46.01(2)
   b. A machine gun (any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger). Penal Code 46.01(9)
   c. A short-barrel firearm (rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a shotgun or rifle if, as altered, it has an overall length of less than 26 inches). Penal Code 46.01(10)
   d. A firearm silencer (any device designed, made, or adapted to muffle the report of a firearm). Penal Code 46.01(4)
2. Knuckles (any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles). Penal Code 46.01(8)
SITE MANAGEMENT - WEAPONS

3. Armor-piercing ammunition (handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers).  

Penal Code 46.01(12)

4. A chemical dispensing device (a device, other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being).  

Penal Code 46.01(14)

5. A zip gun (a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance).  

Penal Code 46.01(16)

6. A tire deflation device (a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle’s tires; it does not include a traffic control device that is designed to puncture one or more of a vehicle’s tires when driven over in a specific direction, and has a clearly visible sign posted in close proximity to the traffic control device that prohibits entry or warns motor vehicle operators of the traffic control device).  

Penal Code 46.01(17)

Penal Code 46.05(a)

1.06 Premises

“Premises” means a building or a portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.  

Penal Code 46.03(c)(1), .035(f)(3); Gov’t Code 441.2031(a)(3)

SECTION TWO

GENERAL PROVISIONS

2.01 A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, or prohibited weapon listed in Penal Code 46.05(a):

1. On the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, unless:
   a. Pursuant to written regulations or written authorization of the institution; or
   b. The person possesses or goes with a concealed handgun that the person is licensed to carry under Subchapter H, Chapter 411, Government Code, and no other weapon to which this section applies, on the premises of an institution of higher education or private or independent institution of higher education, on any grounds or building on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution; or

2. On the premises of a polling place on the day of an election or while early voting is in progress.  

[See also FLBF]  

Penal Code 46.03
SITE MANAGEMENT - WEAPONS

2.02 Interscholastic Events
A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Government Code Chapter 411, Subchapter H, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, on or about the license holder’s person, on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the license holder is a participant in the event and a handgun is used in the event.

The prohibition does not apply on the premises where a collegiate sporting event is taking place if the actor was not given effective notice under Penal Code 30.06.  
*Penal Code 46.035(b), (l)*

2.03 Board Meetings
A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Government Code Chapter 411, Subchapter H, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Government Code Chapter 551 and the entity provided notice as required by that chapter [see BD]. This offense does not apply if the actor was not given effective notice under Penal Code 30.06 or 30.07.  
*Penal Code 46.035(c), (l)*

2.04 Defense to Prosecution
It is a defense to prosecution under Penal Code 46.035(b) and (c), above that the actor, at the time of the commission of the offense, was:
1. A judge or justice of a federal court;
2. An active judicial officer, as defined by Government Code 411.201;
3. A district attorney, assistant district attorney, criminal district attorney, assistant criminal district attorney, county attorney, or assistant county attorney; or
4. A bailiff designated by the active judicial officer and engaged in escorting the officer.  
*Penal Code 46.035(h-1)*

2.05 Wrongful Exclusion of Handgun License Holder
A state agency or a political subdivision of the state, including a college district, may not provide notice by a communication described by Penal Code 30.06 or by any sign expressly referring to that law or to a concealed handgun license, that a license holder carrying a handgun under the authority of this subchapter is prohibited from entering or remaining on a premise or other place owned or leased by the governmental entity unless license holders are prohibited from carrying a handgun on the premises or other place by Penal Code 46.03 or 46.035.  
*Penal Code 411.209(a)*

A state agency or a political subdivision of the state that violates Penal Code 411.209(a) is liable for a civil penalty of:
1. Not less than $1,000 and not more than $1,500 for the first violation; and
2. Not less than $10,000 and not more than $10,500 for the second or a subsequent violation.
SITE MANAGEMENT - WEAPONS

Each day of a continuing violation of Penal Code 411.209(a) constitutes a separate violation.  
*Penal Code 411.209(b)–(c)*

### 2.06 Firearms and Ammunition in Private Vehicles

An institution of higher education, including a college district, in this state may not adopt or enforce any rule, regulation, or other provision or take any other action, including posting notice under Penal Code 30.06 or 30.07, prohibiting or placing restrictions on the storage or transportation of a firearm or ammunition in a locked, privately owned or leased motor vehicle by a person, including a student enrolled at that institution, who holds a license to carry a handgun under Government Code Chapter 411, Subchapter H and lawfully possesses the firearm or ammunition:

1. On a street or driveway located on the campus of the institution; or
2. In a parking lot, parking garage, or other parking area located on the campus of the institution.  
*Gov't Code 411.2032*

### 2.07 Carry by Employees in Personal Vehicles

A public or private employer, including a college district, may not prohibit an employee who holds a license to carry a handgun under Government Code Chapter 411, Subchapter H, who otherwise lawfully possesses a firearm, or who lawfully possesses ammunition from transporting or storing a firearm or ammunition the employee is authorized by law to possess in a locked, privately owned motor vehicle in a parking lot, parking garage, or other parking area the college district provides for employees.  
*Labor Code 52.061*

Labor Code 52.061 does not apply to a vehicle owned or leased by a public or private employer and used by an employee in the course and scope of the employee's employment, unless the employee is required to transport or store a firearm in the official discharge of the employee's duties.  
*Labor Code 52.062(a)*

Section 52.061 does not authorize a person who holds a license to carry a concealed handgun under Government Code Chapter 411, Subchapter H, who otherwise lawfully possesses a firearm, or who lawfully possesses ammunition to possess a firearm or ammunition on any property where the possession of a firearm or ammunition is prohibited by state or federal law.  
Section 52.061 does not prohibit an employer from prohibiting an employee who holds a license to carry a handgun under Government Code Chapter 411, Subchapter H, or who otherwise lawfully possesses a firearm, from possessing a firearm the employee is otherwise authorized by law to possess on the premises of the employer's business.  
*Labor Code 52.062(a)–(b)*

"Premises" means a building or a portion of a building.  The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.  
*Penal Code 46.035(f)(3)*

### 2.08 Immunity

Except in cases of gross negligence, a public or private employer, or the employer's principal, officer, director, employee, or agent, is not liable in a civil action for personal injury, death, property damage, or any other damages resulting from or arising out of an
SITE MANAGEMENT - WEAPONS

occurrence involving a firearm or ammunition that the employer is required to allow on
the employer’s property under this section.

The presence of a firearm or ammunition on an employer’s property under the authority
of this section does not by itself constitute a failure by the employer to provide a safe
workplace.

For purposes of Labor Code 52.063, a public or private employer, or the employer’s
principal, officer, director, employee, or agent, does not have a duty:

1. To patrol, inspect, or secure any parking lot, parking garage, or other parking ar-
area the employer provides for employees or any privately owned motor vehicle lo-
cated in a parking lot, parking garage, or other parking area; or

2. To investigate, confirm, or determine an employee’s compliance with laws related
to the ownership or possession of a firearm or ammunition or the transportation
and storage of a firearm or ammunition.

Labor Code 52.063

SECTION THREE
CONCEALED CARRY

3.01 A license holder may carry a concealed handgun on or about the license holder’s person
while the license holder is on the campus of an institution of higher education or private
or independent institution of higher education in this state. Gov’t Code 441.2031(b)

3.02 Regulation of Carry

After consulting with students, staff, and faculty of the institution regarding the nature of
the student population, specific safety considerations, and the uniqueness of the campus
environment, the president or other chief executive officer of an institution of higher edu-
cation in this state shall establish reasonable rules, regulations, or other provisions re-
garding the carrying of concealed handguns by license holders on the campus of the in-
stitution or on premises located on the campus of the institution.

An institution of higher education or private or independent institution of higher education
in this state may establish rules, regulations, or other provisions concerning the storage
of handguns in dormitories or other residential facilities that are owned or leased and
operated by the institution and located on the campus of the institution.

The president or officer may not establish provisions that generally prohibit or have the
effect of generally prohibiting license holders from carrying concealed handguns on the
campus of the institution. The president or officer may amend the provisions as neces-
sary for campus safety. Gov’t Code 441.2031(d)-(d-1)

Except as provided by Government Code 411.2031(d), (d-1), or (e), an institution of
higher education or private or independent institution of higher education in this state
may not adopt any rule, regulation, or other provision prohibiting license holders from
carrying handguns on the campus of the institution. Gov’t Code 441.2031(c)
SITE MANAGEMENT - WEAPONS

The provisions take effect as determined by the president or officer unless subsequently amended by the board of regents or other governing board under Government Code 411.2031(d-2). Gov’t Code 441.2031(d-1)

3.03 Board Review
Not later than the 90th day after the date that the rules, regulations, or other provisions are established as described by Government Code 411.2031(d-1), the board of regents or other governing board of the institution of higher education shall review the provisions. The board of regents or other governing board may, by a vote of not less than two-thirds of the board, amend wholly or partly the established provisions. If amended, the provisions are considered to be those of the institution as established under Government Code 411.2031(d-1). Gov’t Code 441.2031(d-2)

3.04 Notice of Carry Prohibited
The institution must give effective notice under Penal Code 30.06 with respect to any portion of a premises on which license holders may not carry. Gov’t Code 441.2031(d-1)

3.05 Distribution of Regulations
An institution of higher education shall widely distribute the rules, regulations, or other provisions above to the institution's students, staff, and faculty, including by prominently publishing the provisions on the institution's Internet website. Gov’t Code 441.2031(d-3)

3.06 Report to Legislature
Not later than September 1 of each even-numbered year, each institution of higher education in this state shall submit a report to the legislature and to the standing committees of the legislature with jurisdiction over the implementation and continuation of this section that:
1. Describes its rules, regulations, or other provisions regarding the carrying of concealed handguns on the campus of the institution; and
2. Explains the reasons the institution has established those provisions.
Gov’t Code 441.2031(d-4)

3.07 Concealed Carry in Violation of Regulations
Notwithstanding Penal Code 46.035(a) or Penal Code 46.03(a), a license holder commits an offense if the license holder intentionally carries a concealed handgun on a portion of a premises located on the campus of an institution of higher education in this state on which the carrying of a concealed handgun is prohibited by rules, regulations, or other provisions established under Government Code 411.2031(d-1) provided the institution gives effective notice under Penal Code 30.06 with respect to that portion. Penal Code 46.035(a-3)

3.08 As Trespass
A handgun license holder commits an offense if the license holder carries a concealed handgun under the authority of Government Code Chapter 411, Subchapter H, on property of another without effective consent and received notice that entry on the property by a license holder with a concealed handgun was forbidden.

A person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication.

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“Written communication” means:
1. A card or other document on which is written language identical to the following: “Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun”; or
2. A sign posted on the property that includes the language described above in both English and Spanish, appears in contrasting colors with block letters at least one inch in height, and is displayed in a conspicuous manner clearly visible to the public.

An offense under this section is a Class C misdemeanor punishable by a fine not to exceed $200, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that, after entering the property, the license holder was personally given the notice by oral communication described by Penal Code 30.06(b) and subsequently failed to depart. 

Penal Code 30.06 (a)–(b), (c)(3), (d)

3.09 Premise Exception
It is an exception to the application of Penal Code 30.06 that the property on which the license holder carries a handgun is owned or leased by a governmental entity, including a college district, and is not a premises or other place on which the license holder is prohibited from carrying the handgun under Government Code 46.03 or 46.035. Penal Code 30.06(e)

SECTION FOUR
OPEN CARRY

4.01 A license holder commits an offense if the license holder carries a handgun on or about the license holder’s person under the authority of Government Code Chapter 411, Subchapter H and intentionally displays the handgun in plain view of another person in a public place. It is an exception to the application of this prohibition that the handgun was partially or wholly visible but was carried in a shoulder or belt holster by the license holder. Penal Code 46.035(a)

4.02 At an Institution of Higher Education
A license holder commits an offense if the license holder carries a partially or wholly visible handgun, regardless of whether the handgun is holstered, on or about the license holder’s person under the authority of Subchapter H, Chapter 411, Government Code, and intentionally displays the handgun in plain view of another person:
1. On the premises of an institution of higher education, including a college district, or private or independent institution of higher education; or
2. On any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area of an institution of higher education or private or independent institution of higher education.

Penal Code 46.035(a-1)
4.03 As Trespass
A license holder commits an offense if the license holder openly carries a handgun under the authority of Government Code Chapter 411, Subchapter H on property of another without effective consent and received notice that entry on the property by a license holder openly carrying a handgun was forbidden.

A person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication. “Written communication” means:

1. A card or other document on which is written language identical to the following: “Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly”; or
2. A sign posted on the property that:
   a. Includes the language described above in item 1 in both English and Spanish;
   b. Appears in contrasting colors with block letters at least one inch in height; and
   c. Is displayed in a conspicuous manner clearly visible to the public at each entrance to the property.

An offense under this section is a Class C misdemeanor punishable by a fine not to exceed $200, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that, after entering the property, the license holder was personally given the notice by oral communication described by Penal Code 30.07(b) and subsequently failed to depart. 
Penal Code 30.07(a)–(b), (c)(3), (d)

4.04 Premise Exception
It is an exception to the application of Penal Code 30.07 that the property on which the license holder openly carries the handgun is owned or leased by a governmental entity and is not a premises or other place on which the license holder is prohibited from carrying the handgun under Penal Code 46.03 or 46.035. Penal Code 30.07(e)
CONCEALED CARRY OF HANDGUNS

SECTION ONE
GENERAL PRINCIPLES

1.01 The intent of this regulation is to establish guidelines and procedures for the implementation of the Texas state statute authorizing the concealed carry of handguns on the premises of Angelina College. The President of Angelina College established this regulation in consultation with faculty, staff, and students. The Board of Trustees reviewed the regulation on May 8, 2017.

1.02 This regulation will become effective August 1, 2017 and is intended to be in compliance with the requirements of Texas Government Code Section 411.2031.

1.03 This policy will be reviewed in August of even numbered years by the College President and/or AC Campus Carry Committee appointed by the College President.

SECTION TWO
DEFINITIONS

2.01 Campus – all land and buildings owned or leased by Angelina College as lessee.

2.02 Premises – a building or portion of a building

2.03 Handgun license holder – an individual licensed to carry a concealed handgun under Subchapter H, Chapter 411 of the Texas Government Code ("Chapter 411"). Generally, such an eligible individual must be at least 21 years of age, not have a criminal record as defined by the code, and meet certain education and proficiency requirements. Chapter 411 contains some exceptions to the age requirement (e.g., ex-military personnel).

2.04 Concealed handgun – a handgun, on or about one’s person and the presence of which is not openly discernible to the ordinary observation of a reasonable person.

2.05 Exclusionary zone – any premise in which the carry of a concealed handgun is prohibited by virtue of Texas statute or this policy.

2.06 Secure storage – a locked vehicle or a locked gun safe.
CONCEALED CARRY OF HANDGUNS

SECTION THREE
GENERAL PROVISIONS

3.01 Subject to applicable Texas or federal laws and rules adopted by the College, individuals holding a valid Texas Concealed Handgun License (CHL) or the new state designation for the same, License to Carry (LTC), will be allowed to carry a handgun(s), concealed on their person, on the campus of Angelina College.

3.02 Pursuant to Texas Penal Code Sections 46.035 and 30.07, the open display of a handgun in plain view of another person on Angelina College property is prohibited except by an authorized individual such as a peace officer while in the actual discharge of his/her duty.

3.03 While Angelina College will employ all reasonable means to delineate exclusionary zones by signage in accord with Texas statutory law, it is the responsibility of the permit holder to know, understand, and follow the applicable laws and this policy as it may be amended while on any campus of or site controlled by Angelina College.

3.04 Authorized handgun license holders are not required to disclose their license to carry status to anyone other than a law enforcement officer. The College will not maintain a list of license to carry holders. This information is not a matter of public record. Angelina College employees (other than law enforcement officers) may not require students or employees to disclose their license to carry status.

3.05 When not carried on or about a person, handguns must be in a locked personal vehicle or a locked gun safe. Gun safes must meet the following requirements:
3.05.1 be large enough to fully contain all firearms placed in it and provide for secure storage;
3.05.2 have exterior walls constructed of a minimum 16-gauge steel;
3.05.3 have high-strength locking system consisting of a mechanical or electronic combination or biometric lock, and not a key lock; and
3.05.4 be certified to/listed as meeting Underwriters Laboratories Residential Security Container rating standards by a Nationally Recognized Testing Laboratory (NRTL).

SECTION FOUR
SPECIFIC EXCLUSIONS TO CONCEALED CARRY OF A HANDGUN

4.01 Exclusionary Zone – The College President is the only person with the authority to declare a specific premise or venue as an exclusionary zone. Therefore, except as provided herein, without the express written consent of the President, no faculty
CONCEALED CARRY OF HANDGUNS

member, staff member, student, or student group may exclude a specific premise or venue as “off limits.”

4.02 Exclusion by Law – Texas statutes outside of Texas Government Code Section 411.2031 separately provide exclusions of certain premises or events, which provisions are hereby incorporated. Under such laws, concealed carry is prohibited in the following premises or locations:
4.02.1 Places of religious worship;
4.02.2 Where a high school, collegiate, or professional sporting event or interscholastic event is taking place, including Angelina College athletic events;
4.02.3 Where any UIL sanctioned competition is being held;
4.02.4 Where any Board of Trustees meeting is being held;
4.02.5 Where any other official governmental meeting or judicial or conduct proceeding is being conducted, and
4.02.6 Where polling is being conducted for local, state, or federal elections.

4.03 Additional exclusions are as follow:
4.03.1 At the request of an individual or organization not under the control of Angelina College, on a case-by-case basis, the College President may declare other specific College premises or venues “off limits” for concealed carry. Adoption of exclusion for a premise or venue must be reasonably justified and time limited. The requestor must provide evidence that a concealed handgun on that particular premise or venue during that specific event creates some special danger. Requests for exclusion must be provided in writing to the Office of the President at a minimum of 30 days prior to the date of the event.
4.03.2 To assist in the process of approving exclusions, the Angelina College Campus Carry Committee will be charged with reviewing requests for exclusions and making recommendations to the College President.

SECTION FIVE
RESIDENCE HALLS

5.01 Handgun license holders residing in Angelina College residence halls will be allowed to possess handguns on the premise provided that:
a.) such possession is in compliance at all times with Texas statutory law and these rules; and
b.) the license holder stores his/her handgun in a College approved gun safe (as defined in Section 3.05 of this policy) or in a locked personal vehicle.
CONCEALED CARRY OF HANDGUNS

5.02 Students who are assigned to residence hall rooms where a firearm is stored and who are concerned about their wellbeing, may request a transfer to another room. Students should notify the Office of the Dean of Student Affairs to make this request.

SECTION SIX
INFORMATION TO THE COLLEGE COMMUNITY

6.01 Angelina College will widely distribute these rules and regulations and offer educational information regarding these rules and safety procedures to the students, staff, and faculty via the College’s website, the College Policy and Procedure Manual, the College Catalog, and other appropriate publications.
Equipment must not be removed from the campus for personal use. If there are reasons why equipment should be taken off campus by students and/or faculty for other than instructional purposes, approval should be requested in writing from the Vice President of Business Services or College President.

Relocation of equipment from one division or room to another on the campus should be reflected on the annual physical equipment inventory.

Purchase of desks, desk chairs, and all office and institutional furniture must have prior approval by the vice president of business services in order to assure some consistency of appearance and quality.
Persons who intend to drive College District vehicles must submit appropriate driver information to the physical plant office and be approved by the plant manager and the insurance carrier before operating any College District vehicles.

Drivers of College District vehicles must: (1) be at least 18 years of age, (2) have a valid Texas driver’s license, (3) have completed a designated driver safety course, and (4) be approved through a background screening process. Drivers will be subject to random drug testing as required by state and federal law.

Drivers of College District vehicles will receive compensation per trip hour. Drivers must submit a completed, signed trip ticket to receive payment. For overnight travel, the College District shall provide meals and lodging for the bus driver.

Drivers of College vehicles will be responsible for requiring that passengers wear seat belts. The driver may refuse to transport noncompliant passengers.

Drivers will perform a vehicle inspection before leaving the College. The inspection shall include all lights, turn signals, gauges, horn, tires, and brakes. Damages or problems should be brought to the attention of the plant manager.

Drivers must complete a form 8 and appropriate payroll paperwork to receive compensation.

Faculty, administrators, and other exempt personnel shall be paid for driving College District vehicles at the approved rates unless the trip is part of their own scheduled assignment, duty, or professional development.

Individuals who operate a vehicle designed to transport more than 15 people (including the driver) must have a valid commercial driver’s license. This license may be obtained through the Texas Department of Public Safety. The College District will reimburse College District employees who obtain this license in order to drive College District vehicles.

All College District-owned vehicles shall be registered in the name of the College District, shall be identified by the appropriate College District insignia plainly legible at a distance of not less than 100 feet, and shall be licensed as tax exempt in the name of Angelina County Junior College District.
All College District vehicles shall be maintained and inspected as required by the Uniform Act Regulating Traffic on the Highways.

College District vehicles are available for use by College District employees for College District business only.

The division designated will be charged a rate per mile as identified in DEE(EXHIBIT), which includes the cost of fuel, oil, emergency repairs (if necessary), and a driver (if necessary).

College District gasoline credit cards are to be utilized for the purchase of fuel, oil, and emergency repairs to College District vehicles and College approved rental vehicles. Under no circumstances should food, lodging, or other expenses unrelated to the operation of the vehicle be charged to the College District gasoline credit card.

A trip ticket must be completed each time a College vehicle is used.

Reservations may be made using the vehicle request form available through the physical plant office. Approved reservations will be made on a first-come, first-serve basis. However, the administration reserves the right to make changes to serve the best interests of the College District.

Only full-time employees may reserve vehicles and are responsible for the care of vehicles while in their possession.

Insurance information and emergency notification information shall be maintained in the glove compartment of each vehicle.
The College District, through the Employee Retirement System of Texas (hereafter referred to as “ERS”), provides certain group insurance programs for full-time and other designated employees. The College District and the state may pay all or a portion of the premium for health coverage. The premiums for other optional coverages are to be paid by the employee.

Optional coverages include health, dental indemnity, dental DMO, term life, dependent life, AD&D, and short and long term disability.

Enrollment in any insurance is subject to rules and regulations of the ERS. Employees should direct any questions regarding eligibility, coverage, etc. to the business office. Insurance regulations are subject to change.

Eligible dependents may be covered subject to rules and regulations of the ERS.

Insurance benefits include a section 125 cafeteria plan also administered by the ERS. The plan provides for tax-reduction insurance premiums, and unreimbursed health and dependent care accounts. Enrollment and participation in these options is subject to the rules and regulations of the ERS. All coverages except dependent life, short-term disability, and long-term disability are included. Long-term care is available to all full-time employees and their dependents separate from the ERS benefits package.

In addition to group health and related insurance, the College District provides a Workers’ Compensation Program, Unemployment Insurance, and Professional Liability Insurance at no cost to the employees.

See DF(REGULATION) for Retirement Programs.
Angelina College
03501

ENVIRONMENTAL POLICY

EMS REPRESENTATIVE
Coordinator of Environmental Projects (CEP)

EMS DIRECTOR
Director of Physical Plant

EMS TEAM
Vice President of Business Services
Director of Physical Plant
Coordinator of Environmental Projects
Mathematics and Science Associate Dean / Division Director
Technology / Workforce Associate Dean / Division Director
Stage Operations Manager
Beautification / Safety Committee Representative

EMS BOUNDARY
Shall be defined within the confines of the property owned and/or managed by Angelina College of Lufkin, Texas. The main campus lies in a north-westerly direction from the intersection of US Highway 59 South (3500 South First Street) and FM 819 (College Drive). The approximate area of the main campus is 205 acres. Also included will be remote facilities that are managed by AC.

POLICY PURPOSE
To ensure that all Angelina College (AC) Facilities are in compliance with applicable state and federal environmental regulations, in order to reduce the possibility of regulatory citations and fines. To minimize AC’s impact on the local environment, by reducing pollution and generated waste.

POLICY STATEMENT
Angelina College is committed to achieving and sustaining environmental awareness and protection while striving to educate responsible people.

ENVIRONMENTAL INITIATIVES
Angelina College will:

- Comply with all pertinent environmental regulations mandated by the Environmental Protection Agency, Texas Commission on Environmental Quality, Angelina County and the City of Lufkin.
- Strive to reduce AC’s impact on the natural environment.
- Reduce the use of toxic substances and the generation of hazardous wastes.
- Promote awareness and understanding of environmental issues among faculty, staff and students.
- Maintain regulatory status as a Conditionally Exempt Small Quantity Generator (CESQG) of Universal and Hazardous Waste.
- Strive to reduce energy and water consumption.
DEFINITIONS
Environmental Management System – A set of management processes and procedures that allow Angelina College to analyse, control, monitor and reduce the environmental impact of its activities.

EMS CHARACTERISTICS
- A continual improvement process of Plan-Do-Check-Act
- Primary focus is on regulatory compliance
- Format is based on the ISO 14001 EMS Platform
- Will not be certified to the ISO standard
- Defines roles and responsibilities of the EMS
- Identify and prioritize environmental impacts
- Set measurable objectives and targets
- Develop programs to achieve objectives and targets
- Monitor and measure progress
- Communicate results
- Establish boundaries

SUMMARY
Angelina College will consider full compliance with the law to be the minimally acceptable standard and will exercise whatever control is reasonable and necessary to avoid harm to the public health and environment, whether or not such control is required by regulations.
Computer technology resources include all equipment controlled by a central processor(s) and software or is attached to such equipment as a unit for digital processing.

All resources are property of the College District. Any requests for changes to hardware, attachments to hardware, or software should be requested through IT.

Repair and maintenance of resources should be monitored by IT, and IT should budget for associated costs.

All software should be utilized according to manufacturers' license or written agreement.

Any communications, data, or material stored on or processed by computer technology resources is the property of the College District and may be monitored and reviewed by the College as necessary.

Acquisition of computer technology resources should be planned in advance, and justification for resources should be based on the mission, goals, and objectives of the College District.

All College District employees desiring to acquire resources or to upgrade existing resources must complete and submit a technology request form to their respective division’s director or supervisor. Printer cartridges and routine keyboard and mouse replacements must be ordered through the Bookstore.

Each form submitted should be carefully reviewed for completeness and consistency with divisional goals and objectives before it is approved and forwarded to IT by the director or supervisor.

IT should carefully review technology resources requested to determine compatibility with existing campus-wide resources before forwarding request for budget consideration and Board approval.

A list of all divisional and office technology requests should be compiled and prioritized in the following order:

1. Technology necessary for basic College District operations (e.g., budgeting, payroll, student registration and reporting, etc.).

2. Technology for special courses, that require computer assisted instructions.
3. Technology for learning reinforcement primarily in a laboratory environment.

4. Technology for special administrative projects (e.g., federal/state reporting, research, etc.), and technology for faculty and staff support.

Time and resources saved, along with projected personnel costs and multiple vs. shared use of technology, should be considered in prioritizing requests.

All audio visual aids, including those attached to computer resources, are the responsibility of the library, and use of such aids should be requested accordingly.

Upon receiving shared audio visual aids or prior to using permanently placed aids, users should complete a thorough inspection/check of all items associated with aids and should report malfunctions immediately, to ensure timely repair or replacement.

Acquisition and use of interactive video equipment and other instructional technology should be requested through the Vice President and Dean of Instruction and designated personnel, and coordinated with IT.

Small items such as a computer keyboard or mouse can be purchased directly from the College Bookstore.

**CAMPUS NETWORK**

All network connectivity will be governed by IT (e.g., file servers, print servers, Internet, intranet, cable, etc.).

Any unauthorized resource found connected to the College’s network will be confiscated by I.T. Such property will need a letter of ownership and explanation of why it was on the network to get it returned.

Any device attached to the network is considered a network resource.

Access to any network/local resources by unauthorized persons is prohibited.

All authorized users must ensure that their password is kept secure.
ELECTRONIC COMMUNICATION

ACCEPTABLE USE OF RESOURCES

All proposed purchases of software, hardware, and support services should be reviewed by IT to determine if it is compatible with the network and whether resources are available to support the proposed items.

All pertinent documentation necessary for installing and using items on the network must be available to IT.

A current copy of all network server software, along with pertinent file and libraries, will be kept off-site as a contingency for disaster recovery. Daily file-saves will be performed by IT to limit the impact of computer disasters.

The following guidelines apply. Users must:

1. Use computer technology resources only for authorized purposes.
2. Protect their network user I.D. and password from unauthorized use. Users are responsible for all activities associated with their user I.D. or that originate from their computer/system.
3. Access only information that belongs to them, is publicly available, or to which they have been given authorized access.
4. Use only legal versions of copyrighted software in compliance with vendor license requirements or written agreement.
5. Be considerate in the use of shared resources. Refrain from monopolizing systems, overloading networks with excessive data, degrading services, or wasting computer time, connect time, disk space, printer paper, manuals, or other resources.
6. No food or drinks in computer labs.
7. Anyone with disabilities or handicaps that prevent them from using computer resources normally should seek advice or help from the office of Special Student Support Services.
8. Use of the College’s wireless connection is entirely at the risk of the user, and Angelina College is not responsible for any loss of any information that may arise from the use of the wireless connection, nor is AC responsible for any loss, injury, or damages resulting from the use of the wireless connection.
9. Anyone using the AC wireless network is forewarned that there can be no expectation of privacy when on the wireless network.

10. Use of access points of Angelina College’s wireless network is governed by the Angelina College Computer Use Policy. All users are expected to use the wireless access in a legal and responsible manner, consistent with the educational and informational purposes for which it is provided. Users should not violate federal, Texas, or local laws, including the transmission or receiving of child pornography or harmful material, fraud, or downloading copyrighted material.

11. The web page (angelina.edu) and any Angelina College social media sites should be managed by the Office of Communications and Publications and reflect the mission, goals, and values of the college. Employees, students, and student organizations launching social media sites identified with Angelina College or intended primarily for use by A.C. students should receive prior approval from their supervisors (for employees) or Dean of Students (students).
A financial institution, as defined below, shall develop, implement, and maintain a comprehensive information security program that is written in one or more readily accessible parts and contains administrative, technical, and physical safeguards that are appropriate to its size and complexity, the nature and scope of its activities, and the sensitivity of any customer information at issue. Such safeguards shall include the elements set forth below at ELEMENTS and shall be reasonably designed to achieve the objectives set forth below at OBJECTIVES. 16 C.F.R. 314.3(a); 15 U.S.C. 6801(b)

OBJECTIVES

The objectives are to:

1. Ensure the security and confidentiality of customer information;
2. Protect against any anticipated threats or hazards to the security or integrity of such information; and
3. Protect against unauthorized access to or use of such information that could result in substantial harm or inconvenience to any customer.

16 C.F.R. 314.3(b)

ELEMENTS

To develop, implement, and maintain the information security program, the financial institution shall:

1. Designate an employee or employees to coordinate the program;
2. Identify reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of customer information that could result in the unauthorized disclosure, misuse, alteration, destruction or other compromise of such information, and assess the sufficiency of any safeguards in place to control these risks. At a minimum, such a risk assessment should include consideration of risks in each relevant area of the institution’s operations, including:
   a. Employee training and management;
   b. Information systems, including network and software design, as well as information processing, storage, transmission and disposal; and
   c. Detecting, preventing and responding to attacks, intrusions, or other systems failures.
3. Design and implement information safeguards to control the risks the institution identifies through risk assessment, and
regularly test or otherwise monitor the effectiveness of the safeguard’s key controls, systems, and procedures.

4. Oversee service providers by:
   a. Taking reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the customer information at issue; and
   b. Requiring the institution’s service providers by contract to implement and maintain such safeguards.

5. Evaluate and adjust the information security program in light of the results of testing and monitoring, any material changes to the institution’s operations or business arrangements, or any other circumstances that the college district knows or has reason to know may have a material impact on the information security program.

16 C.F.R. 314.4

DEFINITIONS

“CUSTOMER INFORMATION”

“Customer Information” means any record containing nonpublic personal information, as defined below, about a customer of a financial institution, whether in paper, electronic, or other form, that is handled or maintained by or on behalf of the institution or its affiliates. 16 C.F.R. 314.2(b)

“FINANCIAL INSTITUTION”

“Financial institution” means any institution the business of which is engaging in financial activities as described in the Bank Holding Company Act of 1956, 12 U.S.C. 1843(k), including lending, exchanging, transferring, investing for others, or safeguarding money or securities. An institution that is significantly engaged in financial activities is a financial institution. 12 U.S.C. 1843(k); 16 C.F.R. 313.3(k)

“NONPUBLIC PERSONAL INFORMATION”

“Nonpublic personal information” means:

1. Personally identifiable financial information; and

2. Any list, description, or other grouping of consumers (and publicly available information pertaining to them) that is derived using any personally identifiable financial information that is not publicly available.

16 C.F.R. 313.3(n)

“SERVICE PROVIDER”

“Service provider” means any person or entity that receives, maintains, processes, or otherwise is permitted access to customer information through its provisions of services directly to a qualifying entity. 16 C.F.R. 314.2(d)
A person, including a college district, who conducts business in this state and owns or licenses computerized data that includes sensitive personal information shall disclose, in accordance with the notice provisions at Business and Commerce Code 521.053(e), any breach of system security, after discovering or receiving notification of the breach, to any individual whose sensitive personal information was, or is reasonably believed to have been, acquired by an unauthorized person. The disclosure shall be made as quickly as possible, except as provided at CRIMINAL INVESTIGATION EXCEPTION, below, or as necessary to determine the scope of the breach and restore the reasonable integrity of the data system. *Business and Commerce Code 521.053(b)*

If the individual whose sensitive personal information was or is reasonably believed to have been acquired by an unauthorized person is a resident of a state that requires a person described by Business and Commerce Code 521.053(b) to provide notice of a breach of system security, the notice of the breach of system security required by Section 521.053(b) may be provided under that state’s law or under Business and Commerce Code 521.053(b). *Business and Commerce Code 521.053(b-1); Gov’t Code 2054.1125; Local Gov’t Code 205.010*

A person who maintains computerized data that includes sensitive personal information not owned by the person shall notify the owner or license holder, in accordance with Business and Commerce Code 521.053(e), of the information of any breach of system security immediately after discovering the breach, if the sensitive personal information was, or is reasonably believed to have been, acquired by an unauthorized person. *Business and Commerce Code 521.053(c); Gov’t Code 2054.1125; Local Gov’t Code 205.010*

If a person is required to notify at one time more than 10,000 persons of a breach of system security, the person shall also notify each consumer reporting agency, as defined by 15 U.S.C. 1681a, that maintains files on consumers on a nationwide basis, of the timing, distribution, and content of the notices. The person shall provide the notice without unreasonable delay. *Business and Commerce Code 521.053(h); Gov’t Code 2054.1125; Local Gov’t Code 205.010*

A person may delay providing the required notice to state residents or the owner or license holder at the request of a law enforcement agency that determines that the notification will impede a criminal investigation. The notification shall be made as soon as the law enforcement agency determines that the notification will not compromise the investigation. *Business and Commerce Code 521.053(d); Gov’t Code 2054.1125; Local Gov’t Code 205.010*
INFORMATION SECURITY POLICY

A person who maintains the person’s own notification procedures as part of an information security policy for the treatment of sensitive personal information that complies with the timing requirements for notice under Business and Commerce Code 521.053 if the person notifies affected persons in accordance with that policy. Business and Commerce Code 521.053(g); Gov’t Code 2054.1125; Local Gov’t Code 205.010

DEFINITIONS

“Breach of system security” means unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of sensitive personal information maintained by a person, including data that is encrypted if the person accessing the data has the key required to decrypt the data. Good faith acquisition of sensitive personal information by an employee or agent of the person for the purposes of the person is not a breach of system security unless the person uses or discloses the sensitive personal information in an unauthorized manner. Business and Commerce Code 521.053(a)

“Sensitive personal information” means:

1. An individual’s first name or first initial and last name in combination with any one or more of the following items, if the name and the items are not encrypted:
   a. Social security number;
   b. Driver’s license number or government-issued identification number; or
   c. Account number or credit or debit card number in combination with any required security code, access code, or password that would permit access to an individual’s financial account; or
2. Information that identifies an individual and relates to:
   a. The physical or mental health or condition of the individual;
   b. The provision of health care to the individual; or
   c. Payment for the provision of health care to the individual.

“Sensitive personal information” does not include publicly available information that is lawfully made available to the public from the federal government or a state or local government. Business and Commerce Code 521.002(a)(2), (b)
Each institution of higher education, including each college district, that proposes to receive information resources technologies under a contract from another state agency or institution of higher education shall comply with 1 Administrative Code Chapter 204, Subchapter C. *1 TAC 204.30–.32*
SECTION D: PERSONNEL

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NOTICE OF NON-DISCRIMINATION STATEMENT

It is the policy of Angelina College to provide an educational and working environment that provides equal opportunity to all members of the college community. In accordance with federal and state law, the college prohibits unlawful discrimination in its programs, activities and employment opportunities on the basis of race, color, national origin, sex, disability, age, religion, creed, or veteran status. Inquiries and complaints of violation of Title VI (race, color, religion or national origin); Title IX (sex); Section 504 (disability); Title 11, ADA (disability); or Age Discrimination Act should be directed to: Steve Hudman, Dean of Student Services, 3500 South First, Lufkin, TX 75904, telephone 936-633-5293. Requests for accommodation of a disability should be directed to the office of Student Services, telephone 936-633-5212.
PERSONNEL RECORDS AND CREDENTIALS

Administrative and faculty active personnel records are maintained in the office of the Vice President and Dean of Instruction. Records of part-time personnel in community services are maintained in that office. Classified personnel records are maintained in the Human Resources office. These records include official transcripts of college work, an employment application, certificates of proficiency, resumes, employment recommendations and commendations.

The contents of the individual personnel file may be reviewed at any time by the employee or their designated representative upon request to the office of the Vice President and Dean of Instruction. If the officer for records determines that information in the employee’s record is exempt from disclosure, a written request for a decision shall be submitted to the state attorney general before disclosing the information. Otherwise, the information shall be released not later than ten business days after the request is received.

The contents of the individual personnel file are regarded as confidential and will not be shown to a second party without the expressed written consent of the employee except that:

1. Information contained in individual personnel files may be accessed for internal salary calculations, for consideration for employment, for changes in contract appointment, for dismissals, and for terminations by the College President, the Vice President and Dean of Instruction, and the division director appropriate to the area of employment.

   Personnel files may be reviewed by an appointed screening committee when a new applicant or existing employee requests consideration for a position opening.

2. Information as collectively contained in all personnel files may be accessed by the Vice President and Dean of Instruction to meet the legal reporting requirements of local, state, federal agencies, and regional accrediting agencies. Such reporting requirements shall not identify any individual employee.

CREDSINALS

Instructors (full-time and part-time) shall meet or exceed the current standards of the Board of Trustees of the Commission of Colleges and Schools and separate accrediting agencies where applicable.
CONFIDENTIALITY

The College District will observe the guidelines regarding confidentiality of AIDS- and HIV-related medical information, including testing, for College District employees. The guidelines shall be consistent with those published by the Texas Department of Health and with state and federal law and regulations.
EMPLOYMENT REQUIREMENTS AND RESTRICTIONS:
PHYSICAL EXAMINATIONS AND COMMUNICABLE DISEASES

EMPLOYEE EXAMINATIONS AND DISEASES
The College District may require a medical examination (and/or inquiry) of an employee that is job-related and consistent with realistic occupational requirements and may make inquiries into the ability of an employee to perform job-related functions.

The results of an employee’s medical examination shall be used only to determine the applicant’s ability to perform job-related functions. Information obtained regarding the medical condition or history of the applicant shall be collected and maintained on separate forms and in separate medical files and shall be treated as confidential medical records. However, supervisors and managers may be informed regarding necessary restrictions on the employee’s work or duties and necessary accommodation; first aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

QUALIFIED DISABLED PERSON
If the College President or designee determines that work restrictions, reassignment, or exclusion may be appropriate, the College President or designee shall determine whether the employee is a “disabled person.” If it is determined that an employee is disabled, the College President or designee shall also determine if the employee is otherwise qualified for employment. With respect to employment, a “qualified disabled person” is a disabled person who, with reasonable accommodation, can perform the essential functions of the job in question.

If it is determined that an employee is a “qualified disabled person,” the employee must be reasonably accommodated. Accommodation is not reasonable if it poses undue financial or administrative burdens or fundamental alterations in the nature of the job.

MODIFICATIONS OF REASSIGNMENT
Whether an employee is disabled or not, the College President or designee, based on the medical information and the requirements of the job, shall determine what exclusion or modification in job duties or assignments are appropriate, if any.

EXCLUSION FROM WORK
An employee may be excluded from work if the College President or designee, in accordance with this policy, determines that the employee poses a risk of contagion to other employees or students, the employee poses a threat to his or her own health by remaining on the job, or the employee’s physical condition interferes with the performance of regular duties.
LEAVE OF ABSENCE

The employee may present evidence to the College President or designee on any information relevant to the employee’s fitness to continue the performance of regular duties. Employees who are excluded from work may be placed on any sick leave or temporary disability leave to which they are entitled.

TERMINATION OF EMPLOYMENT

Employees who are excluded from the work place in accordance with this policy may have their employment terminated when any sick leave or temporary disability leave to which they are entitled has expired, in accordance with appropriate policies and disability discrimination restrictions.

BACKGROUND CHECKS AND DRUG SCREENING

The College District may conduct pre-employment background checks and drug screening in appropriate occupational areas. Probable cause may also be used for additional post-employment testing.
CONFLICT OF INTEREST: INTELLECTUAL PROPERTY

The purpose of this policy is to provide guidelines regarding the ownership of various forms of intellectual property developed by employees and students of Angelina College. The intent of this policy is to protect the interests of the College, the employees and the students of Angelina College. This policy is specifically designed to enhance the academic standards of the institution and to foster an environment in which faculty, staff, students, and student employees are free to pursue interests in publication and discovery by protecting the interests of all parties involved.

This policy applies to all full-time and part-time faculty, staff, students and student employees of Angelina College.

Matters of policy relating to intellectual property will be handled by the Angelina College Intellectual Property Committee. This committee will be composed of three members of the faculty, to be appointed from time to time by the Vice President and Dean of Instruction. Committee records will be maintained in the office of the Vice President and Dean of Instruction.

This policy applies to any publication, discovery, patentable product, or copyrightable work* developed with significant use of institutional facilities, equipment or time, or sold for profit to Angelina College students to the monetary gain of the author(s).

This policy does not apply to any publication, discovery, patentable product, or copyrightable work developed without significant use of institutional facilities, equipment or time unless otherwise stated in the conditions of this policy.

Any publication, discovery, patentable product, or copyrightable work developed as a result of the direct employment responsibility of the author(s) shall belong to Angelina College.

* The phrase “publication, discovery, patentable product, or copyrightable work” shall be referred to as “development” for the remainder of this policy.

ESTABLISHMENT OF OWNERSHIP

A written description of any potential development must be submitted to the Vice President and Dean of Instruction and members of the Intellectual Property Committee to determine if the development applies to this policy by definition of the above guidelines.
Prior to the creation of any development or supplementary course material ownership must be agreed upon by Angelina College and the applicable author(s), according to the guidelines in this policy. In such a case, the Intellectual Property Committee will call a special session to determine ownership and any potential for conflict of interest and co-ownership distribution of royalties or sales. Members of this meeting will include the Vice President and Dean of Instruction, standing members of the Intellectual Property Committee, two randomly selected faculty members outside of the applicable department, and the author(s).

Any development created prior to the approval of this policy shall not be subject to its revised tenets, and the current ownership shall remain unchanged for the duration of the development’s application at Angelina College.

**GUIDELINES FOR OWNERSHIP AND SALES**

Any development directly funded by Angelina College, or indirectly funded through salaried compensation as a product of work relating to the employment responsibilities of the author(s), shall belong to Angelina College.

Developments resulting from “employment responsibilities” include course notes, PowerPoint presentations, handouts, exams, practical exams, course syllabi, recordings of lectures, and grade books.

Developments not resulting from “employment responsibilities” include textbooks, lab manuals, musical compositions, artwork, screenplays, and any other work whose application may be employed at institutions other than Angelina College.

Any development created from external funding, including “work for hire” and scientific publication resulting from outside sources of money, shall belong to the author(s) unless the development has direct application to the employment responsibility of the author(s). If the development has direct application to the employment responsibility of the author(s), the royalties must be agreed upon.

Any “extra-employment” developments shall belong to the author(s) unless substantial use of space, hardware, software, equipment or time of The College was included in its creation. In this case, the development is subject to joint ownership.
Any development resulting from employment responsibilities shall not be sold for profit to Angelina College students.

Any development recommended for student purchase must be approved in accordance with the current textbook procedures.

Any development jointly owned by The College and the author(s) may be sold to Angelina College students for profit through the bookstore, however, royalty/profit distribution shall adhere to the agreed upon guidelines.

Any development not owned in total or part by Angelina College may be sold to Angelina College students for profit through the bookstore, however, ownership and any potential for conflict of interest must be established prior to the sale of any author-owned development on campus.
“Public servant” means a person elected, selected, appointed, employed, or otherwise designated as one of the following, even if he has not yet qualified for office or assumed his duties: an officer, employee, or agent of government; an arbitrator, referee, or other person who is authorized by law or private written agreement to hear or determine a cause or controversy; an attorney at law or notary public when participating in the performance of a governmental function; or a person who is performing a governmental function under a claim of right although he is not legally qualified to do so. [See also BBFA and DH] Penal Code 1.07(a)(41)

A person commits an offense if he intentionally or knowingly offers, confers, or agrees to confer on another, or solicits, accepts, or agrees to accept from another:

1. Any benefit as consideration for the recipient's decision, opinion, recommendation, vote, or other exercise of discretion as a public servant.

2. Any benefit as consideration for the recipient's decision, vote, recommendation, or other exercise of official discretion in a judicial or administrative proceeding.

3. Any benefit as consideration for a violation of a duty imposed by law on a public servant.

4. Any benefit that is a political contribution as defined by Election Code Title 15 or that is an expenditure made and reported in accordance with Government Code Chapter 305 (lobbying expense), if the benefit was offered, conferred, solicited, accepted, or agreed to pursuant to an express agreement to take or withhold a specific exercise of official discretion if such exercise of official discretion would not have been taken or withheld but for the benefit.

"Benefit" means anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest.

Penal Code 36.01(3), .02

A public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if he solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion.
A public servant who receives an unsolicited benefit that the public servant is prohibited from accepting under Penal Code 36.08 may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes.

*Penal Code 36.08(d), (i)*

**EXCEPTIONS**

Penal Code 36.08 does not apply to:

1. A fee prescribed by law to be received by a public servant or any other benefit to which the public servant is lawfully entitled or for which he gives legitimate consideration in a capacity other than as a public servant;

2. A gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient;

3. A benefit to a public servant required to file a statement under Government Code Chapter 572, or a report under Election Code Title 15, that is derived from a function in honor or appreciation of the recipient if:
   a. The benefit and the source of any benefit in excess of $50 is reported in the statement; and
   b. The benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or political subdivision;

4. A political contribution as defined by Election Code Title 15;

5. An item with a value of less than $50, excluding cash or a negotiable instrument as described by Business and Commerce Code 3.104;

6. An item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity;

7. Transportation, lodging, and meals described by Penal Code 36.07(b) [see HONORARIA AND EXPENSES, below];

8. Food, lodging, transportation, or entertainment accepted as a guest and, if the donee is required by law to report those items, reported by the donee in accordance with that law;

9. Complimentary legal advice or legal services relating to a will, power of attorney, advance directive, or other estate planning
document rendered to a public servant who is a first responder and through a program or clinic that is operated by a local bar association or the State Bar of Texas and approved by the head of the agency employing the public servant, if the public servant is employed by an agency. “First responder” includes a peace officer whose duties include responding rapidly to an emergency and other individuals listed at Penal Code 36.10(e).

**Penal Code 36.10(a)–(b), (e)**

HONORARIA AND EXPENSES

A public servant commits an offense if the public servant solicits, accepts, or agrees to accept an honorarium in consideration for services that the public servant would not have been requested to provide but for the public servant's official position or duties. Penal Code 36.07 does not prohibit a public servant from accepting transportation and lodging expenses in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory, or from accepting meals in connection with such an event. **Penal Code 36.07(a)–(b)**

ABUSE OF PUBLIC EMPLOYMENT

A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another, he intentionally or knowingly violates a law relating to the public servant's office or employment; or misuses government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant's custody or possession by virtue of the public servant's office or employment. **Penal Code 39.02(a)**

“Law relating to a public servant's office or employment” means a law that specifically applies to a person acting in the capacity of a public servant and that directly or indirectly imposes a duty on the public servant or governs the conduct of the public servant. **Penal Code 39.01(1)**

“Misuse” means to deal with property contrary to:

1. An agreement under which the public servant holds the property;
2. A contract of employment or oath of office of a public servant;
3. A law, including provisions of the General Appropriations Act specifically relating to government property, that prescribes the manner of custody or disposition of the property; or
4. A limited purpose for which the property is delivered or received.

*Penal Code 39.01(2)*

"Agent" means a third party who undertakes to transact some business or manage some affair for another person by the authority or on account of the other person. The term includes an employee. *Local Gov't Code 176.001(1)*

"Local government officer" means an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. *Local Gov't Code 176.001(4)*

"Contract" means a written agreement for the sale or purchase of real property, goods, or services. *Local Gov't Code 176.001(1-d)*

Local Government Code Chapter 176 [see BBFA] applies to a person who is a local government officer of a local governmental entity. A person is not subject to the disclosure requirements in Chapter 176 if the person is an employee or agent of a political subdivision of a state acting in the employee’s or agent's official capacity.

A local governmental entity may reprimand, suspend, or terminate the employment of an employee who knowingly fails to comply with a requirement adopted under Chapter 176.

A local governmental officer commits an offense under Chapter 176 if the officer is required to file a conflicts disclosure statement under Local Government Code 176.003 and knowingly fails to file the required conflicts disclosure statement with the appropriate records administrator not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement.

It is an exception to the application of Local Government Code 176.013(a) that the local government officer filed the required conflicts disclosure statement not later than the seventh business day after the person received notice from the local governmental entity of the violation.

*Local Gov't Code 176.003(a)-(a-1), .013(a), (d), (f)*

No person shall hold or exercise at the same time, more than one civil office of emolument, except for offices listed in Texas Constitution Article XVI, Section 40(a), unless otherwise specifically provided. *Tex. Const. Art. XVI, Sec. 40(a); State v. Pirtle* 887 S.W.2d 921 (Tex. Ct. Crim. App. 1994); *Atty. Gen. Op. DM-212 (1993)*
State employees or individuals who receive all or part of their compensation either directly or indirectly from funds of the State of Texas and who are not state officers, shall not be barred from serving as members of the governing bodies of school districts, cities, towns, or other local governmental districts, including college districts (other than those in which they are employed). Such state employees or other individuals may not receive a salary for serving as members of such governing bodies, except that a faculty member or retired faculty member of a public institution of higher education may receive compensation for serving as a member of a governing body of a water district created under Texas Constitution Article XVI, Section 59 Texas Constitution Article III, Section 52. Tex. Const. Art. XVI, Sec. 40(b); Atty. Gen. Op. JM-118 (1983), JM-203 (1984)

It is not a violation of Government Code Chapter 572 or any other statute, rule, regulation, or the common law of the State of Texas for:

1. An employee of an institution of higher education, including a college district, who conceives, creates, discovers, invents, or develops intellectual property, to own or be awarded any amount of equity interest or participation in, or, if approved by the institutional governing board, to serve as a member of the board of directors or other governing board or as an officer or an employee of, a business entity that has an agreement with the state or a political subdivision of the state relating to the research, development, licensing, or exploitation of that intellectual property; or

2. An individual, at the request and on behalf of a university system or an institution of higher education, to serve as a member of the board of directors or other governing board of a business entity that has an agreement with the state or a political subdivision of the state relating to the research, development, licensing, or exploitation of intellectual property in which the university system or institution of higher education has an ownership interest.

The employee or individual must report to the appropriate person or persons at the institution at which the person is employed or on behalf of which the person is serving the name of such business entity in which the person has an interest or for which the person serves as a director, officer, or employee. The governing board of each institution shall include in the appropriate annual report required by Education Code 51.005 the information provided to it under this section during the preceding fiscal year.

*Education Code 51.912* [See CT]
In the case of an institution, including a college district, that participates in a loan program under U.S.C. Title 20, the institution will:

1. Develop a code with respect to such loans with which the institution’s officers, employees, and agents shall comply, that:
   
a. Prohibits a conflict of interest with the responsibilities of an officer, employee, or agent of the institution with respect to such loans; and
   
b. At a minimum, includes the provisions described in 20 U.S.C. 1094(e);

2. Publish the code of conduct prominently on the institution’s website; and

3. Administer and enforce such code by, at a minimum, requiring that all of the institution’s officers, employees, and agents with responsibilities with respect to such loans be annually informed of the provisions of the code of conduct.


An institution of higher education’s code of conduct shall include the following requirements:

1. Ban on revenue-sharing arrangements: The institution shall not enter into any revenue-sharing arrangement, as defined by 20 U.S.C. 1094(e)(1)(B), with any lender.

2. Gift ban: No officer or employee of the institution who is employed in the financial aid office of the institution or who otherwise has responsibilities with respect to education loans, or agent who has responsibilities with respect to education loans, shall solicit or accept any gift, as defined by 20 U.S.C. 1094(e)(2)(B), from a lender, guarantor, or servicer of education loans.

3. Contracting arrangements prohibited: Except as provided by 20 U.S.C. 1094(e)(3)(B), an officer or employee who is employed in the financial aid office of the institution or who otherwise has responsibilities with respect to education loans, or an agent who has responsibilities with respect to education loans, shall not accept from any lender or affiliate of any lender any fee, payment, or other financial benefit (including the opportunity to purchase stock) as compensation for any type of consulting arrangement or other contract to provide services to a lender or on behalf of a lender relating to education loans.
4. Interaction with borrowers: The institution shall not for any first-time borrower, assign, through award packaging or other methods, the borrower's loan to a particular lender; or refuse to certify, or delay certification of, any loan based on the borrower's selection of a particular lender or guaranty agency.

5. Prohibition on offers of funds for private loans: The institution shall not request or accept from any lender any offer of funds to be used for private education loans, as defined in 15 U.S.C. 1650, including funds for an opportunity pool loan, as defined by 20 U.S.C. 1094(e)(5)(B), to students in exchange for the institution providing concessions or promises regarding providing the lender with specified number of loans made, insured, or guaranteed under 20 U.S.C. Chapter 28, Subchapter IV and 42 U.S.C. Chapter 34, Subchapter I, Part C; a specified loan volume of such loans; or a preferred lender arrangement for such loans.

6. Ban on staffing assistance: Except as provided by 20 U.S.C. 1094(e)(6)(B), the institution shall not request or accept from any lender any assistance with call center staffing or financial aid office staffing.

7. Advisory board compensation: Any employee who is employed in the financial aid office of the institution, or who otherwise has responsibilities with respect to education loans or other student financial aid of the institution, and who serves on an advisory board, commission, or group established by a lender, guarantor, or group of lenders or guarantors, shall be prohibited from receiving anything of value from the lender, guarantor, or group of lenders or guarantors, except that the employee may be reimbursed for reasonable expenses incurred in serving on such advisory board, commission, or group.

20 U.S.C. 1094(e)
Nepotism

No person shall be employed or hired as an independent contractor who is related to a member of the Board by consanguinity within the third degree, or by marriage within the second degree as defined by state law.

Exceptions may be made for continuous previous employment as provided by state law.

When two or more members of the same family are employed by the College District, neither member of the family shall be in a position to have direct supervision over the other without prior approval of the Board.
OUTSIDE EMPLOYMENT

Full-time employees of the College District shall not be employed in any outside activity unless a description of the nature and extent of the outside employment has been filed with the Vice President and Dean of Instruction and the College President. Such employment, or business obligation, is acceptable if the employment is undertaken on the employee’s own time, does not restrict the teaching schedule or full-time commitment to the College District and students, does not utilize College District material, facilities, or equipment, and is not a conflict of interest. The employment must not be in conflict or competition with the basic mission, goals, or programs of the College District. The employee will make a reasonable effort to assure that his/her outside employment is not identified with Angelina College.
SELECTION OF FULL-TIME PERSONNEL

The guiding principles in the selection and assignment of all personnel shall be meeting the mission and goals of the College District and emphasizing the needs of the students in the teaching–learning process. All employees shall be subject to assignment or reassignment by the president at any time to meet the needs of the College District.

A job description and position classification approved by the president shall be on file in the Human Resources office before the selection process begins.

From the date of position publication, all College District vacancies will remain open for application for the minimum length of time in accordance with personnel practices. In order to be considered for employment, an applicant for any College District position shall submit a dated written application to be kept on file for a minimum of two years unless the application is withdrawn by the candidate.

The executive officer for the college branch to which the position is assigned, in conjunction with the Human Resources office, is responsible for ensuring the search process is conducted legally and appropriately.

SEARCH PROCESS AND SCREENING COMMITTEE

The executive officer will appoint a screening committee, which is a part of the equal employment opportunity program and is critical to the employment of full-time personnel. The executive officer will make a good faith effort to ensure screening committees include individuals from diverse backgrounds and include representatives from the discipline, division, office, or branch of the position opening. The executive officer will also consider recommendations for screening committee appointments from the position’s direct supervisor. Screening committees for full-time classified personnel and for part-time personnel shall consist of the immediate supervisor and other appropriate personnel from the office or work area.

The chair of the screening committee, as appointed by the executive officer, will coordinate all committee activities and will collaborate with the Human Resources office to communicate with the candidates.

The Human Resources office will conduct an orientation for screening committees to ensure the chairs and members understand their responsibilities, including compliance with college policies and regulations.
The duties and responsibilities of the screening committee shall be as follows:

1. Outline screening criteria based on the approved position description before initiating review of application packets.

2. Review application packets and complete the qualifications matrix form for all candidates using the screening criteria. The screening committee should disqualify any candidate who does not meet minimum qualifications for the position at this point in the process and document on the qualifications matrix form which qualification(s) the disqualified candidate(s) failed to meet.

3. Determine how many candidates the screening committee will interview, develop a list of appropriate interview questions to ascertain job-related information, and conduct interviews in collaboration with the Human Resources office. All candidates for a particular position must be asked the same questions.

   The Human Resources office will communicate with all candidates to schedule the interviews. When candidates are interviewed on campus, the position supervisor and/or the executive officer may interview them one-on-one, with the screening committee, or may participate during any other portion of the interview process. Each employee who interviews the candidates should document the interview using the interview rating form.

4. When screening for an instructor vacancy, the interview process should include a 10 to 15 minute classroom presentation. The topic of the presentation should be selected by the screening committee and communicated to the candidates by the Human Resources office prior to the interview date. If a professional position requires public speaking, the screening committee may require the candidates to give a 10 to 15 minute presentation on a relevant topic during the interview.

5. Using the interview rating forms and a consensus process with the committee members, the screening committee chair should prepare a single list of strengths and weaknesses for each finalist candidate and submit it with all documentation for the screening process to the position supervisor.
6. The position supervisor will meet with the executive officer, review the screening committee documentation, and submit his or her hiring recommendation.

7. The executive officer or designee will conduct reference checks for the strongest candidate(s) and document the information gathered using the approved form. A minimum of three references for the strongest candidate(s) should be documented. Reference checks should include a recent or current direct supervisor for the candidate(s).

8. Once references are documented for the strongest candidate(s), the executive officer will meet with the president, review the search process, and make a hiring recommendation.

9. The College President, as the selecting officer, will make the employment decision after reviewing all of the following items: screening committee documentation, direct supervisor’s recommendation, executive officer’s recommendation, and reference checks documentation. The official job offer will be made by the president or his/her designated executive officer. The president’s selection decision will be presented to the Board of Trustees at the next regular Board meeting to finalize the appointment. The executive officer, direct supervisor, and screening committee chair will be notified when the Human Resources office receives a signed offer letter from the successful candidate.

10. Each professional staff member and instructor who verbally accepts an offer of employment from the President or his/her designee shall receive a written offer letter from the Office of the President. No professional staff member or instructor should begin working without having returned a signed copy of the offer letter to the Office of the President.

11. The executive officer is responsible for ensuring all documentation for the search process, including the screening committee’s documentation, is sent to the Human Resources office at the conclusion of the search process.

12. Prior to the new employee’s first day of work, the executive officer will coordinate with the Human Resources office to ensure the employee receives the new hire orientation on his/her first day of work.
<table>
<thead>
<tr>
<th><strong>HIRING PRACTICES</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BACKGROUND CHECK</strong></td>
<td>The College District performs a background check on applicants considered for employment. If any violation is found, a hold will be placed on the hiring until it has been reviewed closely and determined the circumstances of the conviction, and its level of severity in relation to the anticipated job function.</td>
</tr>
<tr>
<td><strong>EMPLOYMENT FILES</strong></td>
<td>The Human Resources office shall keep an employment record and personnel file for every employee of the College District. The Chief Academic Officer shall maintain credential files for all instructors.</td>
</tr>
</tbody>
</table>
Equal Opportunity

The College District is committed to the basic right of all persons to have an equal opportunity for education and/or employment at this institution. Every effort will be made by the Board, administration, and faculty to defend this right and vigorously seek to promote its implementation in all areas of the College District.

It is the full intent and purpose of the College District that the employment, promotion, and retention policies of the College District apply equally to all persons based upon their professional or work qualifications without regard to color, race, national origin, sex, age, religion, genetic information, veteran status or disability. Capable beginning level employees shall be eligible for promotion to positions of greater responsibility as the employee develops and matures in job-related skills and knowledge.

The Vice President and Dean of Instruction has been designated as the equal employment opportunity officer for the College District. Any inquiries concerning equal opportunity employment practices should be addressed to this officer.

The following equal employment opportunity policies are in effect at the College District:

1. An equal employment opportunity statement (e.g., “An Equal Opportunity Employer”) shall be printed on the following: purchase orders, College District bulletins and brochures, applications for employment, and recruitment announcements and advertisements.

2. An equal employment opportunity statement shall be a written part of all purchasing and contractual agreements made by the College District.

3. The equal employment opportunity officer shall be notified of all existing or potential vacancies, appointments, terminations (defined as any reason for leaving the employment of the College District), and/or changes in role and responsibility, as such circumstances occur.

4. The equal employment opportunity officer will maintain copies of all publicized vacancies prior to the solicitation of applications.

5. Publication of vacancies will be active and systematic and include the following whenever possible: notification of EEO Office, Office
of the Governor, Austin, Texas; notification of the Texas Employment Commission; notification of college and/or agencies known for minority placement; the use of classified advertising in newspapers and professional journals, when economically feasible; campus-wide notifications and public postings.

6. The equal employment opportunity officer shall be informed of the location of all application files and employment records and have access to them.

7. An equal employment opportunity employment report will be sent to the equal employment opportunity office within five working days of employment.

8. The equal employment opportunity officer will be notified within five working days of an employee’s termination or change of status.

NEPOTISM [See DBE(LOCAL)]
FACULTY TENURE

SECTION ONE
FACULTY TENURE

1.01 Definition
“Tenure” means assurance to an experienced full-time instructor that the employee may expect to continue in a position unless (a) a preponderance of evidence establishes good cause for dismissal, (b) bona fide financial exigency on the part of the institution requires a reduction of staff, or (c) the institution closes an academic program to which a tenured instructor is assigned (See: Regulation DHA Section Two). Tenure is also terminated by retirement and or acceptance of resignation.

1.02 Tenure Track Determination
The Board of Trustees authorizes the College President to determine if an instructor is eligible to earn tenure at the time of the instructor’s initial appointment. If the College President determines the instructor is eligible to earn tenure, the employment offer letter sent to the instructor will indicate the instructor is on the “tenure track”. Instructors who are on the tenure track are guaranteed consideration for eventual tenure. Instructors who are not on the tenure track are not eligible to be considered for tenure.

1.03 Tenure Standards
To be eligible for tenure, an instructor on the tenure track must meet the following standards:
(a) an earned master’s degree or an earned bachelor’s degree if the instructor’s academic field does not require masters-level preparation;
(b) service as instructor of record for course sections totaling at least 14 semester credit hours in Fall semesters and at least 14 semester credit hours in the Spring semesters of three (3) consecutive academic years;
(c) at least “satisfactory” ratings in annual evaluations for three (3) consecutive years; and
(d) documentation of adequate service to the college and service to the community.

1.04 Service to the College and Community
Service to the College may be demonstrated through service on a standing committee or ad hoc committee; advising a registered student organization; promoting, developing, or improving the instructional and student service programs of the College, the educational image and philosophy of the College, or the operational practices, policies, and procedures of the College; assisting in the student recruitment, registration, retention, and completion processes and initiatives; and/or continued professional growth through attendance and participation in professional meetings, subject area meetings, faculty development programs, further education, or other appropriate means.

Service to the community may be demonstrated through service on the board of directors for nonprofit organizations in the College’s service area; volunteer service related to the instructor’s field of study at independent school districts in the College’s service area; participation in economic development, leadership, or community service campaigns, programs, or events in the College’s service area; service in elected office in the College’s service area; and/or participating in the outreach, marketing, or public
relations efforts of the College.

1.05 Awarding of Tenure
If an instructor on the tenure track believes he/she has met the eligibility standards for tenure, the instructor may submit a letter to the Vice President of Academic Affairs (VPAA) requesting consideration for tenure. With the letter, the instructor should enclose a portfolio documenting how he/she has met the eligibility standards.

Based on the portfolio provided by the instructor and on College records, if the VPAA determines the instructor has met the eligibility standards for tenure, the VPAA shall recommend awarding tenure to the instructor in a letter to the College President that summarizes how the instructor has met the tenure eligibility standards.

The College President shall present the letter from the VPAA to the Board of Trustees at a regular meeting of the Board. The instructor requesting consideration for tenure must attend this meeting to respond to any Trustee questions. If the Board of Trustees awards tenure to the instructor, the College President shall notify instructor in writing, and all subsequent appointment letters will indicate the instructor is tenured.

1.06 Tenure Awarded Prior to May 2017
Any currently-employed instructor awarded tenure prior to May 2017 shall continue in tenure status regardless of his/her achievement of the standards described herein, although the College encourages tenured instructors to continue striving to meet any standard(s) he/she does not currently meet.

The College President will notify currently-employed full-time instructors who have not earned tenure by May 2017 if they are on the tenure track in their appointment letters for the 2017-2018 academic year. A currently-employed full-time instructor who is on the tenure track must comply with this policy to earn tenure; however, he/she may document service, evaluations, or achievements prior to May 2017 that contribute to meeting the tenure eligibility standards.
The salary of the College President shall be set by the Board. Salaries of all administrators, teaching faculty, and other personnel shall be fixed upon recommendation of the College President with the approval of the Board.

Salaries shall be based upon formal academic preparation, professional experience, relationship to salary schedules, and general responsibilities and conditions of employment. It shall be the general policy of the Board to approve salary figures at the highest appropriate figure within the ability of the financial structure of the College District and competitive with state community colleges. The classified salary schedule shall be competitive with area public employees.

The College President shall fix the length of contracts in months based upon the needs of the College District. The length of the work week for classified employees shall be set based upon the needs of the position and to serve the goals of the College District.

Classified personnel may be reclassified as appropriate upon recommendation of the supervisor based upon duties and responsibilities. The College President will appoint a classified salary committee to provide classification recommendations for all new positions and consider reclassification requests.

The following general guidelines will apply to salaries:

1. Initial placement on the salary schedule will be recommended by the Vice President and Dean of Instruction for faculty and by the Coordinator of Human Resources for classified staff and will be approved by the College President based upon guidelines given on the salary schedule.

2. One year of experience at the College District will normally advance the employee one step on the salary schedule unless all salaries are frozen due to financial exigency. Experience of at least half of the budgetary or contracted year will count as a year of step experience.

3. Stipends for administrative duties or overload responsibilities may be set by the College President.

4. Administrative and non-teaching contracted salaries will be fixed according to the relationship of the position to other positions in
the College District, the faculty salary schedule, similar positions at other institutions, and the needs of the College District.

5. All employees with faculty status are paid according to the uniform faculty salary schedule.
SECTION ONE
TUITION WAIVERS

1.01 Credit Courses
Full-time employees may enroll without charge in up to seven semester hours of credit courses per semester. Tuition and all other fees (except other fees charged for private music lesson, and special fees as designated) are waived for such employees. Only one of these courses may be taken during the employee's regularly scheduled work hours if it is directly job related, and is approved in writing in advance by the employee's supervisor. Employees must complete an Employee Tuition Exemption Scholarship Application (see DEB Exhibit A).

1.02 Noncredit Courses
Fulltime employees may take community services courses without charge. Only one course at a time may be taken during the employee’s regularly scheduled work hours if it is directly job related, and is approved in writing in advance by the employee’s supervisor. Tuition and fees are waived for all courses except Driver’s Safety, and special materials, supplies, and certification fees. When the College District offers courses and programs in partnership with other entities, the amount of the tuition and fee waiver may not exceed the total revenue allocated to the College District for each student.

1.03 Retirees and Trustees
Fulltime employees officially retired from the College District, their spouses, and current and retired Trustees may also take Community Services classes and up to seven semester hours of credit courses without charge. Books, special materials, supplies, and certificate fees are not waived.

1.04 Dependents
Dependents of fulltime employees are entitled to scholarships for credit courses in the amount of tuition and fees (excluding special fees) not to exceed $750 per semester or $750 for both summer semesters. Textbooks are not included. To be eligible, the dependent must be a spouse, an unmarried child or stepchild under age 25, or a dependent eligible to be claimed as an exemption on the employee’s most recent tax return. The employee must complete the dependent tuition exemption scholarship form located on the Human Resources webpage and submit to the Office of Human Resources for approval and processing (see DEB Exhibit B). Any fulltime employee’s dependents may take community service courses except Driver’s Safety at 50 percent of tuition and fees if space is available not to exceed $750 for any semester. When the College District offers courses and programs in partnership with other entities, the amount of the tuition and fee waiver may not exceed the total revenue allocated to the College District for each student.
EXHIBIT A

ANGELINA COLLEGE
EMPLOYEE TUITION EXEMPTION SCHOLARSHIP APPLICATION

To be completed by employee, approved by supervisor and returned to Human Resources at least one week prior to the start of classes

Full-time employees may enroll without charge in up to seven semester hours of credit courses per semester. Tuition and all other fees (except other fees charged for private music lessons, and special fees as designated) are waived for such employees. Only one of these courses may be taken during the employee’s regularly scheduled work hours if it is directly job related, and is approved in writing in advance by the employee’s supervisor.

Employee’s Name: __________________________ Social Security#: ___________________
Department/Division:__________________________________________________________
Address:_____________________________________________________________________
Street     City    State   Zip
Date of Birth:__________________ Semester of Enrollment:___________________________
Name of Course(s) for Tuition Waiver:
____________________________________________________________________________
____________________________________________________________________________
************************************************************************************************************
I, ________________________________, certify that I meet the above eligibility requirements.
Employee’s Name

If class is during regular work hours, how does it directly relate to your job? ________________
____________________________________________________________________________

Employee’s Signature ___________________________ Date ________________

************************************************************************************************************
Supervisor’s justification: Please show support of course relationship to job duties and/or explain how the employee’s work schedule will be altered:______________________________
____________________________________________________________________________

Supervisor’s Signature ___________________________ Date ________________

*************************************************************************************************************
Is this employee actively working full-time? ☐ Yes ☐ No
☐ Approved ☐ Denied

Human Resources Signature

*************************************************************************************************************
For Office Use Only: Process Date:___________________
By:____________________________
EXHIBIT B

ANGELINA COLLEGE
DEPENDENT TUITION EXEMPTION SCHOLARSHIP APPLICATION
To be completed by employee and returned to Human Resources
at least one week prior to the start of classes

Dependents of full-time employees are entitled to scholarships in the amount of tuition and fees (excluding special fees) not to exceed $750.00 per semester. Textbooks are not included. To be eligible, the dependent must be a spouse, an unmarried child or unmarried step-child under the age of 25, or a dependent eligible to be claimed as an exemption on the employee’s most recent tax return.

Dependent’s Name: _________________________ Semester of Enrollment: ______________

Dependent’s Relationship to Employee: □ Spouse □ Unmarried Child or Step-Child Under 25

Address: ______________________________________________________________________
Street      City   State   Zip

Dependent’s Date of Birth: _________________ Student ID Number: ____________________
Name of Course(s) for Tuition Waiver: _______________________________________________

Days/Time________________________________________

************************************************************************************************************
I, _______________________, certify that ___________________________ meets
Employee’s Name Dependent’s Name
the above eligibility requirements.

If the dependent is a child, did you claim him/her on your latest tax return? □ Yes □ No

If no, is the child under the age of 25? □ Yes □ No

Employee’s Signature ______________ Date ___________ Department/Division _____________

************************************************************************************************************
Is this employee actively working full-time? □ Yes □ No
□ Approved □ Denied

Human Resources Signature

************************************************************************************************************
For Office Use Only: Process Date: _____________________
By: ____________________________

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SICK LEAVE

Sick leave means absences caused by an illness of an employee or a member of an employee’s immediate family.

DEFINITIONS

Illness includes sickness, injury, disability, or medical conditions related to pregnancy and childbirth.

Employee’s immediate family means spouse, children, step children, parents, brothers, sisters, grandparents, and other family as approved.

Full-time employee means an employee who is regularly assigned a workload greater than one-half of the workload normally assigned to an employee in a classification. [See DN(REGULATION)] Custodians are a special class of full-time employees to which different work schedules and calendars may apply.

PROVISIONS

All full-time employees of the College District shall be entitled to sick leave with pay and such leave shall be accrued at the rate of one day for each month, or fraction of a month, of active employment but not to exceed the number of days specified below.

1. Unused sick leave shall accumulate and be carried forward each month, but unused accumulated days carried forward from one fiscal year to another shall never exceed 90 days.

2. Full-time employees who are employed on a nine-month contract shall accrue nine days of sick leave during a fiscal year; those employed on a ten and one-half month contract shall accrue ten and one-half days; and those employed on a 12 month contract shall accrue 12 days. Full-time classified employees shall accrue days at the rate of one day per month worked.

An employee who is absent due to illness shall notify his supervisor at the earliest practicable time.

The College District reserves the right to require medical verification for any absence where sick leave is claimed and may require a release from a physician to return to work.

The employee shall complete the official absence request form in order to make sick leave absences a part of the record.

Accumulated sick leave is not a vested benefit and shall not be paid upon termination of employment.
Sick leave accumulated as of August 31 shall be carried forward to the next year beginning September 1 subject to provisions in this section.

The College President upon consultation with the Vice President of Business Services or the Vice President and Dean of Instruction shall have the prerogative to approve sick leave to be taken in excess of days accumulated in cases deemed worthy and when circumstances, in the College President’s opinion, justify such action. Such advancement or borrowing against future leave shall not exceed one year’s accrual.

In cases where sick leave is used in excess of days accumulated, reductions in pay shall be calculated as follows:

For classified employees, hourly rate times excess hours absent.

For professional employees, hourly rate (as calculated below) times excess hours absent:

- 12-Month Employees—Contract Salary/1,920 hrs. (48 wks x 40 hrs) or (240 days)
- 10.5-Month Faculty—Contract Salary/1,470 hrs. (42 wks x 35 hrs) or (210 days)
- 10.5-Month Other—Contract Salary/1,680 hrs. (42 wks x 40 hrs) or (210 days)
- 9-Month Employees—Contract Salary/1,190 hrs. (34 wks x 35 hrs) or (170 days)

When reduction in pay is necessary, the reduction shall be withheld from ensuing salary and wage checks on an agreed basis between employee and the College District.

Sick leave will not be paid for days on which employee is not on active duty. Example: Holidays, vacation, summer months when an employee does not have an assignment.

Although some employees may be able to partially perform part of their job duties while on leave, generally leave must be approved based upon the prorated share of the standard 35 or 40 hour work week that the employee is not present at the workplace. Adjusted leave may be approved by the College President for essential duties pre-approved and performed from a distance while absent from the workplace.
Virtual hours of continuing work will be calculated as a prorated share of sick leave.

An employee who is absent from work due to an injury or illness which falls under the category of “work related” will be charged with leave as provided by the worker’s compensation laws and subject to any legal limitations applicable. Employees can voluntarily opt to use sick leave in lieu of worker’s compensation. During the time an employee is receiving weekly workers’ compensation benefits, the employee may elect to receive previously accrued sick leave benefits in an amount equal to the difference in the weekly compensation benefit and the weekly compensation the employee was receiving prior to the injury or illness resulting in the claim, with a proportionate deduction in the employee’s sick leave balance. The sum of weekly workers’ compensation payments and the amount of sick leave paid shall not exceed the amount of weekly compensation the employee was receiving prior to the illness or injury.

MISCELLANEOUS LEAVE

An employee shall be granted leave with pay and without loss of accumulated leave for jury duty. The employee shall be required to present documentation of the service and shall retain any compensation for this service.

Absences for court appearances related to an employee’s personal business shall be deducted from the employee’s personal leave or shall be taken by the employee as leave without pay.

Emergency leave due to death in employee’s family shall be granted with pay but not to normally exceed three days. Any bereavement leave days will be charged against accrued sick leave or, if not available, shall be without pay.

Leave with pay for graduate studies or other reasons may be granted in demanding circumstances with the College President’s approval. The employee may work extra assignments for a defined period to make up the leave time.

Leave without pay for graduate study or professional development may be granted at the convenience of the College District.

MILITARY LEAVE

All employees of the College District who are members of the state military forces or of the reserve components of the United States Armed
Angelina College
03501

COMPENSATION AND BENEFITS:
LEAVES AND ABSENCES

Forces shall be granted a leave of absence from their duties without loss of time, leave time, or salary on all days during which they are engaged in authorized training, duty ordered or authorized by proper authority, not to exceed 15 work days in a federal fiscal year.

Such employees who are ordered to duty by proper authority shall be restored, when relieved from duty, to the position held by them when ordered to duty.

Any employee, other than a temporary employee, who leaves a position with the College District to enter active military services is entitled to be reemployed by the College District in the same position held at the time of the induction, enlistment, or order or to a position of similar seniority, status, and pay. To be entitled to reemployment, the employee must be discharged, separated, or released from active military service under honorable conditions no later than the fifth anniversary after the day of induction, enlistment, or call to active military service and must be physically and mentally qualified to perform the duties of the position.

An employee who cannot perform the duties of the position because of a disability sustained during military service is entitled to reemployment in the College District to a position that the employee can perform and that has like seniority, status, and pay as the former position or the nearest possible seniority, status, and pay.

To be reemployed, a veteran must apply for reemployment no later than the 90th day after the date the veteran is discharged or released from active military service. Application must be made in writing to the President and have attached to it evidence of the veteran’s discharge, separation, or release from military service under honorable conditions.

A person reemployed after active military service shall not be discharged without cause before the first anniversary of the date of the re-employment.

“Military service” means serve as a member of the regular or reserve armed forces of the United States, the Texas National Guard, or the Texas State Guard.

The College District will reasonably accommodate an employee’s request to be absent from duty in order to participate in religious observances and practices, so long as it does not cause undue hardship on the conduct of College District business. Such absence shall be charged to vacation pay, if available.

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The College District shall not discriminate against or penalize in any way a faculty member who is absent from work for the observance of a religious holy day, gives proper notice of that absence, and holds a bona fide religious belief.

“Proper notice” shall consist of providing a list of religious holy days to be observed during the semester to the supervisor and providing notice of such days in advance to all students whose class would be canceled due to the faculty member’s absence. This notice shall be in writing and shall be personally delivered to the supervisor before the first class day of the semester, receipt therefore being acknowledged and dated by the Vice President and Dean of Instruction, or shall be sent by certified mail return receipt requested, addressed to the Vice President and Dean of Instruction.

The College District will comply with provisions of the Family and Medical Leave Act.

The 12-month period within which employees shall be eligible for 12 weeks of family and medical leave shall be defined as the 12-month period beginning on the first duty day of the school year.

Employees shall be required to use all applicable accumulated sick leave in the order determined by this policy concurrently with family and medical leave.

If both spouses are employed by the College District, combined family and medical leave for the birth, adoption, or placement of a child may be limited to a combined total of 12 weeks as determined by the needs of the College District.

Intermittent leave shall not be permitted for the birth of the employee’s healthy child or the adoption or placement of a healthy child.

If, at the expiration of the family and medical leave, the employee is able to return to work but chooses not to do so, the College District shall require reimbursement of the employee benefits contribution made by the College District during the period in which such leave was taken as unpaid leave.

All FMLA leave time runs concurrent with short-term and long-term disability and worker’s compensation or any qualifying event.
ANGELINA COLLEGE
03501

COMPENSATION AND BENEFITS:
VACATIONS AND HOLIDAYS

ANNUAL LEAVE (VACATION)

Only full-time 12-month employees shall be entitled to paid vacation. Twelve month teaching faculty and 10.5 month employees do not accrue vacation. Days off during the contractual year must be taken as scheduled and do not accrue and carry forward to the next year without prior written approval of the supervisor. Refer to custodial manual for leave accrual and authorized use by custodians.

Vacation entitlement shall be earned commencing on the first day of employment and ending on the last day of employment.

Continuous employment of six months is required before an employee can be granted a vacation with pay.

Vacations must be taken at times agreed upon in advance by the employee and his or her supervisor.

Vacation days earned may be taken at one time or may be taken incrementally as determined by the employee and the supervisor. Vacation days taken incrementally may not result in a long-term alteration of the employee’s scheduled work days or hours.

If an employee becomes ill while on vacation, the time off is to be charged to vacation (NOT sick leave).

Vacation entitlement is earned as follows:

• Employed by the College District five years or less—10 days per 12 months or fraction of a month of active employment, but not to exceed ten days per each 12 months.

• Employed on a full-time basis by the College District over five years—15 days per 12 months or fraction of a month, but not to exceed 15 days per each 12 months.

Accrued vacation carried forward to the next year shall never exceed days earned in the two years immediately preceding. Days earned in excess of those earned in the immediately preceding two years are lost and shall not be paid for by the College District. Total vacation days paid shall not exceed 30 days in any case.

An employee who resigns, is dismissed, retires, or otherwise is separated from employment, shall be paid for accrued vacation time but not to exceed days earned in the two years immediately preceding.
PAID HOLIDAYS

If the College District is closed due to an emergency while an employee is on leave or vacation, the leave will still be applied.

All employees (except students, part-time employees, and designated physical plant employees) are entitled to observe holidays designated in the College District bulletin or in the payroll schedule issued annually. Full-time designated physical plant employees should refer to the annual schedule to determine applicable paid holidays. The College District reserves the right to change, add, or delete holidays as dictated by the best interests of the College District.

Classified or hourly employees eligible to observe holidays will be paid for these days if such employees would otherwise be listed on a payroll for that period.

An employee becomes eligible for holiday pay immediately upon reporting for duty as required by the College District, except that holiday pay for the two-week Christmas recess and one-week Spring recess will not be paid unless the employee works at least one month immediately prior and two months immediately following either recess unless the contract or job assignment is completed. The College District may, at its discretion, require employees to work on holidays and give compensating time off at a more convenient time or pay double-time for the hours worked.

The Christmas/New Year Holiday period and Spring Break are holidays for non-classified salary employees but are not computed in pro-rata salary adjustments for partial contract years (i.e., are not included in the 240 day (12 month); 210 day (10.5 month); or 170 day (9 month) salary calculations (see CDD).

No employee other than full-time faculty shall be allowed in excess of thirteen paid holidays during the Christmas recess.

The following dates are paid holidays for full-time employees:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor Day</td>
<td>September</td>
</tr>
<tr>
<td>Thanksgiving</td>
<td>November</td>
</tr>
<tr>
<td>Christmas and New Year</td>
<td>December/January</td>
</tr>
<tr>
<td>Spring Break</td>
<td>March</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>May*</td>
</tr>
<tr>
<td>July 4th</td>
<td>July*</td>
</tr>
<tr>
<td>Martin Luther King Day</td>
<td>January</td>
</tr>
</tbody>
</table>
The College District reserves the right to change approved holidays if dictated by the approved College District calendar.

* Memorial Day and July 4th may be an approved holiday as defined in the annual school calendar.
SECTION ONE
GENERAL

1.01 Travel Services
An employee of a public junior college who is engaged in official business may participate in the comptroller’s contract for travel services. Gov’t Code 2171.055(f); 34 TAC 20.301(b)(2)(E)
COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

SECTION ONE
GENERAL

1.01 Expense Reimbursement

1.01.1 General
Employees may be reimbursed for work-related expenses as allowed by this section.

1.01.2 Instructional Travel
Instructional travel is defined as travel required as part of the employee’s assignment and includes, but is not limited to, clinical or practicum travel for instructors, routine recruiting travel, off-campus teaching travel, registration travel, and other travel required for the purpose of supervising students.

Employees are encouraged to submit monthly mileage reimbursement requests, but in no case less frequently than once per semester. Processing of travel reimbursement requests may be delayed if requests are submitted during the last week of a semester. All travel reimbursement requests for a fiscal year must be submitted by the processing deadline for check requests pertaining to that fiscal year.

Instructional travel reimbursements should only include mileage in excess of round-trip mileage from home to campus. [See DEE (EXHIBIT B)]

1.01.3 Professional and Development Travel
Professional or developmental travel includes approved travel for enhancement of knowledge and skills required by a position’s job description.

1.01.4 Travel Approval
All travel shall be approved in the budgeting process with an estimate of the cost. All travel must be approved in advance by the employee’s supervisor.

1.01.5 Reimbursement Rates
Reimbursement for such travel will be determined by approved travel reimbursement rates and guidelines. Currently approved rates and guidelines are included in DEE(EXHIBIT).

1.01.6 College Credit Cards
Employees authorized to use a College District credit card should exercise care to keep receipts and document the use of the card on AC Form 10L. Travel expense charged to a credit card should be within allowable limits and should not additionally be claimed for reimbursement.

Adopted: 08/2017
COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

1.01.7 Receipts
All attached receipts should be legible and include name of business, date of purchase, detail of what was purchased, and how payment was made. All credit card charges should be in the name of the employee.

1.02 Expense Categories

1.02.1 Mileage
See DEE (EXHIBIT A) for the College’s reimbursable mileage rate. Allowable mileage is different from odometer mileage. Allowable mileage should be calculated using the Internet version of Mapquest or Google Maps. A copy of the calculation should be attached to the reimbursement request.

Employees may not claim mileage reimbursement when using a College vehicle.

1.02.2 Airfare
Where it is necessary to book airfare, employees may be reimbursed for the actual cost of economy class airfare. Where necessary, employees may be reimbursed for one checked or one carry-on bag. Employees will not be reimbursed for seat upgrades or first-class tickets.

Employees must attach documentation evidencing the cost of airfare. If employees book reimbursable airfare, employees must attach an original boarding pass, or other documentation indicating ticket utilization, with their reimbursement request.

Employees are encouraged to book airfare sufficiently in advance, where possible, to obtain the lowest price possible.

1.02.3 Parking & Tolls
Employees are encouraged to use self-parking and free parking options. However, where free parking is not available or there is a safety, health, or similar reason, the College will, with a receipt, reimburse the cost of parking.

Employees may be reimbursed for toll fees with supporting documentation.

1.02.4 Registration Fee(s)
Employees may be reimbursed for registration fees with supporting documentation.
If registration materials indicate that meal(s) were included, the per diem reimbursement will be reduced appropriately.
COMPENSATION AND BENEFITS

EXPENSE REIMBURSEMENT

The College will not reimburse employees for tips or gratuities. The per diem meal allowance is inclusive of tips provided by Employees.

The College will reimburse tips and gratuities on Business Related Meals up to a maximum of 20% of the meal cost.

1.02.5 Lodging

Lodging must be reserved in the name of the employee. Employees may be reimbursed for the actual cost of lodging. Employees will not be reimbursed for the Texas state sales tax.

Employees are encouraged to utilize conference rates or the Texas State Travel Directory, when possible, which provides for a negotiated lower rate for state employees. In circumstances where lodging is unavailable at less than the currently approved rate, employees may claim a higher rate only if approved prior to the travel by the Vice President of Academic Affairs or Vice President of Business Affairs.

Reimbursement will not be processed without the original lodging receipt which shows a detail of charges, the method of payment, and a zero balance due. It is the employee’s responsibility to obtain a receipt and submit for reimbursement even if the reservation was made and paid by Angelina College.

Employees are reminded to carry and use the hotel occupancy tax exemption certificate for exemption from Texas state sales tax. Certificates are available in the business office and at the reservation desk of many lodging establishments. If an employee does not carry an exemption certificate, the sales tax incurred will be deducted from the employee’s reimbursement.

The College will reimburse the cost of internet/wifi access during hotel stays when it is not provided free of charge or included in the nightly rate. It is the employee’s responsibility to obtain a receipt or have the charge documented on their hotel bill.

1.02.5 Overnight Meals

When traveling overnight, the per diem amount for breakfast may be claimed if the employee was traveling between 12:00 a.m. and 9:59 a.m. The per diem amount for lunch may be claimed if the employee was traveling between 10:00 a.m. and 4:59 p.m. The per diem amount for dinner may be claimed if the employee was traveling between 5:00 p.m. and 11:59 p.m.

No meal receipts are required.

Allowable meal per diem is listed in DEE (EXHIBIT A).
Actual expenses will be reimbursed for all overnight grant travel.

Meals will only be reimbursed on overnight travel. Employees will not be reimbursed for meals that occur during non-overnight travel.

1.02.6 Entertainment
The cost of entertainment and/or excursions that are arranged for a conference/convention or team travel will not be reimbursed (i.e., golf tournament fees, amusement park fees, etc.).

1.03 Travel Advance – Student Travel
For student travel only, it is appropriate to advance amounts for student lodging and meals to a trip sponsor who is not authorized to use a College District credit card. A trip sponsor shall be a full time employee of the college. Amounts will not be advanced directly to students.
To request a travel advance, the trip sponsor should complete the "Student Travel Request Form". When travel has been completed, the employee is responsible for submitting a properly documented “Travel Reimbursement Form” with a copy of the “Student Travel Request Form” attached.
Travel advances not accounted for within ten working days of return from travel may be deducted from pay.
Travel reimbursement rates and guidelines shall apply to students except that meal per diem may not exceed the currently approved student daily rate. See DEE (EXHIBIT A)
If meals are purchased by the trip sponsor, the employee meal per diem guidelines shall apply.

1.04 Business Related Meals
Business-related meals while not on overnight trips must be substantiated using the actual receipt method and may be reimbursed only when one of the following conditions are met:

1. The main purpose of the meal must be to meet with other non-college employees and conduct college business during the meal that results in a benefit to the college. Examples: recruiting, conducting business with representatives of high schools, other colleges, or businesses with a specific purpose or agenda that will bring students or other benefits to the college. Receipt documentation must include names and positions of others at the meal and purpose of the meal. Reimbursement will be paid from itemized receipt but should stay within meal per diem guidelines.
COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

2. Attending a business meeting or conference of exempt organizations (chambers of commerce, business leagues, professional organizations or associations, or government agencies) in which you represent the college but the meal is not provided as part of the meeting registration. Documentation is a receipt, meeting or conference agenda or bill from the conference.

3. Traveling as a coach or sponsor with a team or group of students. Itemized receipts should be submitted with names of those eating. Individual meal per diem guidelines should be followed.

4. With prior approval from the President, Vice President, or Dean, a meal in which the primary purpose is to meet with college employees and conduct college business. Approvals for meals of this type should be infrequent and used to mark a special occasion or enhance the efficiency of the meeting.

1.05 Grant Related Reimbursement
Employees may be reimbursed for grant related work-related expenses. In addition to all College policies, such reimbursement must conform to any relevant State and Federal Regulations, including the GSA reimbursement rates.

All grant related reimbursements will be limited to actual expenses, with receipt documentation.
COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

EXHIBIT A
Travel Reimbursement Rates

The travel reimbursement rates are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mileage</td>
<td>$0.43/mile</td>
</tr>
<tr>
<td>Meals</td>
<td>$36/day*</td>
</tr>
<tr>
<td>Student Meals</td>
<td>$24/day**</td>
</tr>
<tr>
<td>Lodging</td>
<td>$150/night ***</td>
</tr>
</tbody>
</table>

* Breakfast: $8.00, Lunch: $12.00, Dinner: $16.00 while on overnight approved professional development trip.

** Breakfast: $6.00, Lunch: $8.00, Dinner: $10.00

*** Actual lodging expenses not to exceed $150/night without prior written approval from the Vice President of Business Affairs or Vice President of Academic Affairs.

The College is exempt from paying state (not local) sales tax. The employee must provide a “Hotel Occupancy Tax Exemption Certificate” to the hotel to avoid state hotel sales tax. Any hotel sales tax paid is the responsibility of the employee.
COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

EXHIBIT B
CALCULATE OFF-CAMPUS TEACHING MILEAGE

The following method should be used to calculate off-campus teaching mileage.

(A) Miles from Residence to Teaching Center
(B) Miles from Residence to Campus
(C) Reimbursable Miles: (A) - (B)

If (C) a positive number, this is your excess mileage (one way) to be reported for reimbursement. If the result is negative, no reimbursement should be requested.

Examples:

1) An Instructor normally teaches at the Lufkin campus, but reports to Livingston one day. The instructor lives in Nacogdoches
   (A) = 66.2 miles
   (B) = 19.8 miles
   (C) = 46.4 miles
   The instructor would report a reimbursement of 92.8 miles (46.4 x 2 (roundtrip)).

2) An Instructor normally teaches at the Lufkin campus, but reports to Crockett one day. The Instructor lives in Lufkin
   (A) = 45.4 miles
   (B) = 0 miles
   (C) = 45.4 miles
   The instructor would report a reimbursement of 90.8 miles (45.4 x 2 (roundtrip)).

3) An Instructor normally teaches at the Lufkin campus, but reports to Woodville one day. The instructor lives in Jasper
   (A) = 27.8 miles
   (B) = 55.4 miles
   (C) = 0 miles
   The instructor would report a reimbursement of 0 miles.
EXHIBIT C
VEHICLE REQUEST

Vehicle __________________ Division ______________ Account # __________________

Purpose _________________________________________________________________

____________________________________________________________________________

Destination ___________________________ Driver ____________________________

Exact Time and Date of Departure __________________________

Approximate Time and Date of Return __________________________

Speedometer Reading When Received ______ When Returned ______ Miles Driven ______

Credit Card and Keys Issued ____________ By ___________________________________
**EXHIBIT A**

**Travel Reimbursement Rates**

The travel reimbursement rates are as follows:

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COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

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   (C) = 0 miles

   The instructor would report a reimbursement of 0 miles.
COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

EXHIBIT C
VEHICLE REQUEST

Vehicle __________________ Division _________________ Account # ________________

Purpose __________________________________________________________________________

________________________________________________________________________________

Destination _________________________________ Driver _______________________________

Exact Time and Approximate Time and
Date of Departure ______________________ Date of Return ________________________

Speedometer Reading When Received ______ When Returned ______ Miles Driven ______

Credit Card and Keys Issued ______________ By ________________________________________

Adopted: 08/2017
FULL-TIME EMPLOYEES

Except for professional personnel participation in the optional retirement program, all personnel employed on a full-time, regular basis shall be members of the Teacher Retirement System of Texas.

Eligibility for participation in the optional retirement program (ORP) shall be subject to such rules as may be prescribed by the coordinating board.

Full-time faculty whose duties include teaching or research, fulltime administrators responsible for teaching and research faculty, and other professional employees such as librarians, a president, or other professional staff whose national mobility requirements are similar to those of faculty members and who fill a position that is the subject of nationwide searches in the academic community shall be eligible for participation in ORP. Classified employees shall not be eligible for participation in the ORP.

An eligible employee may exercise the option to participate in the optional retirement program only once. Election to participate in the optional retirement program must be made before the 91st day after becoming eligible and is irrevocable. An eligible employee who fails to elect the ORP during the 90-day period shall remain in the Teacher Retirement System for the remainder of employment in Texas higher public education.

To ensure that all employees who become eligible to select the ORP in lieu of the TRS are provided uniform and unbiased information on which to base their decision, on or before commencement of the 90-day period allotted for such a decision, at a minimum the College District shall provide such employees with introductory information on ORP provided by the Texas Higher Education Coordinating Board.

On or before commencement of the 90-day period allotted for newly eligible employees to select the ORP in lieu of the TRS, the College District shall provide written notification to such employees that selection of ORP in lieu of TRS entails certain responsibilities for the employee, including selection and monitoring of vendors and investments. The College District shall also provide written notification that the institution has no fiduciary responsibility for the market value of participants’ investments or for the financial stability of the vendors chosen by the participants.

PART-TIME EMPLOYEES

The College District maintains a retirement plan for part-time employees as required by law.
The plan is an ERISA exempt 403(b) defined contribution plan administered by TIAA-CREF.

The plan requires a contribution of 7.50% of gross wages on a tax-reduction basis. Neither the College District nor the State of Texas make any contribution to the plan.

All part-time employees, except TRS or ORP retirees and part time employees already participating in TRS, shall be required to participate in the plan.

TAX SHELTERED ANNUITIES

All employees are eligible to participate in the Tax Sheltered Annuity Program.

Contributions are subject to limits as established by the Internal Revenue Service.

The business office may require completion of the maximum exclusion allowance calculation to substantiate contribution amounts.

An employee can change contributions or company anytime during the year.

CARRIERS

Only carriers approved by the Board may write ORP policies for College District employees. Approved carriers may also write TSA policies.

The College District does not endorse or recommend any carriers nor does the College District advise employees whether to choose TRS or ORP.

New employees who transfer from other colleges with ORP and/or TSA policies may retain the same carriers as long as such carriers are authorized to write such policies in Texas and are authorized to conduct business with the College.

TEACHERS RETIREMENT SYSTEM

All eligible personnel, except faculty members in the optional retirement program, employed on a full-time, regular basis shall be members of the Teacher Retirement System of Texas.

OTHER PROVISIONS

All changes to payroll must be submitted to payroll in writing and filed in the business office five working days before the scheduled payroll date.
The College District may make available to carrier representatives directory information on employees unless employees advise the College District, in writing, that such information is not to be released.

The College District reserves the right to bar any carrier or its representative from campus for good cause.
Angleina College
003501

EMPLOYEE RIGHTS AND PRIVILEGES:
FREEDOM OF ASSOCIATION

PROFESSIONAL ORGANIZATION MEMBERSHIP

All personnel are encouraged to be members of and participate in professional organizations that provide excellent opportunities for professional growth and development.

The College District may provide funds for institutional memberships in professional organizations, but individual memberships are generally paid by the employee. Faculty are encouraged to belong to organizations whose major concerns coincide with the faculty member’s teaching fields.
EMPLOYEE COMPLAINTS AND GRIEVANCES

SECTION ONE
GENERAL PROVISIONS

The intent of this policy is to resolve employee grievances in a fair and consistent manner while fostering a campus culture that values and respects all employees and encourages collaboration to address employee concerns. The college will ensure employees who file a grievance are not subject to discrimination or retaliation for doing so. All complaints will be treated as confidential to the extent allowed by law, and to the extent possible for the college to investigate issues and concerns related to complaints. In this policy, the terms “complaint” and “grievance” have the same meaning. “Grievant” means the employee who initiates the procedures set forth in this policy.

Student complaints or grievances are addressed in Local Policy FLD - Student Complaints. Employee complaints or grievances against students should be referred to the Dean of Student Affairs for investigation and resolution.

1.01 Employee Rights
Employees have the right to present grievances concerning their wages, hours of employment, or conditions of work. The right to present grievances is satisfied if employees have access to a person or persons in a position of authority to address their grievances. However, that authority is under no legal compulsion to take action to rectify the matter.

1.02 Freedom from Retaliation
Neither the Board nor any College employee shall unlawfully retaliate against an employee for appropriately expressing a concern or complaint informally or for filing a formal grievance.

1.03 Communication with Trustees
Employees are not prohibited from communicating with a Trustee regarding College operations except when communication between an employee and a Trustee would be inappropriate because of a pending hearing or appeal related to the employee.

1.04 Other Complaint Processes
Formal employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of the policies listed below require appeals to be submitted in accordance with the relevant complaint process:


2. Complaints concerning retaliation relating to discrimination and harassment (see: DIA Regulation in the AC Policy and Procedure Manual).
EMPLOYEE COMPLAINTS AND GRIEVANCES

3. Complaints concerning a commissioned peace officer who is an employee of the College shall be submitted in accordance with state law.

1.05 Informal Complaint Process
The College encourages employees to discuss informally concerns with their supervisors or with an appropriate supervisor who has the authority to address the concern. Concerns should be communicated as soon as possible to allow early resolution with the direct supervisor. Informal resolution is encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

1.06 Formal Complaint Process
An employee may initiate the formal grievance process described below by timely filing a written complaint form (see: *DGBA Exhibit*). Even after initiating the formal complaint process, the grievant is encouraged to seek informal resolution of his/her concerns. A grievant whose concerns are resolved may withdraw a formal complaint at any time. The process described in this policy does not create new or additional rights beyond those granted by law or Board policy. This policy does not require a full evidentiary hearing or "mini-trial" at any level.

1.06 Whistleblower Complaints
Employees shall file "whistleblower complaints" limited to adverse employment actions taken against the employee which are alleged to be based on the employee’s good faith report of a violation of a law by the College or a College employee to an appropriate law enforcement authority within the time specified by law. Whistleblower complaints shall be filed with the College President or designee. Timelines for the employee and the College set out in this policy may be shortened to allow the Board to make a final decision within sixty (60) calendar days of the initiation of the complaint.

1.07 Complaints against Supervisors
Complaints alleging a violation of law by a supervisor may be made to the College President or designee. The College President may delegate the investigation and resolution processes to an appropriate administrator. Complaint forms alleging a violation of law by the College President may be submitted directly to the Board President.

1.08 Filing Complaint Forms and Appeal Notices
Complaint forms and appeal notices (see: *DGBA Exhibit*) may be filed by hand-delivery; by electronic communication, including email and fax; or by U.S. Mail.
- Hand-delivered filings shall be timely filed if received by the appropriate supervisor 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.
- U.S. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate supervisor or designated representative no more than three (3) days after the deadline.

Adopted: 05/2017
EMPLOYEE COMPLAINTS AND GRIEVANCES

1.09 Scheduling Conferences
The College shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the grievant fails to appear at a scheduled conference, the College may hold the conference and issue a decision in the grievant’s absence.

1.10 Response
Below the Board level, “response” shall mean a written communication to the employee from the appropriate supervisor. 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.

1.11 College Business Days
“Days” shall mean College business days according to the official College calendar, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

1.12 Employee Representative
The grievant may designate a representative on the Employee Complaint and Appeal Form (see: DGBA Exhibit) at any level of this process. If the grievant fails to identify a representative when the form is submitted, a representative shall not be allowed to attend the conferences at that level; however, the employee may designate a representative if he/she appeals the administrative response to the next level. “Representative” shall mean any person who or organization that does not claim the right to strike and is designated in writing by the employee to represent him or her in the complaint process. The representative may participate in person or by telephone conference call. The College may be represented by counsel at any level of the process.

1.13 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 concerning 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 may consolidate the complaints.

1.14 Untimely Filing of Complaints and Appeal Notices
All time limits shall be strictly followed unless modified by mutual written consent or by this policy. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the grievant, at any point during the complaint process. The grievant 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.

1.15 Costs Incurred
Costs of any complaint shall be paid by the party incurring them.
1.16 **Complaint Forms**
Complaints and appeals under this policy shall be submitted in writing on a form provided by the College (see: DGBA Exhibit). Copies of any documents that support the complaint should be attached to the complaint form. If the grievant does not have copies of these documents, the documents may be presented at the initial conference. After the initial conference, no new documents may be submitted by the grievant unless the grievant 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 refileing is within the designated time for filing.

1.17 **Audio Recordings**
As provided by law, a grievant shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the grievant’s complaint is discussed. The grievant shall notify all attendees present that an audio recording is being made prior to the start of the conference.

1.18 **Exclusions**
The following concerns are not subject to this policy:
- Contents of employee performance evaluations;
- Allegations of discrimination, harassment, and retaliation (see: DIA Regulation - Employee Freedom from Discrimination, Harassment, and Retaliation), except for allegations of retaliation for filing or participating in a grievance that does not involve alleged discrimination or harassment; however, an employee disciplined following a discrimination or harassment investigation may use this policy to challenge the disciplinary action;
- Reduction in force terminations;
- Program change;
- Challenges to ownership of intellectual property; and
- Resignations.

**SECTION TWO**
**FORMAL GRIEVANCE AND APPEAL PROCESS**

2.01 **Level One: Supervisor**
An employee may initiate the formal complaint process by timely filing the complaint in writing on a complaint form provided by the college (see: DGBA Exhibit). Complaint forms must be filed:

a) Within ten (10) days of the date the employee first knew, or with reasonable diligence should have known, of the decision, action, or incident giving rise to the complaint or grievance; and

b) With the lowest level supervisor who has the authority to remedy the alleged problem; in most circumstances, employee complaints shall be filed with his/her immediate supervisor. If the only supervisor who has authority to remedy the alleged problem is above the level of the immediate supervisor, the complaint may begin at the next level following the procedure, including deadlines, for filing the complaint form at the first level.
EMPLOYEE COMPLAINTS AND GRIEVANCES

If the complaint is not filed with the appropriate supervisor, the receiving supervisor must note the date and time he/she received the complaint form and immediately forward the complaint form to the appropriate supervisor.

The appropriate supervisor shall conduct an investigation as necessary and schedule a conference with the grievant within ten (10) days after receipt of the written complaint. The supervisor may set reasonable time limits for the conference.

Absent extenuating circumstances, the supervisor shall provide the grievant 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 supervisor may consider information provided at the conference and any other relevant documents or information the supervisor believes will help resolve the complaint.

The supervisor shall develop a record of the Level One process that includes the following documents and files, and submit the entire record to the Office of Human Resources:

- The original complaint form and any attachments;
- All other documents submitted by the grievant;
- The written response issued by the supervisor and any attachments;
- All other documents relied upon by the supervisor in reaching the initial decision; and
- Any audio or video recordings of conferences.

2.02 Level Two: Next Level Supervisor

If the grievant did not receive the relief requested at Level One or if the time for a response has expired, the grievant may appeal to the next level supervisor in writing, on a form provided by the College, within ten (10) days of the date of the Level One written response or, if no response was received, within ten (10) days of the response deadline.

After receiving the Level Two Appeal notice, the next level supervisor shall request the record of the Level One conference (see above). The grievant may request a copy of the record if he/she agrees to bear the expense of providing that copy of the record.

The next level supervisor or designee shall schedule a conference within ten (10) days after the Level Two Appeal notice is filed. The conference shall be limited to the issues and documents considered at the initial conference. At the conference, the grievant may provide information concerning any documents or information relied upon by the administration for the initial decision. The supervisor or designee may set reasonable time limits for the conference.

The next level supervisor or designee shall provide the grievant 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 next level supervisor or designee may consider the record, information provided at the second conference, and any other
EMPLOYEE COMPLAINTS AND GRIEVANCES

relevant documents or information the supervisor or designee believes will help resolve the complaint.

The supervisor shall develop a record of the Level Two process that includes the following documents and files, and submit the entire record to the Office of Human Resources:

- The full record of the Level One process;
- The original completed appeal form;
- The written response issued by the next level supervisor and any attachments;
- All other documents relied upon by the administration in reaching the decision; and
- Any audio or video recordings of conferences.

2.03 Level Three: College President

If the grievant did not receive the relief requested at Level Two or if the time for a response has expired, the grievant may appeal to the College President. The appeal notice must be filed with the College President in writing, on a form provided by the College, within ten (10) days of the date of the written response from Level Two.

After receiving notice of the appeal, the College President shall request the Level Two Appeal record. The grievant may request a copy of the Level Two Appeal record and must agree to bear the expense of providing that copy of the record.

The College President or designee shall schedule a conference within ten (10) days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at the previous conference levels. At the conference, the grievant may provide information concerning any documents or information relied upon by the administration for the initial decision. The College President or designee may set reasonable time limits for the conference.

The College President or designee shall provide the grievant a written response. The written response shall set forth the basis of the decision. In reaching a decision, the College President or designee may consider the record, information provided at any previous conferences, and any other relevant documents or information the supervisor or designee believes will help resolve the complaint.

The College President shall retain a record of the Level Three Appeal process that includes the following:

- The full record of the Level One process.
- The full record of the Level Two Appeal process.
- The written response issued by the College President and any attachments.
- All other documents relied upon by the administration in reaching the decision.
- Any recordings of conferences.

2.04 Level Four: Board of Trustees

A grievant may appeal the Level Three response to the Board of Trustees if the grievant alleges a procedural irregularity in the administration of the College Policy on Employee
EMPLOYEE COMPLAINTS AND GRIEVANCES

Complaints/Grievance, or alleges a violation of a Local Policy adopted by the Board. If a grievance does not allege a procedural irregularity in the administration of the grievance process or a violation of Local Policy, the grievant may present the complaint at the Citizen Participation portion of a regular Board meeting.

The appeal notice must be filed with the College President in writing, on a form provided by the College, within ten (10) days of the date of the latest written response. The administration shall inform the grievant 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 administration shall provide the Level Three record to the Board. The grievant may request a copy of the full record and must agree to bear the expense of providing that copy of the record.

The College administration shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act (Texas Gov. Code § 551.074) and other applicable law.

The Level Four appeal shall be limited to the issues and documents in the record, except the administration may present evidence not included in the record to the Board during the hearing. If the administration decides to present evidence not included in the record, the administration shall provide the grievant notice of the nature of the evidence at least three (3) days before the presentation.

The Board President may set reasonable time limits and guidelines for the hearing, including an opportunity for the grievant 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 Appeal. The Level Four Appeal hearing, including the presentation by the grievant or the grievant’s representative, any presentation from the administration, and any questions from the Trustees 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 (excluding special board meetings). 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 reached prior to the appeal to the Board.

Adopted: 05/2017
Page 7 of 7
ANGELINA COLLEGE
EMPLOYEE COMPLAINT AND APPEAL FORM

All formal complaints/grievances and appeals must be submitted using this form, and all fields must be completed. If a field is not relevant, write “N/A” in the space provided. Please note Complaints alleging discrimination, including violations of Title IX of the Education Amendments Act of 1972, as amended (sex and gender), Title VII of the Civil Rights Act of 1964, as amended (race, color, religion, national origin), Age Discrimination in Employment Act of 1967, as amended (age), or Section 504 of the Rehabilitation Act, as amended, and the Americans with Disabilities Act of 1990 as amended (disability), shall be submitted in accordance with the Employee Freedom from Discrimination, Harassment, and Retaliation regulation (see: DIA Regulation in the AC Policy and Procedure Manual).

Field 1 **Employee Name:** ______________________________

Field 2 **Date:** __________

Field 3 **Mailing Address:** ______________________________________________________

Field 4 **Email Address:** ______________________________

Field 5 **Phone Number:** ______________________

Field 6 **Select One Option by Filling in the Corresponding Circle:**

☐ LEVEL ONE: Complaint to Supervisor

☐ LEVEL TWO: Appeal to Next Level Supervisor

☐ LEVEL THREE: Appeal to College President

☐ LEVEL FOUR: Appeal to Board of Trustees (see Field 9 below)

☐ DISCRIMINATION

✓ Title IX & Title VII: submit form to Dean of Student Affairs

✓ ADEA, ADA & Section 504: submit form to Director of Human Resources

✓ All other Discrimination: submit form to College President

You may attach any relevant documents to this form. You may also attach additional pages if the spaces provided below are insufficient. If you choose to attach additional pages, please write “see attached” in the space(s) below.

Field 7 **Complaint:** Be specific (e.g., full names - including the name(s) of responsible person(s), date the alleged incident occurred, location(s), relevant rule(s) & regulation(s), etc.). The complaint must be in relation to an incident that has already occurred. Do not reference multiple employment-related matters or matters already addressed in a grievance you previously submitted.

Field 8 **Adverse Effect:** Explain how the alleged action or issue adversely affected or interfered with an employment-related matter.

Issued: 05/2017
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Field 9 **Requested Relief**: State the specific corrective action or relief you are requesting. The corrective action or requested relief must be within the authority of AC to grant and shall not include a request for another employee to be disciplined.

<table>
<thead>
<tr>
<th>Name of Supervisor or Administrator who received this form:</th>
<th>Date complaint form received:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of employee who submitted the complaint:</td>
<td>Did employee discuss complaint with you informally? (Y/N)</td>
</tr>
</tbody>
</table>

Field 10 **Names of Witnesses** who have firsthand knowledge of the events being grieved:

<table>
<thead>
<tr>
<th>Name of Witness 1</th>
<th>Name of Witness 2</th>
</tr>
</thead>
</table>

Field 11 **Name of Representative**:

“Representative” means any person or organization designated by the employee to represent him/her in the complaint process that does not claim the right to strike. You may identify a representative when the complaint form is initially submitted or when submitting an appeal form upon receiving a response to a Level One, Level Two, or Level Three process. If you fail to identify a representative when this form is submitted at each level, a representative shall not be allowed to attend the corresponding conference or hearing.

Field 12 **Level Four: Appeal to the Board of Trustees** - describe the alleged procedural irregularity in the administration of the *College Policy on Employee Complaints/Grievance*, or note alleged violation of College Policy below.

- Irregularity in administration of Complaint Policy
- Violation of College Policy

Note: If a Level Four appeal does not involve an allegation of a violation of Board Policy or an allegation of a procedural irregularity in the administration of the College Policy on Employee Complaints/Grievances, you may present the complaint at the Citizen Participation portion of a Board of Trustees meeting.

**SIGNATURE**

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Print Name</td>
<td></td>
</tr>
</tbody>
</table>

**ADMINISTRATION USE ONLY**

Name of supervisor or administrator who received this form: 

Date complaint form received: 

Did employee discuss complaint with you informally? (Y/N)

Date of complaint conference or hearing: 

Date written response sent to employee: 

**Supervisor/Administrator must retain**

- (a) the original complaint form and any attachments,
- (b) all other documents submitted by the employee (Level One only),
- (c) the written response issued by the supervisor/administrator and any attachments,
- (d) all other documents relied upon by the supervisor/administrator in reaching the initial decision, and
- (e) any recordings of conferences.
EMPLOYEE RIGHTS AND PRIVILEGES: ACADEMIC FREEDOM AND RESPONSIBILITY

SECTION ONE
ACADEMIC FREEDOM

1.01 Academic Freedom Commitment and Definition
Academic freedom is a scholar’s freedom to express ideas without unreasonable constraints or risk of professional disadvantage, to explore fully within the field of his or her assignment, and to give in the classroom and elsewhere such explanation or description of his or her subject as he or she believes to represent the truth.

The College is committed to academic freedom, and the Board of Trustees and administration shall respect and defend the academic freedom of College faculty and students. Any faculty member who believes his/her academic freedom is being unreasonably or illegally restricted is encouraged submit a complaint in accordance with the Employee Complaints and Grievances policy (DGBA - Local). Any student who believes his/her academic freedom is being unreasonably or illegally restricted is encouraged to submit a complaint in accordance with the Student Complaints policy (FLD - Local).

1.02 Academic Freedom - General Principles
Institutions of higher education exist for the common good. The common good depends upon an uninhibited search for truth and its open expression. Therefore, it is essential that faculty members be free to pursue scholarly inquiry without undue restriction, and to voice and publish individual conclusions concerning the significance of evidence that they consider relevant. Each faculty member must be free from the fear that others inside or outside the College community with differing opinions may threaten his or her professional career or the material benefits accruing from it.

Each faculty member is entitled to full freedom in the classroom in discussing the subject being taught. Within the bounds of professional behavior, faculty members also have full freedom to express disagreement with other members of the College community. Although a faculty member observes the regulations of the institution, he or she maintains the right to criticize and seek revision of those regulations.

Faculty members also are citizens of the nation, state, and community; therefore, when speaking, writing, or acting outside the classroom, they must be free from institutional censorship or discipline. On such occasions faculty members should make it clear that they are not speaking for the institution.

SECTION TWO
ACADEMIC ETHICS AND RESPONSIBILITIES

2.01 General Principles
For faculty members, the notion of academic freedom is linked to the equally demanding concept of academic ethics and responsibility. As a faculty member, a person assumes certain ethical obligations and responsibilities to students, to other members of the campus community, to the institution, to the profession, and to society at large.
EMPLOYEE RIGHTS AND PRIVILEGES: ACADEMIC FREEDOM AND RESPONSIBILITY

2.02 Ethical Obligations and Responsibilities to Students
Faculty members should foster scholarly values in students, including academic honesty, the free pursuit of learning, and the exercise of academic freedom.

Faculty members should act professionally in the classroom and in other academic relationships with students. Faculty members should exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. Faculty members are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching a controversial matter that has no relation to their subject.

Faculty members should maintain respect for the student and for the student's role as a learner. Faculty members should evaluate students on the true merit of their academic performance. Faculty members should be available at reasonable intervals to students for consultation on course work.

Faculty members shall not engage in any exploitation, harassment, or illegal discriminatory treatment of students.

2.03 Ethical Obligations and Responsibilities to Members of the College Community
Faculty members shall neither harass nor exploit any member of the College community.

Faculty members shall respect and defend the free inquiry of associates. In the exchange of criticism and ideas, faculty members shall show due respect for the opinions of others.

Faculty members shall acknowledge the academic contributions of others, strive to be objective in their professional judgment of colleagues, and accept their share of faculty responsibilities for contributing to the governance of the institution.

2.04 Ethical Obligations and Responsibilities to the College
A faculty member's comments regarding matters of public concern are protected even though they may be highly critical in tone or content, or even erroneous. The constitutionally protected rights of faculty members, as citizens, to freedom of expression on matters of public concern cannot be abridged. However, when a public employee makes statements pursuant to his or her official duties, the employee is not speaking as a citizen for First Amendment purposes, and the Constitution does not insulate the communications from employer discipline. Faculty members, like all citizens, are responsible for all actions that are not constitutionally protected.

Neither an employee nor anyone else has an absolute constitutional right to use all parts of a College building or its immediate environs for unlimited expressive purposes.

Faculty members should recognize that their primary responsibilities are to the institution as they determine the amount (if any) and character of work done outside of the institution. Such outside work shall be consistent with College requirements (See: College Policy LOCAL DBF). Although faculty members may follow subsidiary interests,
EMPLOYEE RIGHTS AND PRIVILEGES: ACADEMIC FREEDOM AND RESPONSIBILITY

these must never compromise their freedom and willingness to draw intellectually honest conclusions.

When considering the interruption or termination of their service, faculty members should take into account the effect of their decision upon the institution and give due notice of their intentions.

2.05 Ethical Obligations and Responsibilities to the Profession
Faculty members have ethical obligations and responsibilities to their profession. The fundamental responsibilities of a faculty member as a teacher and scholar include maintenance of competence in his or her field of specialization and exhibition of such professional competence in the classroom, studio, library, or laboratory and in the public arena by such activities as discussions, lectures, consulting, publications, or participation in professional organizations and meetings.

2.06 Ethical Obligations and Responsibilities to the Public
Faculty members have ethical obligations and responsibilities to the public. The demonstration of professional integrity by a faculty member includes recognition that the society at large will judge the profession as well as the institution by his or her statements and behavior. Therefore, the faculty member should strive to be accurate, to exercise appropriate restraint, to be willing to listen to and show respect to members of the society at large who express different opinions, and to avoid creating the impression that the faculty member speaks or acts for the College when speaking or acting as a private person.

A College employee may not use official authority or influence or permit the use of a program administered by the College to interfere with or affect the result of an election or nomination of a candidate or to achieve any other political purpose. A College employee may not coerce, attempt to coerce, command, restrict, attempt to restrict, or prevent the payment, loan, or contribution of anything of value to a person or political organization for a political purpose.
All employees, members of the Board, and representatives of the College District will reflect the highest professional standards of ethics and integrity and always conduct official duties in accordance with the laws of Texas and the United States and goals and mission of the College District. [See AE] Employees are also encouraged to act in accordance with professional codes of ethics related to their position at the College District. All employees and members of the College District community will:

1. Be responsible for protecting confidential information.
2. Refuse to accept any gift, favor, or service that might reasonably tend to influence the discharge of official duties if such gift, favor, or service is offered with the intent to influence or control.
3. Avoid personal investments that could reasonably be expected to create a conflict of interest.
4. Be responsible for the creation of a positive and constructive environment essential for the teaching/learning process. Basic to that environment is freedom from harassment, concern for the individual student, concern for colleagues, maintenance of a drug-free and weapon-free campus and concern for the image of the institution in the community. Care must be taken to maintain professional boundaries in any student interactions.
5. Respect human dignity and the importance of diversity in an institution of education and learning, and promote respect for all cultures and peoples.
6. Ascribe to the judicious use of power vested upon their position in the institution and exercise particular care in relationships in which they have the responsibility for control. This is true whether it is the faculty/student or the supervisor/employee relationship.
7. Obey the law with respect to discrimination and oppose any violation of fair employment practices.
8. Keep proper records of all financial transactions and reports for which they are responsible.
9. Avoid using College District property or facilities for commercial purposes and avoid solicitation of students for commercial or political purposes.

10. Interact with colleagues and the community with a collaborative spirit to enhance the College District’s mission, goals, and services for a better community.

11. Practice the current code of professional ethics related to their educational field. This includes use of social media and electronic communication guidelines for the profession.

REPORTED CRIMINAL HISTORY INFORMATION

An employee shall notify the College President within three (3) calendar days of any arrest, investigation, law enforcement report, indictment, conviction, no contest or guilty plea, disposition or other adjudication involving the employee in any way for a felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

Crimes involving moral turpitude (including misdemeanor offenses), which include:

Dishonesty; fraud; deceit; theft; misrepresentation; deliberate violence; 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; act constituting public intoxication, operating a motor vehicle while under the influence of alcohol or drugs or disorderly conduct; acts constituting family violence abuse under the Texas Family Code.

FAILURE TO TIMELY REPORT ANY MATTER REQUIRED TO BE REPORTED UNDER THIS POLICY MAY RESULT IN ADVERSE EMPLOYMENT ACTION.

Adverse employment action may be taken for failure to meet the College’s standards of professional conduct or for any other activity, work-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee’s effective performance of assigned job duties.
DISCIPLINE AND DISMISSAL OF EMPLOYEES

SECTION ONE
GENERAL PROVISIONS

The purpose of this regulation is to encourage fair, efficient, and equitable solutions for problems arising out of the employment relationship; to meet the requirements of state and federal law; to ensure compliance with institutional, divisional, and unit policies and rules; and to comply with requirements from funding and accreditation agencies.

All employees of the College, excepting only the College President, are employed on an at-will basis. College employees have no property right or interest in employment. Any employee may be dismissed at any time in the best interest of the College. The College may non-renew or terminate the employment of any employee at any time for any reason, except as otherwise provided by law.

The College has the right to modify any of the terms or conditions of employment, with or without advance notice. Nothing in this regulation creates a contract or property right to continued employment or changes the employment “at-will” relationship.

1.01 Scope of Regulation

This regulation is applicable to conduct or job performance of an employee that results in a decision to impose a disciplinary penalty of verbal reprimand, written reprimand with disciplinary probation, suspension without pay, or dismissal. It does not apply to:

a) employees who are subject to other approved discipline or dismissal procedures;

b) suspension with pay pending investigation of allegations relating to an employee;

c) decisions not to offer reappointment to persons whose appointment for a stated period of one year or less expires at the end of such period; and

d) dismissal of employees:
   i. who occupy positions that are dependent upon funding from a specific source and such funding is not received;
   ii. who, after all available leave has been exhausted, are unable to return to work to perform job functions for medical reasons;
   iii. as a result of reorganization;
   iv. because of financial exigency; or
   v. who are not appointed but who are employed on a per diem or hourly rate and work on an as needed basis.

1.02 Employee Responsibility

Each employee is expected to acquaint himself or herself with performance criteria for his/her particular job and with all rules, procedures, and standards of conduct established by the Board of Trustees, the College President, and the employee’s administrative or instructional unit. An employee who does not fulfill the responsibilities set out by such performance criteria, rules, procedures, and standards of conduct may be subject to adverse personnel action.

1.03 Progressive Discipline

Progressive discipline involves increasingly severe consequences each time an employee is disciplined. Immediate elevation of the level of disciplinary action, including
DISCIPLINE AND DISMISSAL OF EMPLOYEES

dismissal or suspension without prior warning, may be justified at any occurrence of inappropriate behavior, based upon the seriousness and impact of the behavior(s) or action(s) or for multiple documented deficiencies.

For employees, progressive discipline sets clear standards and warns of consequences for noncompliance. It assures predictable, progressive, and equitable treatment and promotes fair decisions. For administration, progressive discipline maintains order and enforces College policies and procedures. It is a corrective process to help employees overcome work-related shortcomings, strengthen work performance, and achieve success. The discipline process also allows for the termination of employees who will not or cannot change unacceptable behavior or performance.

1.04 Levels of Disciplinary Actions
Although the policy is to be applied consistently, because policies cannot anticipate every situation, some circumstances may require the College to impose more severe disciplinary action for certain conduct or omission than is contemplated by the policy. This policy shall provide each authorized supervisor the latitude to vary from the typical discipline when circumstances warrant.

The levels of disciplinary actions from least severe to most severe are:
1. verbal reprimand,
2. written reprimand and disciplinary probation,
3. suspension without pay, and
4. dismissal.

The College President must approve suspension without pay and dismissal prior to those actions being administered.

Once an employee is disciplined for any infraction, the progressive discipline process has been commenced with respect to all subsequent infractions. The College may modify and/or apply the policy in any manner it deems appropriate under the circumstances, including acceleration, skipping, or repetition of steps.

1.05 Conduct Subject to Disciplinary Action - Work Performance
Failure of an employee to maintain satisfactory work performance standards can constitute good cause for disciplinary action including dismissal. The term “work performance” includes all aspects of an employee’s work.

Work performance is judged by the supervisor’s evaluation of the quality and quantity of work performed by each employee. When, in the opinion of the supervisor, the work performance of an employee is below standard, the supervisor should take appropriate disciplinary action.

If an employee’s work performance changes substantially between administrations of the annual performance review process, the supervisor must document how the employee’s work performance has changed as part of the progressive disciplinary process, and the
DISCIPLINE AND DISMISSAL OF EMPLOYEES

supervisor must document the unacceptable work performance or behavior(s) when administering the next annual performance review.

1.06 Conduct Subject to Disciplinary Action - Unacceptable Behavior
All employees are expected to maintain standards of conduct suitable and acceptable to the work environment. Disciplinary action, including dismissal, may be imposed for unacceptable behavior.

Examples of unacceptable behavior include, but are not limited to:
   a) falsification of times sheets, personnel records, or other College records;
   b) smoking anywhere;
   c) gambling, participating in lotteries, or any other games of chance on the premises at any time;
   d) soliciting, collecting money, or circulating petitions on the premises other than within the rules and regulations of the College;
   e) bringing intoxicants or drugs onto the premises of the College, using intoxicants or drugs, having intoxicants or drugs in one’s possession, or being under the influence of intoxicants or drugs on the premises at any time (Note: the College President may grant exceptions for special events or programs to allow the consumption of alcohol on campus);
   f) abuse or waste of tools, equipment, fixtures, property, supplies, or goods of the College;
   g) creating or contributing to unhealthy, hazardous, or unsanitary conditions;
   h) violations of safety rules or accepted safety practices;
   i) failure to cooperate with supervisor or coworker, impairment of function of work unit, or disruptive conduct;
   j) disorderly conduct, horseplay, or use of abusive language on the premises;
   k) harassment of other employees, students or visitors/guests, including sexual harassment;
   l) fighting, encouraging a fight or threatening, attempting or causing injury to another person on the premises;
   m) neglect of duty or failure to meet a reasonable and objective measure of efficiency and productivity;
   n) theft or unauthorized use of College physical, electronic, financial, or human resources;
   o) unauthorized use, theft, or release of College or student records and confidential information;
   p) destroying or defacing College property or records or the property of a student or employee;
   q) refusal to follow instructions or to perform designated work that may be required;
   r) repeated tardiness or absence, absence without proper notification to the supervisor or without satisfactory reasons or unavailability for work; and
   s) violation of policies or rules of the College.
DISCIPLINE AND DISMISSAL OF EMPLOYEES

1.07 Investigations
All incidents that involve the potential for disciplinary action shall be investigated by the employee's supervisor or other designated administrative official (see: College Employee Freedom from Discrimination, Harassment, and Retaliation policy).

If the investigation results in a preponderance of credible evidence establishing that the employee engaged in conduct warranting the disciplinary action (hereinafter "the evidentiary standard"), the supervisor shall hold a pre-disciplinary conference before seeking approval for proposed disciplinary action more severe than verbal reprimand.

1.08 Pre-disciplinary Conference
The pre-disciplinary conference serves as an opportunity to avoid mistaken decisions to impose discipline. An employee shall be informed of the basis for the disciplinary action under consideration and have an opportunity to respond before a final decision is made to take disciplinary action.

There is no prescribed procedure for this conference. It should be informal. However, before reaching a final decision to impose discipline, the supervisor shall:

a) inform the employee of the reasons for the proposed disciplinary action, the facts upon which the supervisor relies, the names of any persons who have made statements about the disciplinary incident, and the content of such statements;

b) give the employee access to any documentary material that the supervisor has relied upon; and

c) give the employee an opportunity to respond to the charges either orally or in writing within a reasonable time and to persuade the supervisor that the evidence supporting the charges do not meet the evidentiary standard.

1.09 Administering a Verbal Reprimand
Following a pre-disciplinary conference, if the supervisor is persuaded the evidence supporting the charges meets the evidentiary standard, he/she may administer a verbal reprimand. When a verbal reprimand is administered, the supervisor should record the date of the reprimand, a description of the work performance or behavior(s) resulting in the reprimand, and any direction given for the employee to improve/change his or her behavior in the supervisor's management notes.

1.10 Permission to Impose Disciplinary Action More Severe than Verbal Reprimand
After completing the pre-disciplinary conference, if the supervisor determines a disciplinary action more severe than verbal reprimand is necessary given the current behavior being addressed or given past disciplinary actions involving the employee, the supervisor should consult with the Director of Human Resources and should obtain authorization from the appropriate Executive Council member prior to administering a more severe level of discipline.

The College President must approve suspension without pay and dismissal prior to those actions being administered by the College.
1.11 Administering Disciplinary Actions More Severe than a Verbal Reprimand

If the supervisor receives authorization to impose a more severe disciplinary action, the supervisor shall administer the discipline action by informing the employee in writing of the following:

a) The disciplinary penalty being administered (i.e., written reprimand with probation, suspension without pay, or dismissal);
b) the effective date of dismissal if applicable;
c) the specific period for a probation if applicable;
d) a specific period for a suspension without pay if applicable, not to exceed three (3) work days;
e) the specific incident, conduct, course of conduct, unsatisfactory work performance, or other basis for the disciplinary penalty;
f) any previous efforts to make the employee aware of the need to change or improve work performance or conduct;
g) reference to any relevant rule, regulation, or policy;
h) for written reprimands with probation, suspensions without pay, a performance improvement plan; and
i) the right to appeal the disciplinary action at Level Two of Local Policy DGBA - Employee Complaints and Grievances, and provide the employee a copy of the policy.

1.12 Effect upon Employee Benefits

1. An employee who is suspended without pay continues to accrue vacation and sick leave, to be covered by group insurance, and to be entitled to other employee benefit programs.

2. If a suspension without pay is appealed and it is determined that there was not good cause for the suspension, the employee shall be entitled to payment for wages lost as a result of the suspension.

3. If the decision to dismiss an employee is not upheld upon appeal, the employee shall be reinstated to the same or similar position and shall be entitled to payment of back wages less any unemployment benefits received by the employee after the date of dismissal. Employee benefits such as vacation and sick leave shall be credited back to the date of dismissal.

1.13 Records of Disciplinary Actions

Copies of all documents pertaining to disciplinary actions shall be filed in the employee's personnel file maintained by the Office of Human Resources.

SECTION TWO

TENURED FACULTY MEMBERS

2.01 Good Cause

Adequate cause for dismissal of a faculty member with tenure may be established for good cause.
DISCIPLINE AND DISMISSAL OF EMPLOYEES

2.02 Financial Exigency
Cases of bona fide financial exigency on the part of the institution, or the phasing out of institutional programs requiring reduction of staff, may permit exceptions to tenure regulations in unusual circumstances as follows:
1. Any employee with tenure involved in such adjustments in emergency situations shall be given opportunities for appointment in related areas provided that the individual is qualified professionally to perform in such areas, and that such positions are available.
2. Any employee with tenure who can present prima facie evidence of discriminatory treatment or infringement of academic freedom in such emergencies has the right to a fair hearing before an elected peer committee, prior to any hearing authorized under dismissal procedure for good cause.
3. Any employee with tenure involved in such a readjustment process has the right to reappointment to a previous position if it is reestablished within two years.

2.03 Right to Appeal
When the College determines not to reappoint a faculty member with tenure for good cause or financial exigency, the faculty member may appeal the decision through the process described in Local Policy DGBA - Employee Complaints and Grievances.

2.04 Optional Developmental Plan
If the College is considering dismissal of a faculty member with tenure for behavior or performance issues that could be corrected by the faculty member within a reasonable timeframe as determined by the College, the College will take the following steps prior to dismissing the employee:

a) Provide written notice to the faculty member that includes a description of the behavior or performance issue and a developmental plan to guide the faculty member in correcting the issue.
b) After issuing the notice, regular conferences with the direct supervisor will be used to monitor and document progress toward meeting expectations or correcting behavior.
c) Not later than the last Monday in February, the Vice President of Academic Affairs will apprise the President if he/she recommends not reappointing the faculty member for the next academic year.
d) The President will provide written notice to the faculty member by April 1 if College is not going to reappoint him/her.

SECTION THREE
PUBLICATION, APPROVAL, IMPLEMENTATION, AND ENFORCEMENT

3.01 Publication
The regulation is published in the online Angelina College Policy & Procedure Manual and is available in the Office of the President.

3.02 Approval
The regulation was approved by the President on May 3, 2017.

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DISCIPLINE AND DISMISSAL OF EMPLOYEES

3.03 Implemented
The Regulation will be implemented on an ongoing basis.

3.04 Enforced
The Regulation will be enforced by action of the President or his designee.
TEACHING LOADS

A full-time teaching load for faculty usually includes classes and/or labs during the standard work week—Monday through Friday. The teaching assignment may be on- or off-campus and include the evening program and distance learning (i.e. hybrid and Internet) as necessary. The responsibilities will involve advising, performing divisional and College District duties, participating in official College District functions, and attending general faculty meetings.

Teaching assignments and schedules will be made by the division director based on student needs and demand. All full-time faculty are expected to be able to teach all courses within their discipline and the College District will attempt to make full use of all personnel resources.

The teaching load is five classes, or 14–16 semester credit hours, each long semester with the average being 15 semester hours. The load calculations may vary and the following principles apply to equating loads for each semester:

1. Lecture courses: One hour each week equals one credit hour. Virtual hours are equivalent for workload based on semester credit hours.

2. Lecture/laboratory* courses: Two hours lab each week equals one credit hour.

   *Laboratories are scheduled at a specific time; taught and prepared by an instructor; structured with specific assignments and projects to be completed each period; and they are a continuation of the lecture.

3. Laboratory courses: Three hours lab each week equals one credit hour or may be paid by contact hour rate.

4. A practicum or co-op of approximately 20–25 students equates to three credit hours. If less than 20 students, the instructor will be paid pro rata of the course semester credit hours. (10–13 students = 1/2 credit; 5–7 students = 1/4 credit).

5. Private instruction: Three hours each week equals two credit hours as part of load. (1 hr. private = 2/3 credit) Overload hours are paid at the approved rate on the salary schedule.
6. Accompanying: Two hours equals one credit hour. Musical accompanying: Two equated credits.

7. Instructional contracts in specialized areas may reflect different loads related to the unique discipline, laboratory area, or extremely small class size (under 10). In specialized areas contact hour loads may vary from 16–35 contact hours each week.

8. Reduced classroom teaching loads may be approved to permit other special assignments and projects, including curriculum development. However, only one 3–4 SCH overload is allowed for these individuals.

9. Overload is the teaching load above the established standard class and laboratory load. This assignment requires consideration of the full-time load, total student enrollment, contact hours, number of preparations, instructional effectiveness, and any other campus responsibilities. In general, the upper limits of a teaching assignment shall be 18–21 semester hours or equivalent. Scheduled overloads should not reduce the time required for student conferences and other campus duties.

Courses taught in community services shall also be subject to these overload guidelines. Communication for a faculty member to teach a course shall be initiated by the Vice President of Community Services with the appropriate Division Director.

The teaching load for all part-time instructors is a maximum of two courses or eight semester credit hours.

Part-time and overload pay will be paid at the approved rate on the salary schedule.

Summer load assignments may vary. Some are defined in contract letters with corresponding pay defined and others are dependent upon the needs of College District programs. The maximum normally allowed is two courses or eight semester credit hours; a request must be submitted and approved by the Vice President and Dean of Instruction for additional hours.

10. Oversized classes require prior documentation of need and approval.
<table>
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<tr>
<th>ADMINISTRATIVE RESPONSIBILITIES FOR MONITORING AND REPORTING FACULTY WORKLOADS</th>
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<tbody>
<tr>
<td>It is the responsibility of the Division Director to assign faculty work-loads with current applicable policy.</td>
</tr>
<tr>
<td>It is the responsibility of the Division Director to prepare an official report of the workload according to an established calendar on the form provided.</td>
</tr>
<tr>
<td>It is the responsibility of the Vice President and Dean of Instruction to ensure that the College District's workload policy is being implemented and accurately reported and maintained.</td>
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</table>
EMPLOYEE FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

SECTION ONE
STATEMENT OF NONDISCRIMINATION

1.01 Statement of Nondiscrimination
The College prohibits discrimination, including harassment, against any employee on the basis of sex, gender, race, color, religion, national origin, disability, age, or any other basis prohibited by law.

1.02 Retaliation
The College 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 of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.

1.03 False Claims and Statements and Noncooperation with Investigations
An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action.

SECTION TWO
DEFINITIONS

2.01 Employee
Solely for the purposes of this policy, the term “employee” includes former employees, applicants for employment, unpaid interns, and volunteers.

2.02 Discrimination
Discrimination against an employee is defined as conduct directed at an employee on the basis of sex, gender, race, color, religion, national origin, disability, age, or on any other basis prohibited by law that adversely affects the employee’s employment.

2.02 Prohibited Harassment
Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on the employee’s sex, gender, race, color, religion, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

2.02.1 has the purpose or effect of unreasonably interfering with the employee’s work performance;

2.02.2 creates an intimidating, threatening, hostile, or offensive work environment; or

2.02.3 otherwise adversely affects the employee’s performance, environment, or employment opportunities.
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.

2.03 Sexual Harassment
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:

2.03.1 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

2.03.2 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.

2.04 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.

2.05 Examples of Sexual Harassment
Examples of sexual harassment 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.

2.06 Gender-Based Harassment
Gender-based harassment includes physical, verbal, or nonverbal conduct based on the employee’s gender, the employee’s expression of characteristics perceived as stereotypical for the employee’s gender, or the employee’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 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.

2.07 Retaliation
Retaliation is punishing employees for asserting their rights to be free from discrimination including harassment. Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified reprimands, or
unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

2.08 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.

SECTION THREE
REPORTING PROCEDURES

3.01 Employee Report
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. The employee may report the alleged acts to his or her immediate supervisor. Alternatively, the employee may report the alleged acts to one of the College District officials below.

3.02 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 designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Steve Hudman
Title: Dean of Student Affairs
Mailing Address: Office of the Dean of Student Affairs, P.O. Box 1768, Lufkin, TX 75902-1768
Campus Address: 101 Student Center

3.03 Employee ADA/Section 504 Coordinator
In matters relating to employees, the College 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: Tifini Whidden
Title: Director of Human Resources
Mailing Address: Office of Human Resources, P.O. Box 1768, Lufkin, TX 75902-1768
Campus Address: 201 Administration
Employee Freedom from Discrimination, Harassment, and Retaliation

3.04 Other Antidiscrimination Laws
The College President or designee shall serve as coordinator for purposes of College compliance with all other antidiscrimination laws.

3.05 Alternative Reporting Procedures
An employee 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 Title IX Coordinator or the ADA/Section 504 Coordinator, may be directed to the College President. A report against the College President may be made directly to the Board President. If a report is made directly to the Board President, the Board shall appoint an appropriate person to conduct an investigation.

3.06 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’s ability to investigate and address the prohibited conduct.

3.07 Notice of Report
Any College supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College official listed above and take other steps required by this policy.

3.08 Investigation of Report
3.08.1 The College may request, but shall not require, a written report. If a report is made orally, the College official shall reduce the report to written form.

3.08.2 Investigation of the Report Upon receipt or notice of a report, the College official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College official shall immediately authorize or undertake an investigation regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

3.08.3 Referral If the College official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the College official shall refer the complaint for consideration under the Employee Complaints and Grievances policy (DGBA Local in the College’s Policy and Procedure Manual), as appropriate.

3.08.4 Interim Action If appropriate, the College shall promptly take interim action calculated to address prohibited conduct prior to the completion of the College’s investigation.

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EMPLOYEE FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

3.08.5 College Investigation The investigation may be conducted by the College official or a designee or by a third party designated by the College, such as an attorney (hereinafter “investigator”). The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College’s policy and procedures. 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. When appropriate, the supervisor(s) shall be involved in or informed of the investigation.

3.08.6 Concluding Investigation Absent extenuating circumstances, the investigation should be completed within ten (10) College 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 investigator shall prepare a written report of the investigation. The report shall be filed with the College official overseeing the investigation.

SECTION FOUR
COLLEGE ACTION

4.01 Prohibited Conduct
If the results of an investigation indicate that prohibited conduct occurred, the College shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. The College may take action based on the results on an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

4.02 Confidentiality
To the greatest extent possible, the College 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.

4.03 Appeal
A complainant who is dissatisfied with the outcome of the investigation may appeal through the Employee Complaints and Grievances process (see DGBA LOCAL in the AC Policy and Procedure Manual), beginning at the appropriate level. The complainant may have the right to file a complaint with appropriate state and federal agencies.

4.04 Records Retention
Retention of records shall be in accordance with the College’s records retention procedures.
4.05 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 employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the College Policy and Procedure Manual, and other major College publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College’s website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College’s administrative offices and shall be distributed to an employee who makes a report.
A comprehensive community College District mandates work schedules and assignments that are flexible in order to serve the variety of needs of the students and the community. All faculty and staff are expected to recognize student needs by maintaining appropriate office hours, teaching schedules, and work hours as assigned by supervisors in order to reasonably serve day, evening, off-campus, and special groups of students. All employees shall be subject to assignment and reassignment by the College President at any time.

General office hours for College District offices are 8:00 a.m. to 4:00 p.m. Monday–Friday unless exceptions are approved by the President. Some offices may close at 5:00 p.m. or have extended hours until 9:00 p.m.

Individual faculty and staff members may make arrangements for office hours other than the 8:00 a.m.–4:00 p.m. or 5:00 p.m. in order to better serve students as approved by the supervisor and confirmed by the College President or vice president and dean of instruction. Each full-time instructor must post office hours each semester and schedule a minimum of five hours each week for student appointments, distributed throughout the week as much as possible. Some other campus time must be posted as “available by appointment” if needed.

Full-time classified staff are scheduled by position for either 35- or 40-hour work weeks.

Full-time faculty are expected to spend a minimum of 35 hours per week on campus or at off-campus teaching stations as scheduled each semester to meet the teaching schedule, divisional duties, and student needs.

Full-time administrative, and non-teaching contracted (exempt) staff are normally scheduled for a minimum work week of 40 hours.

However, scheduled lunch time is not counted as a part of the 35 or 40 hour work week.

All faculty and staff members are expected to devote time to student activities and other College District functions, to be available for faculty meetings, and to meet as needed to further the goals of the division and the College District.

Employees accepting additional assignments or responsibilities outside their scheduled campus and teaching hours must coordinate these assignments with their division director so their overall teaching...
effectiveness and the needs of the College District and students will be served.

Faculty members are not required to maintain posted office hours during the summer sessions (unless on a 10.5 month contract), but student conferences should be scheduled as needed and curriculum development, faculty committees, and advising activities should be scheduled as needed.

 Classified support staff overtime (exceeding 40 hours per week) should be worked only with the supervisor’s prior approval. The College President must approve either compensatory time or overload pay.

The hours and days for College District activities and office operations throughout the year may be changed by the College President as needed to serve students, conserve resources, or respond to emergency situations.

The College District encourages regular wellness or fitness activities targeted to an employee’s improved health. Employees are encouraged to use on-campus wellness facilities and may do so for a reasonable period of time during the scheduled workday providing it does not interfere with the employee’s job duty as approved by the supervisor, does not impose a hardship upon other employees or students, and does not reduce or cut short the scheduled workday or workweek.
PROFESSIONAL DEVELOPMENT AND QUALIFICATIONS

The College District shall maintain a program to encourage professional growth and development. The College District provides internal activities, seminars, meetings, and classes that are for the purpose of staff development. Some of these are required while others are discretionary as determined by the individual and/or supervisor. Faculty and staff are encouraged to participate in these opportunities for professional growth and development. Many of these are arranged through the division of community services.

Instructors shall meet or exceed the current standards of the College Delegate Assembly of the Southern Association of Colleges and Schools Commission on Colleges.

Full-time and part-time faculty members teaching credit courses in humanities/fine arts; social/behavioral sciences, and natural sciences/mathematics must hold at least a master’s degree. The master’s degree may either be in a major in the teaching discipline or include at least 18 graduate hours in the teaching discipline.

Each full-time and part-time faculty member teaching courses in professional, occupational, and technical areas, must possess at least a bachelor’s degree with at least three years of current and relevant work experience. The minimum academic degree for faculty teaching in professional and occupational areas with separate accreditation must be at the level required by the state and/or national accrediting organization. If students transfer in substantial numbers to a university, the instructors teaching must have a masters and 18 graduate hours in the discipline.

In exceptional cases, outstanding professional experience and demonstrated contributions to the discipline may be presented in lieu of formal academic preparation for faculty members teaching both transfer and non-transfer courses. Such exceptions will be justified on an individual basis.

Faculty members who teach in developmental programs must hold at least a bachelor’s degree in a discipline related to their teaching assignment, and either classroom experience in a discipline related to their teaching assignment or graduate training in remedial education.

All laboratory assistants must have established work skills or other experiences that help them relate these skills to the professional, occupational, and technical areas.

All faculty members should have attributes and experiences that help them relate to a diverse student population.
Hours beyond the master's degree affecting salary schedule placement shall be earned in the major teaching field of the instructor or in a supporting discipline (as approved by the vice president and dean of instruction) that shall advance teaching skill as a community College District instructor.

All full-time and part-time faculty must submit an application, official transcripts, and if appropriate, official documentation of professional and work experience, technical and performance competency, licenses and certifications, and other qualifications as defined in the vacancy announcement.

Each full-time faculty member must document completion of required professional development annually on the form provided. The file is maintained in the office of the vice president and dean of instruction.

The College District shall establish a program of assessment and assistance for faculty and teaching personnel whose primary language is not English and require them to become proficient in the use of English. The College District affirms that all courses (with the exception of foreign languages) will be clearly taught in the English language. A faculty member may also use the native language of the student to provide individual assistance during course instruction. All position candidates will be notified of this requirement and all screening committees will evaluate English proficiency during the interview.

The cost of an English proficiency course shall be paid by the faculty member lacking proficiency in English. A faculty member shall take the course until deemed proficient in English by his or her supervisor.
SECTION ONE
GENERAL PRINCIPLES

1.01 Purpose of Performance Evaluation
The purpose of the annual performance evaluation process is to promote communication and provide useful feedback about job performance, to facilitate better working relationships, to provide an historical record of performance, and to contribute to professional development. Supervisors are encouraged to provide frequent informal feedback to employees to encourage excellence, to reinforce appropriate behavior, and to provide constructive guidance for improvement when necessary. By providing constructive feedback on a regular basis, the supervisor is giving the employee information about work performance and, if needed, allowing appropriate time to make corrections in performance and/or behavior.

1.02 Frequency of Performance Evaluation
The performance of all full-time personnel shall be formally evaluated on an annual basis. Although performance evaluation is not disciplinary in nature, the College may conduct formal performance evaluations more frequently in response to the administration of employee discipline or as part of a formal performance improvement plan.

1.03 Confidentiality of Performance Evaluation Documentation
All personnel files and performance evaluation documentation will be kept confidential to the extent allowed by law.

SECTION TWO
EMPLOYEE CATEGORIES

2.01 President
The Board of Trustees will evaluate the performance of the College President annually at the regular meeting in which other contracts and the annual personnel plans are considered. The evaluation will focus on three areas:
1. Accomplishment of College District goals for the preceding year;
2. Performance of the College President’s job description; and
3. Fulfillment of the code of ethics and leadership responsibilities of the American Association of Community Colleges.

A written summary of the evaluation will be signed by the Board President and the College President and will note any areas needing special goals for improvement. Action may be taken on the contract terms of the College President following the evaluation session.

The Board may also use this annual review session to assess their own performance of their governance and policy-making role through self-evaluation and through evaluation by the College President. The primary purpose of all administrative evaluation will be to effect improvement in administrative leadership in order to achieve the goals of the College District.
2.02 **Executives**  
Executive employees include the Vice President of Academic Affairs, the Vice President of Business Affairs, the Dean of Student Affairs, and the Dean of Community Services. The College President will evaluate the performance of executive employees annually and document the evaluation using the College’s nonteaching staff annual performance review document.

2.03 **Non-Teaching Staff**  
Each supervisor will evaluate the performance of employees under his/her direction who are serving in non-teaching administrative, professional, clerical, labor, or trades positions annually. The supervisor will document the evaluation using the College’s nonteaching staff annual performance review document. All annual performance evaluations must be completed and submitted to the Office of Human Resources by the last Monday in February of each year.

2.03.1 **Annual Performance Evaluation Process**  
Supervisors should use the following process whenconducting an annual performance evaluation:  
a) reflect on the full year, consulting management notes as necessary, and write observations about the employee’s performance on the review document;  
b) review the position description to ensure it accurately describes the qualifications, duties, and responsibilities of the position;  
c) before meeting with the employee, give him/her a copy of the job description and a blank review document, and ask him/her to make notes about his/her performance over the past year using the review document;  
d) schedule a date/time to meet with the employee for an evaluation conference, and ensure the location of the meeting affords appropriate privacy for the conversation;  
e) during the conference, discuss proposed changes to the job description if necessary, ask the employee to share his/her self-assessment, and discuss your observations/feedback;  
f) document the supervisor’s evaluation of the employee’s performance informed by the conference on a review form;  
g) give the employee an opportunity to write a comment on the completed review form and ask the employee to sign the completed review form to document that he/she has received the evaluation (note that signing the form does not indicate the employee agrees with the content of the evaluation); and  
h) submit the completed review form and an updated position description (if necessary) to the Office of Human Resources.

2.03.2 **Improvement Plans Related to Annual Performance Evaluations**  
Supervisors must develop an improvement plan and attach it to the completed review form if the employee’s performance in any of the position’s duties and responsibilities or in the performance categories listed on the review form do not consistently meet expectations. The Office of Human Resources will provide guidance and support for developing an improvement plan as well as standard
forms to document plans. The intent of improvement plans related to annual performance evaluations is to help the employee meet with the performance expectations of the College; the plans are not a form of discipline.

2.01 Faculty
The College has a recognized need for regular performance evaluation of faculty members to ensure the quality and efficiency of the instructional process. Performance evaluation is also required for compliance with the standards of accrediting agencies such as the Southern Association of Colleges and Schools Commission on Colleges.

The College shall have defined performance standards for faculty members that are documented in the College’s Policy and Procedure Manual. The evaluation of instructor performance shall consider input from the instructor as the provider of instruction, from students as the receivers of instruction, and from the Associate Dean of Instruction as the supervisor of faculty members. The process will identify the professional strengths and weaknesses of each instructor and define a plan of development for the instructor to overcome weaknesses and to maintain strengths.

The complete faculty evaluation plan is distributed during full- and part-time orientation and is presented DLA Exhibits G, H, and I.

2.01.1 Purpose of Faculty Evaluation
The major purpose of the College’s faculty evaluation process is to assist each instructor in providing quality instructional services in order to fulfill the philosophy of the College.

2.01.2 Goals and Objectives of Faculty Evaluation
The goal of the evaluation of faculty is to facilitate a regular avenue for ensuring mutual communication toward ongoing improvement in instructional effectiveness.

The goal of the evaluation of instruction is to assess the conditions in which instruction is given, the teaching abilities and techniques of the instructor, and how well or poorly the instructor associates with, guides, and advises learners to a successful educational experience.

2.01.3 Instructional Standards Criteria
Quality instructional services are defined as those that provide for the mastery of a body of knowledge and skills, along with principles of scholarship and citizenship. Instructional standards that support quality instructional services include but are not limited to:

- Mastery of the instructor’s discipline;
- Clear instructional presentation to learners;
- Effective organization of course materials and activities;
- Clear communication that encourages learner response and thinking;
- A rapport with learners that stimulates the learning process; and
• Instructional techniques and assignments that enhance the learning process.

These instructional standards are what the evaluation process attempts to measure by providing a summary of instructional effectiveness.

2.01.4 Design of Instruments
The faculty evaluation committee of the College, in cooperation with the Vice President of Academic Affairs, is responsible for creating and monitoring a faculty evaluation instruments. The evaluation instruments include:

- Learner Survey (see: DLA Exhibit D)
- Instruction Observation Form (see: DLA Exhibit E)
- Faculty Evaluation Form (see: DLA Exhibit F)
- Faculty Input Form (see: DLA Exhibit B)
- Self-Assessment Form (see: DLA Exhibit C)

2.01.5 Components of the Faculty Evaluation Process
The first part of the evaluation system makes use of the instructor input form and the self-assessment form. These documents allow instructors to provide input into the evaluation process concerning the factors influencing their work environment, their teaching assignment, their own instructional performance, their committee assignments, their personal goals and objectives, their potential, and their outside activities. These forms will be submitted to the appropriate Associate Dean of Instruction for consideration in summarizing the total evaluation of the instructor.

The second part of the evaluation process is a learner survey of instruction. The learner survey of instruction will address students’ perception of the instructor’s mastery of subject, preparation, organization, attitude toward learners, grading system, attainment of course objectives, outside-of-class assignments, testing, and assistance to learners outside of the classroom. The results of these surveys are to be used by the individual instructors to identify areas of instruction that can be improved.

The third part of the evaluation procedure is faculty evaluation by the Associate Dean of Instruction (ADI). The ADI may observe the faculty member and will use the instructional appraisal form to assess the following factors: achievement of lesson objectives, lesson preparation, rapport with learners, communication ability, and teaching techniques. Also, the ADI will complete a faculty evaluation form, for each faculty member, indicating strengths and areas needing improvements. The ADI will use this form to recommend rehire, formulate a developmental action plan, or recommend termination as appropriate.

2.01.6 Timetable and Methodology for Faculty Performance Evaluations
Adjunct instructors should be evaluated according to the following schedule:

- with less than one year of service: each semester
STATUS OF EMPLOYMENT: PERFORMANCE EVALUATION

- with two or three years of service: once each year
- with over three years of service: as appropriate

Non-tenured faculty members will be observed in the classroom by the ADI twice each year. The faculty member may request such observation. Each observation will require the completion of an instructional appraisal form and a self-assessment form. The instructor and the ADI will complete the instructional appraisal form and the instructor will complete the self-assessment form no later than December 1 for the fall semester and May 1 for the spring semester.

Tenured faculty members may be observed in the classroom at the discretion of the ADI. The faculty member may request such observation. Each observation will require the completion of an instructional appraisal form by the instructor and the ADI. If a faculty member is observed, the instructor and the ADI should complete the instructional appraisal form by December 1. If a faculty member is not observed in the classroom in a particular year, the ADI should so indicate on the faculty evaluation form.

The learner survey of instruction will be administered to students during the last three weeks of the fall and spring semesters. The learner survey of instruction may be administered to all or some of the instructor’s students, but only with the approval of the appropriate ADI. The completed learner survey forms for each individual class will be turned in to the appropriate ADI no later than the last day of the semester. After completion of the survey process, the ADI will, no later than January 31 for the fall and May 31 for the spring, return the learner survey of instruction forms to the instructor.

The ADI will confer with each faculty member by February 15 of each year to discuss the instructor’s performance.

The ADI will, no later than February 28, confer with the Vice President of Academic Affairs, and the evaluations of all division faculty members will be submitted and discussed. The Vice President will assist the ADI in formulating any developmental action plans necessary for the faculty member(s). After the ADI has completed the evaluation forms, the ADI will convey the results to the faculty member immediately. The faculty member and ADI will sign the faculty evaluation form, with the instructor receiving the original form. The ADI and Vice President will each retain a copy.

The Vice President of Academic Affairs will use the faculty evaluation form along with other information as a basis for recommending appointment of each instructor for the ensuing academic year, to the College President. The ADI will review and record the progress of any developmental action plans that have been prescribed.

The Vice President of Academic Affairs will summarize the overall strengths and weaknesses of faculty instruction in a yearly report in June to the College President.

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2.01.7 Process for Resolution of Differences of Opinion
Should the occasion arise where instructors disagree with the faculty evaluation summary as given in conference by the ADI, the faculty member should present the objection in writing to the ADI and call for a second conference with the ADI. If the second conference cannot resolve the disagreement, the faculty member and the ADI will forward the faculty evaluation summaries and their comments about the disagreement, in writing, to the Vice President of Academic Affairs. The Vice President will review the disagreement and call a conference with the faculty member and ADI. The Vice President will attempt to resolve the disagreement and will provide to the faculty member a written statement detailing any resolution. Further due process will involve the presentation of all documents to the President for review and resolution. The College President will provide to the faculty member a written statement detailing any resolution. The decision of the College President is final. In no case will disagreement proceedings be used to discriminate against the faculty member in determining tenure or contract renewal.

2.01.8 Utilization of performance evaluations for Tenure and Appointment Recommendations
The faculty evaluation form will indicate the faculty member’s position as full-time or adjunct, tenured or non-tenured, summarize strengths and weaknesses, and prescribe developmental action plans if necessary. The form will also recommend renewal or nonrenewal of appointment for the ensuing academic year.

The following guidelines will govern the recommendation given:

Non-Tenured Faculty Members
If the performance evaluation for a non-tenured faculty member shows an inability to meet the instructional standards of this faculty evaluation plan, it can be a basis for non-renewal of the instructor’s appointment. However, the College has the right to modify any of the terms or conditions of employment, with or without advance notice. Nothing in this regulation creates a contract or property right to continued employment or changes the employment “at-will” relationship.

Tenured Faculty Members
The performance evaluation of a tenured faculty member could lead to a recommendation for non-renewal if good cause for dismissal is established (see: DHA Regulation, Section Two).

If the College is considering dismissal of a faculty member with tenure for behavior or performance issues that could be corrected by the faculty member within a reasonable timeframe as determined by the College, the College will take the following steps prior to dismissing the employee:
STATUS OF EMPLOYMENT: PERFORMANCE EVALUATION

a) Provide written notice to the faculty member that includes a description of the behavior or performance issue and a developmental plan to guide the faculty member in correcting the issue.

b) After issuing the notice, regular conferences with the direct supervisor will be used to monitor and document progress toward meeting expectations or correcting behavior.

c) Not later than the last Monday in February, the Vice President of Academic Affairs will apprise the President if he/she recommends not reappointing the faculty member for the next academic year.

d) The President will provide written notice to the faculty member by April 1 if the College is not going to reappoint him/her. (See Regulations DHA Section 2.04)

Adjunct Instructors
A decision to discontinue the services of an adjunct faculty member may be reached on the basis of faculty evaluation. The College has the right to modify any of the terms or conditions of employment, with or without advance notice. Nothing in this regulation creates a contract or property right to continued employment or changes the employment “at-will” relationship. An unsatisfactory evaluation may result in a developmental action plan being prescribed. The ADI may decide not to hire any adjunct faculty member for any future semester. All actions taken will be documented and sent to the Vice President of Academic Affairs and placed in the instructor's personnel file.

Every adjunct instructor shall be evaluated during the first and second semesters and thereafter as needed at the discretion of the ADI. A copy of the evaluation shall be placed in the permanent personnel file.
FACULTY INPUT FORM

Instructions: In the appropriate spaces below, enter any information that you think needs to be considered in the evaluation process. This information should be designed to remind the evaluators of anything out of the ordinary that should be considered in the process. Examples include number of preparations, number of learners in classes, new courses, major revisions of courses, committee work, and other activities that take an uncommon amount of time.

1. Describe your teaching load for both the fall and spring semesters. You may include the total number of semester hours, courses and laboratories taught, the number of learners in each, the total number of learners, the number of preparations, and what portion was considered overload, if any.

2. Describe your committee work. Include an approximation of the time you spent on this work.

3. List any other activities you wish to be considered in your evaluation.
INSTRUCTOR SELF-ASSESSMENT FORM

Name _____________________________________________________ Date _________

Please respond to the questions below. Attach additional pages if more space is needed.

1. What do you consider to be your most significant accomplishments this year?

2. What factors inhibited the attainment of your goals and objectives during this year?

3. List below those duties and responsibilities that you believe you should give more concerted attention during the coming year.

Signature _______________________________________________________________
LEARNER SURVEY

PLEASE WRITE: COURSE NUMBER AND SECTION ON THE TOP RIGHT CORNER OF SCANTRON FORM

PLEASE DO NOT WRITE YOUR NAME ON ANY OF THE MATERIALS

Section I. Use the scale below to indicate your agreement with the following statements. Each statement will have 5 possible responses:

A—Strongly Agree   B—Agree   C—Neutral   D—Disagree   E—Strongly Disagree

_________ 1. The instructor was well prepared for each class.

_________ 2. The instructor’s grading practices were consistent.

_________ 3. The instructor presented material clearly.

_________ 4. The instructor treated students with respect.

_________ 5. The instructor made assessment results available within a reasonable period of time.

_________ 6. The course requirements as stated in the course outline or syllabus were clearly and consistently applied.

_________ 7. The instructor usually followed the class schedule.

_________ 8. The instructor was available to me on matters pertaining to the course.

_________ 9. The instructor encourages me to develop Critical Thinking skills.

_________ 10. The instructor creates an atmosphere in which ideas can be exchanged freely.

PLEASE WRITE ANSWERS TO THE “COMMENTS” QUESTIONS ON THE BOTTOM RIGHT CORNER OF SCANTRON FORM.

Section II. Comments:  (Optional)

1. What are the strengths of this course?

2. What suggestions do you have for the course to be improved?

PLEASE DO NOT WRITE ON THIS SHEET.
WRITE RESPONSES ON THE RIGHT SIDE OF SCANTRON FORM.
INSTRUCTION OBSERVATION FORM

A date and time for the instruction observation is to be established by the instructor and Associate Dean of Instruction (ADI).

Part I will be completed by the instructor and returned to the ADI before the observation.

Part II will be completed by the ADI and a copy returned to the instructor after the observation, prior to or at the evaluation conference.

Instructor _________________________ Division ______________________

Date of observation ________________ Time ______________________

Class and section ____________________ Room ______________________

Part I: Lesson Description

1. Describe your objectives briefly.

2. Describe the method of instruction you plan to use.

3. How will the students be expected to participate?

4. Comments:

Part II: Lesson Review

1. Were the objectives achieved? [ ] Yes [ ] No [ ] Probably
   Comments: __________________________________________________________
   __________________________________________________________

2. Was the method of instruction appropriate and effective? [ ] Yes [ ] No [ ] Probably
   Comments: __________________________________________________________
   __________________________________________________________

3. Did the instructor appear well prepared? [ ] Yes [ ] No [ ] Probably
   Comments: __________________________________________________________
   __________________________________________________________

4. Did the instructor establish an appropriate rapport with the students?
STATUS OF EMPLOYMENT: EVALUATION

[ ] Yes [ ] No [ ] Probably
Comments: ____________________________________________________________

______________________________________________________________

5. Did the learners participate as expected? [ ] Yes [ ] No [ ] Probably
Comments: ____________________________________________________________

______________________________________________________________

6. Were support materials (A-V, etc.) used appropriately and effectively (if planned)?
[ ] Yes [ ] No [ ] Probably
Comments: ____________________________________________________________

______________________________________________________________

ADI’s general comments: ________________________________________________

______________________________________________________________

______________________________________________________________

ADI’s Signature ____________________________ Date____________________

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STATUS OF EMPLOYMENT: EVALUATION

FACULTY EVALUATION FORM

Faculty Member ___________________________ Division ___________________

The faculty member (was, was not) observed in the classroom. Date(s)______________

Rate the instructor as appropriate

<table>
<thead>
<tr>
<th>Instructional Performance</th>
<th>Satisfactory</th>
<th>Unsatisfactory</th>
<th>Did Not Observe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has adequate knowledge of subject</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uses appropriate instructional techniques</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communicates clearly with students</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organizes course work adequately</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Makes good use of class time</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Makes appropriate assignments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evaluated students in a fair and effective manner</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Establishes appropriate rapport with students</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Comments:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Performance of Routine Faculty Duties

<table>
<thead>
<tr>
<th>Performance of Routine Faculty Duties</th>
<th>Satisfactory</th>
<th>Unsatisfactory</th>
<th>Did Not Observe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organizes course work adequately</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintains adequate attendance and grade records</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Advises students as needed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Posts and maintains office hours</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Functions as member of committees as necessary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leaves classroom/laboratory facilities in proper order</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attends faculty meetings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooperates with others in carrying out instructional procedures as appropriate</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Makes appropriate textbook recommendations</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Issued: 05/2017
Page 1 of 2
STATUS OF EMPLOYMENT: EVALUATION

Comments: ____________________________________________
______________________________________________________
______________________________________________________

This faculty member is: [ ] Tenured [ ] Not Tenured

My recommendation is that the faculty member

[ ] be reemployed for another year.
[ ] not be reemployed.
[ ] be reemployed with the following developmental action suggested:

______________________________________________________
______________________________________________________
______________________________________________________

Evaluator's Signature ____________________________ Date________

I received a copy of this Faculty Evaluation Form.

Faculty Member's Signature ____________________________ Date________
## ANNUAL SCHEDULE FOR EVALUATION PROCEDURES

### NON-TENURED FACULTY

<table>
<thead>
<tr>
<th>ACTION</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Associate Dean of Instruction (ADI) observes instructor in classroom.</td>
<td>By November 15 in the fall and April 15 in the spring.</td>
</tr>
<tr>
<td>Instructor submits completed instructor input and self-assessment forms to ADI.</td>
<td>By December 1.</td>
</tr>
<tr>
<td>Instructor and ADI complete instructional appraisal forms.</td>
<td>By December 1 in the fall and May 1 in the spring.</td>
</tr>
<tr>
<td>Instructor administers learner survey of instruction to students.</td>
<td>During the last three weeks of the semester (fall and spring).</td>
</tr>
<tr>
<td>Instructor submits completed learner surveys to the ADI.</td>
<td>No later than the last day of the semester (fall and spring).</td>
</tr>
<tr>
<td>ADI returns completed learner surveys (or summaries of tabulations) to the instructor.</td>
<td>By January 31 for fall surveys or by May 31 for spring surveys.</td>
</tr>
<tr>
<td>ADI gives the completed faculty evaluation form to the instructor.</td>
<td>By February 15.</td>
</tr>
<tr>
<td>The instructor signs all copies and will be given the original. The instructor and the ADI will discuss the recommendation. ADI retains a copy of the completed and signed form.</td>
<td></td>
</tr>
<tr>
<td>ADI meets with the Vice President of Academic Affairs (VPAA) to discuss faculty evaluation forms and to formulate any needed developmental action plans for the faculty.</td>
<td>February 28.</td>
</tr>
<tr>
<td>The VPAA gives annual report of faculty strengths and weaknesses to the College President.</td>
<td>By June 30.</td>
</tr>
<tr>
<td>ADI observes instructor in the classroom.</td>
<td>By December 1.</td>
</tr>
<tr>
<td>Instructor and ADI completes instructional appraisal forms.</td>
<td>By December 1.</td>
</tr>
</tbody>
</table>
### ANNUAL SCHEDULE FOR EVALUATION PROCEDURES

**TENURED FACULTY**

<table>
<thead>
<tr>
<th>ACTION</th>
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<tbody>
<tr>
<td>Instructor administers learner survey of instruction to students.</td>
<td>During the last three weeks of the semester (fall and spring).</td>
</tr>
<tr>
<td>Instructor submits completed learner surveys to the Associate Dean of Instruction (ADI).</td>
<td>No later than the last day of the semester (fall and spring).</td>
</tr>
<tr>
<td>ADI returns completed learner surveys to the instructor.</td>
<td>By January 31 for fall surveys and May 31 spring surveys.</td>
</tr>
<tr>
<td>Instructor submits completed self-assessment form to ADI.</td>
<td>By December 1.</td>
</tr>
<tr>
<td>Instructor submits completed instructor input form. *</td>
<td>By December 1.</td>
</tr>
<tr>
<td>ADI gives the completed faculty evaluation form to the instructor. The instructor signs all copies and will be given the original. The instructor and the ADI will discuss the recommendation. The ADI retains a copy of the signed form.</td>
<td>By February 15.</td>
</tr>
<tr>
<td>ADI meets with the Vice President of Academic Affairs (VPAA) to discuss faculty evaluation forms and to formulate any needed developmental actions for the faculty.</td>
<td>By February 28.</td>
</tr>
<tr>
<td>The VPAA gives annual report of faculty strengths and weaknesses to the College President.</td>
<td>By June 30.</td>
</tr>
</tbody>
</table>

*Optional at the discretion of the ADI or at the request of the instructor.*
## STATUS OF EMPLOYMENT: EVALUATION

### ANNUAL SCHEDULE FOR EVALUATION PROCEDURES

#### ADJUNCT FACULTY

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Associate Dean of Instruction (ADI) observes instructor in the classroom. *</td>
<td>By November 30 in the fall and April 30 in the spring.</td>
</tr>
<tr>
<td>ADI and instructor completes instructional appraisal forms. *</td>
<td>By December 1 in the fall and May 1 in the spring.</td>
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<td>Instructor administers learner survey of instruction to students.</td>
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</tr>
</tbody>
</table>

*ADI or other qualified College personnel.

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Angelina College
003501

PERSONNEL POSITIONS

FACULTY

FULL-TIME

Full-time faculty are exempt contract employees (exempt from Fair Labor Standards Act) whose primary assignment is teaching. Combined lecture, laboratory, and office hours shall total 35 per week. Full-time faculty may be on a nine-month contract (34 weeks), a ten and one-half month contract (42 weeks), or a 12-month contract (48 weeks). Their contracted salary is reduced to a monthly amount for payroll purposes. Under appropriate conditions an hourly rate may be applicable.

PART-TIME

Part-time faculty are exempt employees whose primary assignment is teaching. Combined lecture and laboratory hours shall not exceed seven semester credit hours per week. Their salary is reduced to a monthly amount for payroll purposes. Under appropriate conditions an hourly rate may be applicable.

ADMINISTRATORS

FULL-TIME

Full-time administrators are contract employees whose primary assignment is supervision of full time employees and budget management. These employees may teach in addition to their primary duties. Full-time administrators may be on a 12-month contract (48 weeks) or a ten and one-half month contract (42 weeks).

Administrative employees are expected to spend whatever time is necessary to perform their assigned duties. There is no overtime pay allowance and no compensating time guarantee. They should be available when and where necessary to ensure proper supervision of all operations and activities, and maintain a minimum standard 40-hour work week.

PART-TIME

Part-time administrators are contract employees whose primary assignment is supervision of other employees and budget management. Part time administrators should work a schedule that does not exceed 19.5 hours per week, pursuant to their contract.

NON-TEACHING PROFESSIONALS

Non-teaching professionals are employees with professional assignments whose primary assignment is not teaching. These employees are exempt from provisions of the Fair Labor Standards Act. Their assignment is of a professional nature, but does not normally involve supervisory responsibilities of a number of fulltime employees and/or broad budgetary responsibilities.

Non-teaching employees are expected to spend whatever time is necessary to perform their assigned duties. There is no overtime pay allowance and no compensating time guarantee. They should be available when and where necessary to ensure proper completion of all operations and activities, and normally maintain a minimum standard 40-hour work week.
Angelina College
003501

PERSONNEL POSITIONS

CLASSIFIED SUPPORT

FULL-TIME

Part-time classified support staff are hourly, non-contract employees who serve at-will and who maintain either a 35 or a 40 hour work week. Classified employees are subject to provisions of the Fair Labor Standards Act and must keep time records.

PART-TIME

Part-time classified support staff must not exceed 19.5 hours per week on an hourly basis.

STUDENT

FEDERAL COLLEGE WORK STUDY

Student employees in the federal college work study program must qualify under Federal requirements and demonstrate financial need. The maximum work schedule is normally 15 hours per week during the fall and spring semesters, and 35 hours per week during the summer. Full- and part-time students are eligible if they maintain satisfactory academic progress.

TEXAS COLLEGE WORK STUDY

Student employees in the Texas college work study program must qualify under the TCWS program provisions. They may work only during the fall and/or spring semester, not the summer. They must have financial need. The maximum work schedule is normally 15 hours per week. Full and part-time students are eligible if they maintain satisfactory academic progress.

NON-WORK STUDY

Non-work study student employees are defined the same as above, except eligibility is not based upon need.
INSTRUCTOR JOB DESCRIPTION

It is understood that no job description will specify every professional responsibility of the position described. When an individual accepts a full-time assignment, that person assumes the responsibilities of meeting the reasonable needs of students and of actively assisting the College District as it strives to fulfill its mission and role. These responsibilities may therefore require the faculty member to undertake professional duties or possess special capabilities for a specific position that are not specifically mentioned in the general job description.

The faculty member is generally responsible for the overall duties associated with providing quality instruction and facilitating the optimal education for students. The faculty member is directly responsible to the appropriate division director and the vice president and dean of instruction for the following:

WORKLOAD

1. Teach 14 to 16 semester hours per semester of organized courses according to the bulletin description, the syllabus, and the schedule of classes, or an equivalent load considering special circumstances.

2. Assist the division director in advising students and maintaining degree plans as necessary within the division.

3. Participate and communicate as individuals and as members of faculty committees in promoting, developing, and improving the instructional and student service programs of the College District, the educational image and philosophy of the College District, and the operational practices, policies, and procedures of the College District.

4. Assist in the student registration process as recommended by the office of admissions, with the approval of the instructor’s division director.

CLASSROOM

5. Create a wholesome, meaningful environment for learning in the classroom and laboratory.

6. Faculty shall not tolerate a student’s behavior that causes disruptions to this learning environment. Should this type of behavior occur, the instructor has the authority to remove said student from the classroom and refer student to the instructor’s immediate supervisor.
7. At the beginning of the semester, distribute appropriate course information to students in each class according to the published course information policy.

8. Emphasize to students the importance of prompt, regular, and continuous class attendance according to the College District student attendance policy.

9. Maintain accurate attendance and academic records of students enrolled in class according to College District grading policies and procedures.

10. Submit semester class rolls, final class rolls, final grades, and grade book records to the office of admissions according to the directives of the office. Public posting of final course grades is at the discretion of the instructor but permission from the students is required or a confidential posting system must be used. All other grades should be communicated to the student throughout the course in a timely manner.

11. Develop and proctor all course examinations.

COMMUNICATIONS

12. Post and hold office hours.

13. Counsel students concerning problems related to the instructional program. Counseling for personal, disciplinary, or other type problems may, in the judgment of the instructor, be referred to the counselors in student services.

14. Aid in planning instructional programs and policies in cooperation with the appropriate instructional administrator.

15. Prepare appropriate and current course syllabi according to the syllabus preparation policy for review with the division director.

16. Cooperate with other instructors in creating, developing, and implementing instructional procedures.

17. Attend scheduled faculty meetings, division meetings, and committee meetings.

18. Present problems and recommendations involving an instructor’s work to the division director for consideration.
19. Review and uphold the established policies and procedures of the College District and openly communicate with the vice president and dean of instruction, through appropriate channels, problems, grievances, or suggestions.

20. Confer with the appropriate instructional administrator at the end of the academic year.

21. Assist in the recruitment of students where appropriate.

22. Serve as a good public relations agent, both in the classroom and the community.

23. Strive for continued professional growth through attendance and participation in professional meetings, subject area meetings, faculty development programs, further education, or other appropriate means.
Sexual harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an employee, student, or group of employees or students because of his or her gender and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment; or

2. Has the purpose or effect of unreasonably interfering with an individual’s performance of duties or studies; or

3. Otherwise adversely affects an individual’s employment or academic opportunities

Harassing conduct includes (1) epithets, slurs, negative stereotyping, threatening intimidation, or hostile acts that relate to gender; and (2) written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of gender and that is placed on walls, bulletin boards, elsewhere on College District premises, or is circulated in the work place.

Employees shall not engage in conduct constituting sexual harassment. College District officials or their agents shall investigate all allegations of sexual harassment and officials shall take prompt and appropriate disciplinary action against employees found to engage in conduct constituting sexual harassment.

An employee or student who believes he or she has been or is being subjected to any form of sexual harassment shall bring the matter to the attention of the appropriate dean or their immediate supervisor, in accordance with the procedures in the College District’s grievance policy. [See DGBA(LOCAL)] However no procedure or step in that policy shall have the effect of requiring the employee or student alleging harassment to present the matter to a person who is the subject of the complaint, nor shall a sexual harassment complaint be dismissed because it is not filed within the time lines set out in DGBA(LOCAL).

It is the policy of the College to provide a work environment free from oppression, harassment and hostility.
Notice of Employee Rights

What is the College District policy concerning sexual harassment?

The College District forbids employees from engaging in conduct that constitutes sexual harassment of other employees or of students.

The College District encourages employees to come forward with allegations of sexual harassment or misconduct in the workplace. Employees who report sexual harassment will not be subjected to adverse treatment for reporting the harassment.

What is sexual harassment?

“Sexual harassment” includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Such conduct constitutes sexual harassment when submission to such conduct is made a term or condition of employment or has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. “Sexual harassment” includes same-sex harassment when the harassment constitutes discrimination because of sex.

What laws address sexual harassment?

Title VII is a federal law that prohibits discrimination on the basis of race, color, religion, sex, or national origin. The Texas Labor Code, Section 21.051, makes it an unlawful employment practice for an employer to discriminate on the basis of race, color, disability, religion, sex, national origin, or age.

Title VII does not prohibit genuine but innocuous differences in the way men and women routinely interact with members of the same sex and of the opposite sex. It forbids only behavior so objectively offensive as to alter the “conditions” of the victim’s employment.

What do I do if I believe I have been the victim of sexual harassment?

Employees are encouraged to report allegations of sexual harassment as soon as possible. Complaints may be brought to your supervisor, or the Title IX coordinator. You may make your request in writing or orally, and you are encouraged to file your complaint promptly, so that any problems may be resolved at the earliest possible time. Although the College District will not reject any such complaint because it is filed too late, employees should understand that the sooner the issue is brought to the College District’s attention, the sooner it can be resolved.
What will happen once I file a complaint?

Whether you report your problem to an appropriate administrator, your supervisor, or the Title IX coordinator, the process will be the same. If you have made your complaint orally, the supervisor will reduce it to writing and ask you to verify that it has been transcribed accurately. The supervisor will hold a conference with you as soon as possible, but at the latest, within ten days. Following the conference, the supervisor ordinarily will have ten calendar days to offer a response, unless the investigation takes longer to resolve. You will be informed if there is a delay in the response.

What if I’m not happy with my supervisor’s response?

The College District provides a three-level complaint process. If you are not satisfied with the initial outcome, you may appeal to the College President or the College President’s designee. The College President or designee will hold another conference with you and attempt to resolve the situation. If you still feel that the problem has not been solved, you may appeal to the Board of Trustees.

How will the College District respond to claims of sexual harassment?

The College District will respond promptly to all allegations of sexual harassment. Prompt remedial action, reasonably calculated to end the harassment, will be taken when claims are substantiated.

Will my complaint be confidential?

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.
### SECTION E: INSTRUCTION

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
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<tbody>
<tr>
<td>EB</td>
<td>BRANCH CAMPUSES AND DISTANCE LEARNING</td>
</tr>
<tr>
<td>EBB</td>
<td>Distance Learning</td>
</tr>
<tr>
<td>EC</td>
<td>INSTRUCTIONAL ARRANGEMENTS</td>
</tr>
<tr>
<td>ED</td>
<td>INSTRUCTIONAL RESOURCES</td>
</tr>
<tr>
<td>EDAA</td>
<td>Libraries and Laboratories</td>
</tr>
<tr>
<td>EDD</td>
<td>Copyrighted Materials</td>
</tr>
<tr>
<td>EF</td>
<td>CURRICULUM DESIGN</td>
</tr>
<tr>
<td>EFCB</td>
<td>Adult and Continuing Education</td>
</tr>
<tr>
<td>EG</td>
<td>ACADEMIC ACHIEVEMENT</td>
</tr>
<tr>
<td>EGA</td>
<td>Grading and Credit</td>
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</tbody>
</table>
The office of distance learning at the College, in collaboration with instructional division directors, has a responsibility to support credit course instruction offered at off-campus teaching centers in the 12-county service area of East Texas. [See AC(LOCAL)] The office serves as a contact for the arrangement of instruction, dealing with public school officials, selection of courses, assignment of instructors, registration, and assistance to support instructors and students in the teaching/learning process. The office also works closely with the vice president of community services in supervising off-campus coordinators and night supervisors, securing facilities, and addressing problems relating to the operation of teaching centers. The vice president of community services also schedules continuing education courses and programs in the same facilities used for credit instruction and ensures the payment of building-use fees for all off-campus instruction held in high school or other facilities.

The distance learning office also supports instructors and students who utilize the Internet, TeleVideo, and Virtual College of Texas for registration, enrollment, and instruction. These means of instruction present numerous instructional opportunities for instructors and students and are all available through the College District.

**VIRTUAL COLLEGE OF TEXAS**
The VCT (Virtual College of Texas) is a collaboration of Texas’ 50 community college districts that functions as a service of the Texas Association of Community Colleges. Through VCT, students may take courses from colleges anywhere in Texas while receiving support services from a local college where they enroll.

**TELEVIDEO**
TeleVideo is an arrangement whereby various public schools can access a college class simultaneously from multiple locations and the instructor and students can see and hear each other.

Finally, the office of distance learning arranges for an extensive program of concurrent enrollment classes for high school students in school districts throughout the service area. Responsibilities of the office include the identification of schools where classes are held, enrollment of students determined eligible, recruiting instructors, and supporting the teaching/learning process.
COURSE SYLLABUS

The syllabus informs each student of the instructional aims, the course content, course requirements, instructional activities, and methods of evaluation. It is a guide to the expectations and rules to promote the teaching-learning process. It is reviewed during the first day of class.

The format for the course syllabus is distributed to all full-time faculty by the division directors. The approved syllabus will be used by all instructors to guide their preparation and presentation in the assigned class(es).

The course information distributed to the students includes, but is not limited to, the following:

1. Course number, title, description, prerequisites, credit hours, intended audience, instructor’s name, office location, and office hours.

2. Course objectives and assessment criteria.
   a. Core competencies—reading, writing, speaking, critical thinking; exemplary objectives as outlined by THECB; other specific objectives common to all sections; enabling objectives that may vary among sections.
   b. Specific assessments for each of the core competencies and all objectives.

3. Description of instructional procedures—various strategies.

4. Requirements and policies—text(s), supplemental materials, equipment, assignments, due dates, schedules, attendance punctuality, classroom behavior, test make-up, late work.

5. Content—required topics/units.


7. Statement on syllabus revisions.

INSTRUCTIONAL PROCEDURES

Students or guests should not be allowed in class on a continuing basis unless they are on the class roll as a registered student except in the following situations:
### AUDIT, CLASS ROLLS

1. The student presents a class-add form;

2. Permission to audit is received from the Records office; or

3. Special permission is received from the Vice President and Dean of Instruction.

When space is available, permission to audit a course may be obtained from the admissions office. Auditing students are not required to meet course prerequisites listed in the bulletin. Students auditing a course may not under any circumstances claim credit for the course. A student who is registered for a course may not change from audit to credit, or credit to audit after the scheduled add-drop period. Charges for auditing a course are the same as regular tuition and fees.

### CLASS COVERAGE

All classes must meet as scheduled. If unable to meet a class, the faculty member must notify the division director; in the event the director is not available, notify the office of the Vice President and Dean of Instruction. No “walks” are allowed.

When absent from campus during scheduled class, campus, or office hours, the division director should be informed.

### FINAL EXAMS

All instructors should offer their final exam according to the published schedule each semester. All proposed changes to the published schedule each semester must receive approval from the Vice President and Dean of Instruction.

### GUEST SPEAKERS

As a rule, individual faculty members should use discretion, diplomacy, and common sense regarding the invitation of speakers to their classes. The division director and Vice President and Dean of Instruction should be informed of guests in advance and grant approval for their appearance.

### GUESTS AND CHILDREN IN CLASSROOM, ON CAMPUS

Instructors are responsible for providing a quality instructional environment that facilitates optimal education for students. [See instructor job description, DNA] Faculty members should generally not allow a student’s guests or children to visit classes. Young children should not be left unattended or unsupervised on campus. When children are present for scheduled learning activities, the parent or guardian remains responsible for the well-being of the child.

### STUDENT COURSE SCHEDULES AND

The normal load during a long session (fall and spring semesters) is five courses. Physical education activity courses, and other one hour courses...
INSTRUCTIONAL ARRANGEMENTS

LOAD may be added to the normal course load. However, no student will be permitted to enroll for more than 18 semester credit hours without the permission of the Vice President and Dean of Instruction. The normal load during each summer session is seven semester hours. The maximum load for each summer session is eight semester hours.
TEXTBOOKS

Textbooks, generally, should not be changed in less than two years due to the costs to the student and the bookstore. Changes should be planned at least 60 days in advance of use according to the published dates on the calendar of activities for the Educational Programs Advisory Council. When a change is desired, the following procedure should be used:

1. Using the textbook designation form or the textbook discontinuation form as appropriate; textbooks, workbooks and any required materials must be submitted by the division director to the Vice President and Dean of Instruction. The Vice President and Dean of Instruction will submit the approved copy to the bookstore.

2. Book lists will be furnished to each division director. If you are planning to discontinue a text, mark through the title in red on your book list and complete discontinuation and designation forms along with estimate enrollment.

3. Edition changes only may be submitted in a memo to the bookstore with a copy to the office of Vice President and Dean of Instruction.

INSTRUCTIONAL SUPPLIES

The bookstore must be contacted first to requisition all supplies. Only if unavailable through the bookstore will other vendors be approved.

In no case should an instructor sell materials directly to students in a credit class without prior approval from the Vice President and Dean of Instruction or the vice president of community services in a non-credit class.

The supply costs should be kept to a minimum for each student.

The required supplies should be listed on the syllabus.

All purchasing policies distributed from the business office must be followed. [See CF(LOCAL)]

Instructor-prepared materials (syllabus, notes, study guides, etc.) sold to the student through the bookstore must have written approval from the Vice President and Dean of Instruction in a credit class or the vice president of community services in a non-credit class.
The library collections, including books, copies of bound and current periodicals, and audiovisual materials, shall be a sufficient size and quality to ensure effectiveness in the instructional program on and off-campus. Provisions must be made in the annual budget to keep the collection in good repair and to provide for continual improvement to meet current educational needs and trends. The library collection shall be inventoried periodically with recognized college library lists.

Circulation records that reflect student and faculty utilization of the library facilities shall be maintained. A program of orientation for the use of the library shall be maintained for freshman students.

The physical environment of the library shall be attractive and have adequate lighting, standard library furniture, fixtures, and equipment, adequate seating capacity, and sufficient work space for the library staff.

<table>
<thead>
<tr>
<th>LIBRARY POLICIES AND PROCEDURES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>BOOKS</td>
<td>Books from the regular collection are checked out for two to three weeks depending on the day they are checked out. Faculty members are expected to return their books on or before their date due unless special arrangements have been made to keep them for class use. Faculty are responsible for materials and equipment checked out to them. A statement will be sent for non-returned and damaged material based on replacement costs.</td>
</tr>
<tr>
<td>RESERVE BOOKS</td>
<td>Books that are involved in special assignments may be placed on reserve by faculty members for restricted use. These books are shelved behind the circulation desk and are restricted to library use only, overnight use, three-day reserve, or seven-day reserve, according to the wishes of the faculty member who placed them on reserve.</td>
</tr>
<tr>
<td>REFERENCE BOOKS</td>
<td>Such works as dictionaries, encyclopedias, almanacs, and certain other reference books so designated are to be used in the library only.</td>
</tr>
<tr>
<td>PERIODICALS</td>
<td>Magazines, newspapers, journals, etc., do not circulate outside the library.</td>
</tr>
<tr>
<td>AUDIOVISUAL AND OTHER NON-BOOK MATERIALS</td>
<td>The library has a collection of recordings, both audio and video, that may be used by faculty in connection with their classes. These materials may also be borrowed for short periods of time for personal use. Again, faculty members are expected to return A-V materials as soon as they are finished with them. All film rentals and use of other A-V equipment and materials are scheduled through the library. The classroom in the library must be scheduled in advance in order to be used for production and presentation of video tapes and certain other audiovisual materials.</td>
</tr>
</tbody>
</table>
The library maintains a collection of clippings, pamphlets, and other ephemeral material known as the Vertical File. This material does not circulate.

**COLLECTION DEVELOPMENT**  
Faculty members are expected to request relevant and current materials related to their discipline. The forms are provided in the library at the circulation desk.

The library staff is guided by a weeding policy and should periodically identify books to be removed from the collections. Faculty members must confirm that all of the materials are no longer relevant for current or archival use. The materials may then be discarded.

**COMMUNITY USE**  
Public school students and citizens of Angelina County will be permitted to use the library. However, only books may be checked out for three-day use.

**SUPPORT SERVICES**  
The library provides copiers and typewriters.

**INTERLIBRARY LOAN**  
This service is provided to all users within the limitations of the ALA membership.

**PROFESSIONAL DEVELOPMENT**  
The faculty has a designated area for their books and periodicals related to current issues in the teaching-learning process. A faculty committee previews all materials recommended by the dean of instruction and admissions.

**GIFTS**  
A gift may be accepted, the use of which is subject to the condition of supporting the mission and goals of the College District and the library. All gifts become a part of the collection and subject to the College District disposal of surplus property policy. [See CAM(LOCAL)]
Employees and students shall comply with the provisions of the United States Copyright Law. Subject to certain specific exceptions, as stated below, 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. This policy applies to all full-time and part-time faculty, staff, students and student employees of Angelina College.

An exception to the exclusive rights enjoyed by copyright owners is the doctrine of fair use. The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. The following factors shall be considered in determining fair use:

1. The purpose and character of use, including whether the use is of a commercial nature or for non-profit educational purposes.

2. The nature of the copyrighted work.

3. The amount and importance of the portion used in relation to the copyrighted work as a whole.

4. The effect of the use upon the potential market for or value of the copyrighted work.
AGREEMENT ON GUIDELINES FOR CLASSROOM COPYING IN NOT-FOR-PROFIT EDUCATIONAL INSTITUTIONS

I. Single Copying for Teachers

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:


b. An article from a periodical or newspaper.

c. A short story, short essay, or short poem, whether or not from a collective work.

d. A chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

II. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

a. The copying meets the tests of brevity and spontaneity as defined below.

b. The copying meets the cumulative effect test as defined below.

c. Each copy includes a notice of copyright.

Definitions

Brevity

(i) Poetry: (a) A complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.

(ii) Prose: (a) Either a complete article, story, or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

[Each of the numerical limits stated in “i” and “ii” above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.]
(iii) Illustration: One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

(iv) “Special” works: Certain works in poetry, prose, or in “poetic prose” which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph “ii” above notwithstanding such “special works” may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than ten percent of the words found in the text thereof, may be reproduced.

Spontaneity

(i) The copying is at the instance and inspiration of the individual teacher, and

(ii) The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect

(i) The copying of the material is for only one course in the school in which the copies are made.

(ii) Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

(iii) There shall not be more than nine instances of such multiple copying for one course during one class term.

[The limitations stated in “ii” and “iii” above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.]

GUIDELINES FOR EDUCATIONAL USES OF MUSIC

Permissible Uses

1. Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course.

   (a) For academic purposes other than performance, multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which
would constitute a performable unit such as a section, movement or aria, but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per student.

(b) For academic purposes other than performance, a single copy of an entire performable unit (section, movement, aria, etc.) that is, (1) confirmed by the copyright proprietor to be out of print or (2) unavailable except in a larger work, may be made by or for a teacher solely for the purpose of his or her scholarly research or in preparation to teach a class.

2. Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.

3. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.

4. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

17 U.S.C. 107 historical note
The faculty are primarily responsible for the content, quality, and effectiveness of the curriculum. The College District shall designate or appoint an academically qualified lead instructor or program director to provide coordination for each academic unit, which shall include curriculum development or review. Each lead instructor and program director reports to one of six Associate Deans of Instruction, who each lead one division of Academic Affairs (Health Careers, Technology & Workforce, Social & Behavioral Sciences and Business, Language Arts & Education, Science & Mathematics, and Fine Arts). The Associate Deans of Instruction report to the Vice President of Academic Affairs (VPAA), who also serves as the College District’s SACSCOC Accreditation Liaison. The VPAA reports directly to the College President.

All curriculum changes must be reviewed and approved through the process described below prior to implementation.

1. When an employee of the College District identifies a potential curriculum change, he/she should communicate the idea to the lead instructor or program director assigned to the relevant academic discipline or program.

2. The lead instructor or program director will consult with the supervising Associate Dean of Instruction about the idea. If the idea involves a vocational program, the lead instructor or program director will also solicit and document the Program Advisory Committee’s feedback on the idea.

3. If the lead instructor or program director and the Associate Dean of Instruction agree the idea merits further consideration, the Associate Dean sends a proposal to the VPAA/Accreditation Liaison outlining the idea; he/she should attach completed Texas Higher Education Coordinating Board forms and Program Advisory Committee feedback documentation if applicable.

If the proposal involves the launch of a new academic program, the documentation should include (a) a three-year analysis of anticipated student demand for the program; (b) presentation of data indicating the existence of current or anticipated labor market demand; (c) a list of senior institutions offering bachelor’s degrees with which the new program will articulate; (d) a detailed projection of startup costs - including instructors, nonteaching personnel, technology, physical resources, equipment, expanded
student services, and library resources; (e) a detailed five-year financial pro forma detailing anticipated operating expenses and revenues.

4. The VPAA/Accreditation Liaison reviews the proposal documentation. If the VPAA determines the proposal would result in a substantive change if it were implemented, the VPAA shall review the Local EF - Substantive Change policy with the Associate Dean of Instruction and lead instructor or program director, and ensure the substantive change procedure described in Local EF is executed.

5. The VPAA forwards the proposal documentation to the Education Programs Standing Committee for review and consideration. The chair of the Education Programs Committee will assign the proposal to the Curriculum Review Subcommittee.

6. The subcommittee will schedule a hearing of the proposal. The hearing may be broadcasted electronically using College District resources (e.g., Blackboard Collaborate, interactive television, etc.) to facilitate broad participation in the hearing. The hearing shall be publicized to the entire College District through the Office of Communication. The chair of the subcommittee shall ensure minutes of the hearing are documented. The initiating employee, lead instructor or program director, the Associate Dean of Instruction, Registrar, Dean of Student Affairs, any member of the faculty, and any interested student may present arguments for or against the proposal to the subcommittee. The subcommittee chair may set reasonable limits on the time allotted for comments/arguments from each individual.

7. Once all comments/arguments have been heard, the subcommittee shall enter closed session to consider the proposal. The subcommittee may approve a proposal as presented, approve with conditions stipulated, return for revision, or reject the proposal. When considering the proposal, the subcommittee will review:
   • Compatibility with the purpose, philosophy, mission, and financial resources of the College District;
   • Compliance with state and federal requirements, including the Guidelines for Instructional Programs in Workforce Education (GIPWE) and the Lower Division Academic Course Guide Manual (ACGM);
8. The subcommittee chair shall forward its recommendation to the chair of the Education Programs Committee in writing with the minutes of the hearing.

9. The chair of the Education Programs Committee shall introduce the proposal, subcommittee recommendation, and subcommittee hearing minutes at the next Education Programs Committee meeting for the Standing Committee’s consideration and approval. The Standing Committee may approve a proposal as presented, approve with conditions stipulated, return for revision, or reject the proposal.

10. When a proposal is approved by the Education Program Standing Committee, the chair will forward the Standing Committee’s recommendation to the College President, VPAA, and all Associate Deans of Instruction.

11. If the proposal involves a new program or program termination, the VPAA and College President will consider the proposal documentation and Standing Committee and subcommittee recommendations and records to consider the proposal. The VPAA and President may approve a proposal as presented, return for revision, or reject the proposal.

12. If the College President and VPAA approve a proposal to launch a new program or terminate a program, the President shall place the proposal on the agenda of the next regular Board of Trustees meeting for Board action.
The VPAA/Accreditation Liaison shall ensure the College District complies with all relevant SACSCOC processes and standards, program accreditation processes and standards if applicable, and Texas Higher Education Coordinating Board processes and regulations prior to and throughout the implementation of the approved curriculum change.
SECTION ONE
SUBSTANTIVE CHANGE POLICY & PROCEDURE

The College’s Substantive Change Policy & Procedure is based on Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Policy Substantive Change for SACSCOC Accredited Institutions (http://www.sacscoc.org)

1.01 Purpose
Angelina College will work to ensure all incidences of substantive change are reported in a timely manner. The College will establish a process for adherence to the policies and guidelines of SACSCOC related to institutional change. In accordance with SACSCOC policies, the College will notify the Commission on Colleges of substantive changes and will seek approval prior to the initiation of changes when appropriate. SACSCOC requires all substantive changes that occur after an institution’s decennial review to be submitted in the next Compliance Certification.

SACSCOC policy states, “Substantive change is a significant modification of expansion of the nature and scope of an accredited institution” (SACSCOC, 2016). Table 1 specifies substantive changes with approval and notification requirements as identified by SACSCOC.

<table>
<thead>
<tr>
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<th>Documentation and Time Frame for Contacting SACSCOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiating coursework or programs at a different level than currently approved</td>
<td>SACSCOC Procedure 1</td>
<td>No</td>
<td>Yes</td>
<td>Application for Level Change</td>
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<td>Due dates:</td>
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<td>March 15 (for June review)</td>
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<td></td>
<td>September 1 (for Dec review)</td>
</tr>
<tr>
<td>Initiating off-campus sites where student can obtain 50% or more credits toward a program (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs that are not at employer’s request and not on short notice)</td>
<td>SACSCOC Procedure 1</td>
<td>No</td>
<td>Yes</td>
<td>Cover Sheet Prospectus (See Appendix B of this document)</td>
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<td>Due dates:</td>
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<td>January 1 for 7/1-12/31 implementation July 1 for 1/1-6/30 implementation</td>
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<tbody>
<tr>
<td>Expanding at current degree level <em>(significant departure from current programs)</em></td>
<td>SACSCOC Procedure 1</td>
<td>No</td>
<td>Yes</td>
<td>Cover Sheet Prospectus <em>(See Appendix B of this document)</em>&lt;br&gt;Due dates: January 1 for 7/1-12/31 implementation July 1 for 1/1-6/30 implementation</td>
</tr>
<tr>
<td>Expanding program offerings at previously approved off campus sites by adding programs that ARE significantly different from current programs at the site AND at the institution</td>
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<tr>
<td>Initiating degree completion programs</td>
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<tr>
<td>Initiating a branch campus <em>(See definition of “branch campus” on p. 3 of this document.)</em></td>
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<tr>
<td>Initiating distance learning by offering 50% or more of the first program for the first time</td>
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<tr>
<td>Relocating a main or branch campus</td>
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<tr>
<td>Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides 25% or more of an educational program offered by the SACSCOC accredited institution</td>
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<tr>
<td>Initiating dual or joint degrees involving program expansion (significant departure) or initiating a new site where student can obtain 50% or more credits toward a program</td>
<td>See SACSCOC Policy &quot;Agreements Involving Joint and Dual Academic Awards&quot;</td>
<td>No</td>
<td>Yes</td>
<td>Cover Sheet Prospectus (See Appendix B of this document)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Due dates: January 1 for 7/1-12/31 implementation July 1 for 1/1-6/30 implementation</td>
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<td></td>
<td>Copy of signed agreement, contact information for each institution, and additional details on non-SACSCOC institution(s) involved. See Policy.</td>
</tr>
<tr>
<td>Initiating dual or joint degree with at least one institution not accredited by SACSCOC</td>
<td>See SACSCOC Policy &quot;Agreements Involving Joint and Dual Academic Awards&quot;</td>
<td>At least 6 months prior to implementation</td>
<td>Yes</td>
<td>Acceptance of notification, copy of signed agreement, contact information for each institution, and additional details on non-SACSCOC institution(s). See Policy.</td>
</tr>
<tr>
<td>Initiating a direct assessment competency-based program</td>
<td>See SACSCOC Policy &quot;Direct Assessment Competency-Based Educational Programs&quot;</td>
<td>Yes – Screening Form</td>
<td>Yes</td>
<td>Submit &quot;Screening Form&quot; with letter of notification. If Prospectus is required, Due dates: March 15 (for June review) September 1 (for December review)</td>
</tr>
<tr>
<td>Initiating a merger/consolidation with another institution</td>
<td>See SACSCOC Policy: &quot;Mergers, Consolidations, Change of Ownership, Acquisitions, and Change of Governance, Control, Form, or Legal Status&quot;</td>
<td>Yes</td>
<td>Yes</td>
<td>Cover Sheet Institutional Summary Form Prospectus (See Appendix in SACSCOC Policy: “Mergers, Consolidations, Change of Ownership, Acquisitions, and Change of Governance, Control, Form, or Legal Status”)</td>
</tr>
<tr>
<td>Changing governance, ownership, control, or legal status of an institution</td>
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<tr>
<td>Acquiring any program or site from another institution</td>
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<tr>
<td>Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing</td>
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<tr>
<td>Due dates: March 15 (for June review); September 1 (for December review)</td>
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<tr>
<td><strong>Initiating a certificate program at a new off campus site at employer’s request and on short notice (previously approved program)</strong></td>
<td>SACSCOC Procedure 1</td>
<td>No</td>
<td>Yes</td>
<td>Cover Sheet Modified prospectus Contact Commission Staff.</td>
</tr>
<tr>
<td><strong>Initiating a certificate program that is a significant departure from previously approved programs at employer’s request and on short notice</strong></td>
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<td><strong>Adding a site under a U.S. military contract for a previously approved program</strong></td>
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<tr>
<td><strong>Altering significantly the length of a program</strong></td>
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<tr>
<td><strong>Altering significantly the educational mission of the institution</strong></td>
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<tr>
<td><strong>Changing from clock hours to credit hours</strong></td>
<td>SACSCOC Procedure 1</td>
<td>No</td>
<td>Yes</td>
<td>Justify reasons for change, indicate calculation of equivalency, and other pertinent information</td>
</tr>
<tr>
<td><strong>Moving an off-campus instructional site (serving the same geographic area)</strong></td>
<td>SACSCOC Procedure 2</td>
<td>Yes</td>
<td>No</td>
<td>Letter of notification with old address, new address, and implementation date</td>
</tr>
<tr>
<td><strong>Initiating dual or joint degrees with other SACSCOC accredited institution(s)</strong></td>
<td>See SACSCOC Policy “Agreements Involving Joint and Dual Academic Awards”</td>
<td>At least 6 months prior to implementation</td>
<td>No</td>
<td>Acceptance of notification, copy of signed agreement and contact information for each institution. See Policy.</td>
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<tr>
<td>Initiating programs or courses offered through contractual agreement or consortium</td>
<td>SACSCOC Procedure 2</td>
<td>Yes</td>
<td>No</td>
<td>Letter of notification and copy of signed agreement</td>
</tr>
<tr>
<td>Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides less than 25% of an educational program offered by the SACSCOC accredited institution</td>
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<td>Types of Change</td>
<td>Procedure or Policy</td>
<td>Prior Notification Required</td>
<td>Prior Approval Required</td>
<td>Documentation and Time Frame for Contacting SACSCOC</td>
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<tr>
<td>Initiating off-campus sites where student can obtain 25-49% of credits toward a program (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs that are not at employer’s request and not on short notice)</td>
<td>SACSCOC Procedure 2</td>
<td>Yes</td>
<td>No</td>
<td>Letter of notification including street address and implementation date</td>
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<tr>
<td>Initiating distance learning by offering 25-49% of the first program for the first time</td>
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<tr>
<td>Closing a program, approved off-campus site, branch campus, or institution where the institution plans to teach out its own students</td>
<td>SACSCOC Procedure 3</td>
<td>Yes</td>
<td>Yes</td>
<td>Description of teach-out plan included with letter of notification</td>
</tr>
<tr>
<td>Closing a program, approved off-campus site, branch campus, or institution where the institution plans contracts with another institution(s) to teach-out students (Teach out Agreement)</td>
<td>SACSCOC Procedure 3</td>
<td>Yes</td>
<td>Yes</td>
<td>Description of teach-out plan, copy of signed teach-out agreement(s) detailing terms included with notification</td>
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<td>Initiating a certificate program at employer’s request and on short notice using existing approved courses and location</td>
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<tr>
<td>Initiating certificate program (not at employer’s request and not on short notice) using existing approved courses and location</td>
<td>NA</td>
<td>No</td>
<td>No</td>
<td>NA</td>
</tr>
<tr>
<td>Initiating off-campus sites (including Early College High School and dual enrollment programs offered at the high school) where student can obtain 24% or less of credits toward a program</td>
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<tr>
<td>Expanding program offerings at previously approved off campus sites by adding approved programs that ARE NOT significantly different from current programs at the site</td>
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<tr>
<td>Expanding program offerings at previously approved off campus sites by adding approved programs that ARE significantly different from current programs at the site but NOT at the institution</td>
<td>NA</td>
<td>No</td>
<td>No</td>
<td>NA</td>
</tr>
<tr>
<td>Initiating distance learning by offering 24% or less of any program for the first time</td>
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#### 1.02 Persons Responsible
- The Vice President of Academic Affairs (VPAA) serves as the Accreditation Liaison. The VPAA/Accreditation Liaison monitors all institutional changes under consideration, oversees substantive change processes, ensures necessary documentation is prepared, and provides training on substantive
CURRICULUM DESIGN: SUBSTANTIVE CHANGE POLICY & PROCEDURE

change as needed.
• President, Vice Presidents, and academic leaders (Associate Deans of Instruction, program Directors and lead instructors) and faculty members report initial campus considerations or stakeholder discussions of future substantive institutional changes to VPAA/Accreditation Liaison.

1.03 Process
• Proposed substantive changes must be formally submitted to the VPAA/Accreditation Liaison at least 12 months prior to proposed implementation of the changes.
• The VPAA/Accreditation Liaison coordinates review of proposed substantive changes with appropriate standing committee(s), the President, and other units of the College as necessary.
• For each proposed substantive change, the VPAA/Accreditation Liaison will assign responsibility to appropriate divisional personnel to work with him/her to complete the required materials for submission (e.g., prospectus, letters, etc.).
• The VPAA/Accreditation Liaison will notify the President four months prior to submission of any related documents to SACSCOC, and the President will notify the Board of Trustees of the substantive change at the next regular meeting of the Board (not less than three months prior to the college submitting materials to SACSCOC).
• The institutional documentation and submission must comply with the current Substantive Change for SACSCOC Accredited Institutions policy for all prior notifications, contact time, and/or prior approval.
• The President and VPAA/Accreditation Liaison will send completed substantive change documents to SACSCOC according to the Commission’s reporting timeline.

SECTION TWO
PUBLICATION, APPROVAL, IMPLEMENTATION, AND ENFORCEMENT

2.01 Publication
The Policy is published in the online Angelina College Policy & Procedure Manual and is available in the Office of the President.

2.02 Approval
The Policy was approved by the Board of Trustees on April 10, 2017

2.03 Implemented & Enforced
The President is responsible for ensuring this policy is implemented, and the Vice President of Academic Affairs/Accreditation Liaison is responsible for its enforcement.
COMMUNITY SERVICES AND NON-CREDIT INSTRUCTION

Continuing education and community services is a public service component of the College District that provides lifelong learning opportunities. These opportunities may be referred to as adult vocational education, workforce education, public or community service programs, or extension services. The coordinating board recognizes that in order to prepare a literate and trained workforce for economic stability and development, a true joint partnership between private and public sectors is required. Accordingly, the coordinating board encourages contractual agreements between postsecondary institutions and business, industry, and other government agencies. The coordinating board policy intends to provide institutional incentives for college districts to work with business, industry, and government in the development of an educated workforce in Texas. Responsibility for establishing instructional contracts resides with the vice president of community services with final approval by the College President.

The College District may enter into contractual arrangements with outside organizations to provide instruction. Contractual agreements for instruction with non-regionally accredited organizations shall have education as their primary purpose and be subject to the College District purchasing policy. Such courses and programs must be consistent with the educational purpose, mission, and goals of the College District. If state reimbursement is requested, such courses and programs must remain under the sole and direct control of the College District. Programs shall be operated in accordance with coordinating board regulations and subject to provisions of the Southern Association of Colleges and Schools Commission on Colleges.
Grades represent a fair and equitable assessment of the student’s accomplishments of the course objectives. There should be sufficient evaluative records by mid-semester and at the close of the term. The mid-semester conference should permit a discussion of the student’s progress and the final course grade should reflect an accurate evaluation of the educational outcomes.

**GRADE BOOKS AND REPORTING**

Grade books are the property of the College District and must be turned in to the Records office at the end of each semester or summer term. Each instructor is responsible for the accuracy of records for each course.

The Records office also has legally required state and federal reporting responsibilities. In addition to grade books, each instructor is required to submit final class rolls and final grades at times and dates specified in the official College District bulletin.

The system of grading provides only letter grades and corresponding descriptions. The divisions and/or faculty are permitted to establish the numerical ranges to correspond to the alphabet. The grade of “IP” is awarded when appropriate in developmental courses and an “I” in college-level courses. The reasons may be that the student fails to attain the maximum level of accomplishment in the developmental courses or encounters extenuating circumstances that interfere with the completion of the college-level course objectives. All assignments that must be completed in order to remove the “I” should be filed with the division director or noted in the grade book in order for the student to have accurate information.

Grade changes are initiated in the office of admissions using the form provided.

**GRADE APPEAL**

When a student believes that a grade does not reflect his or her level of accomplishment, the following procedure should be implemented within two weeks after the receipt of the grade:

1. Submit a written request for review to the instructor, and if the instructor’s review is unacceptable;

2. Submit a written request for review to the appropriate division director, and if the division director’s review is unacceptable;

3. Submit a written request for review to the dean of instruction, and if the dean’s review is unacceptable;
ACADEMIC ACHIEVEMENT: GRADING AND CREDIT

EGA
(REGULATION)

4. Submit a written request for review to the College President. Each succeeding level is required to investigate, provide a decision based on documentation, or refer to all lower-level reviews in accordance with their best professional judgment.

GRADES, STUDENT CHEATING AND PLAGIARISM

The gaining of knowledge and the practice of honesty go hand in hand. The importance of knowledge properly gained is emphasized by these rules against cheating and plagiarism.

Cheating is dishonesty of any kind on examinations/tests, quizzes, and written assignments. Cheating includes, but is not limited to, illegal possession of examination; possessing crib notes during an examination/test or quiz, whether used or not; obtaining information during the examination from another student; assisting others to cheat; and alteration of grade records. Complete honesty is required of each student in the presentation of any and all phases of course work as his/her own. This applies to unit and final examinations, quizzes, written reports, and term themes/essays.

Plagiarism is offering work of another as one’s own without proper acknowledgment. This includes the ideas or materials of another writer.

Cheating or plagiarism in any degree will not be tolerated by the College District and will result in no less than a failing grade on the assignment in question. Further proceedings to have the violator suspended from class and/or from the College District may be initiated through the current policy of the College District on grievances.

Each faculty member is his/her own disciplinarian in the classroom and is authorized to correct any infraction of accepted decorum anywhere on College District property.

The instructor should maintain evidence of cheating or plagiarism on the part of the student and may file copies of such evidence with the division director and Vice President and Dean of Instruction.

Should a student grievance result from a charge of cheating or plagiarism and the accompanying penalty, the student will follow the grievance policy.

CREDIT HOUR

The credit hour is the unit by which course work is measured. The number of hours assigned to a course is a measure of the outcomes expected, the mode of instruction and the amount of time spent in class. The standard contact hour is 50 minutes of instruction. The semester
hour unit of credit is equal to a minimum of three hours of student work per week for 15 weeks and one week for exam for a total of 16 weeks.

The College’s credit hour reflects the US Department of Education’s definition in 34 CFR 600.2. The application to courses conforms to the Texas Higher Education Coordinating Board (THECB) Rules in the Lower Division Academic Course Guide Manual and the Texas Administrative Code, Title 19, Part 1, Chapter 9, Rule 4.6. The program length conforms to the revised THECB Rule in Texas Administrative Code, Title 19, Part 1, Chapter 9, Subchapter J, Rule §9.183. The types of learning are described in the Guidelines for Instructional Programs in Workforce Education (GIPWE) is also published by the Texas Higher Education Coordinating Board. The College uses the American Council on Education Guide to the Evaluation of Educational Experiences in the Armed Services to determine acceptance of transfer credit. The College assigns academic credit based on the rules and policies of the Texas Higher Education Coordinating Board (THECB). All online courses and summer course contain sufficient content to meet THECB requirements for contact hours.
**SECTION F: STUDENTS**

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NOTICE OF NON-DISCRIMINATION STATEMENT

It is the policy of Angelina College to provide an educational and working environment that provides equal opportunity to all members of the college community. In accordance with federal and state law, the college prohibits unlawful discrimination in its programs, activities and employment opportunities on the basis of race, color, national origin, sex, disability, age, religion, creed, or veteran status. Inquiries and complaints of violation of Title VI (race, color, religion or national origin); Title IX (sex); Section 504 (disability); Title 11, ADA (disability); or Age Discrimination Act should be directed to: Steve Hudman, Dean of Student Services, 3500 South First, Lufkin, TX 75904, telephone 936-633-5293. Requests for accommodation of a disability should be directed to the office of Student Services, telephone 936-633-5212.
A true evaluation of the teaching-learning situation involves a correlation between attendance and progress.

It is the responsibility of the student to attend all classes and a record of attendance will be kept for all classes by the instructor.

It is the responsibility of the student to withdraw officially in the College District admissions and registrar’s office from a class the student no longer desires to attend.

College District instructional standards allow the instructor to set the educational objectives and requirements for each course. The student who does not meet these requirements because of excessive absences and/or non-participation will be dropped by the instructor after notifying the student through the Records office. The position of the instructor on submitting a non-attendance drop should be stated in the course syllabus.

Excessive absences are defined as three or more consecutive absences or four or more cumulative absences from regularly scheduled class periods. Virtual classes must document equivalent participation. The summer terms call for two or more consecutive, or three or more cumulative absences. A three-hour night class counts as two class periods.

Students will not be dropped and will be allowed to make up work for absences because of (1) College District (including early college high school) authorized and sponsored activities, and (2) religious holy days. It is the student’s responsibility to arrange for make-up work with the instructor and to complete it within a reasonable time.

In accordance with the Texas Education Code, each student is allowed to be absent from a class for the observance of a religious holy day. A “religious holy day” means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Tax Code. The student must notify the instructor of each class of the anticipated absence not later than the 15th calendar day after the first day of the semester. A student who is excused under this section must complete all assignments or missed examinations at the direction of the instructor.

The form for notification of absences is in the office of admissions and will include the following:
1. Student name and identification number;
2. Name of religious institution and tax code number;
3. Name and date of holy day(s);
4. Class(es) to be missed;
5. Schedule for delivery of form by student to instructor(s);
6. Conditions and deadlines for completing missed assignments;
7. Instructor’s signature and date; and
8. Student’s signature and date.

A student dropped because of excessive absences will be notified by the Records office and will follow the stated procedure on a readmission form if reinstatement is desired. All students in developmental education must obtain readmission approval of the instructor and the Vice President and Dean of Instruction.

All make-up work is at the discretion of the instructor.

Attendance in developmental courses is guided by the Texas Success Initiative rules and regulations and additional steps are required.
HEALTH REQUIREMENTS AND SERVICES:  
COMMUNICABLE DISEASES  

HEALTH AND WELLNESS  

Health-related campus policies referring to HIV/AIDS, other communicable diseases, alcohol and substance abuse, and immunizations are available in the office of the school nurse located in the student center. The College District shall promote the health and well being of the College District community through direct medically related services, health education and counseling, and referrals to appropriate community agencies.

COMMUNICABLE DISEASES  

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A and B, HIV/AIDS, and tuberculosis. For the purpose of this policy, the term “HIV infection” shall include AIDS, AIDS-Related Complex (ARC), and a positive test for the antibody to human immunodeficiency virus.

The College District’s decisions involving students who have communicable diseases shall be based upon current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, a careful weighing of the identified risks, and the available alternatives for responding to a person with a communicable disease.

The College District shall not discriminate in enrollment against any student solely on the grounds that the student has a communicable disease. Students shall not be denied access to College District facilities or campus activities solely on the grounds that they have a communicable disease, however, the College District reserves the right to exclude a student with a communicable disease from College District facilities, programs, and activities if the College District makes a medically based determination that the restriction is necessary for the welfare of the student with the disease and/or the welfare of other members of the College District community.

The College District shall comply with all pertinent statutes and regulations that protect the privacy of students with a communicable disease. The College District shall ensure that procedural safeguards are in effect in all offices of the College District in order to maintain the confidentiality of students who have HIV infection.

The College District shall maintain a comprehensive HIV infection education program and shall make its policy on HIV/AIDS available to students by including said policy in the student handbook and distributing the handbook at registration.
The College District is required to, and shall report, on the day of the recognition, all suspected or known cases of communicable diseases as described in the appropriate federal and state statutes and regulations.

**IMMUNIZATIONS**

The College District does not require proof of immunization for the general student population, except proof of bacterial meningitis immunization for most new students as required by state law.

Immunizations are required for students whose course work involves direct patient contact in a medical or clinical setting. These requirements are distributed with the information packets admission materials for each program involving clinical coursework.

**ALCOHOL AND SUBSTANCE ABUSE**

In compliance with the Drug-Free Schools and Communities Act of 1989, the College District has adopted and shall prescribe to the following alcohol and drug policy:

To ensure a safe, productive working and learning environment on all property either owned or controlled by the College District, the unlawful manufacture, use, sale, dispensation, or possession of alcohol, controlled substances, drugs, or drug paraphernalia is strictly prohibited.

The College District shall strictly prohibit any member of the College District community, visitor, or contractor being on any property either owned or controlled by the College District while under the influence of alcohol, drugs, or controlled substances. Anyone under the influence of alcohol, drugs, or controlled substances on property either owned or controlled by the College District will be refused entry or removed from said property.

Anyone taking a drug or other medication, whether or not prescribed by the individual’s physician for a medical condition, that is known or advertised as possibly affecting or impairing judgment, coordination, or other senses, or that may adversely affect ability to perform work or studies in a safe and productive manner, shall notify his /her instructor or supervisor prior to starting work or entering the classroom.

Members of the College District community with drug or alcohol problems who voluntarily disclose their problem and enroll in an employer or student assistance or rehabilitation program will not be subject to disciplinary action when they follow recommendations made by the referral source and successfully complete the treatment program.
HEALTH REQUIREMENTS AND SERVICES: COMMUNICABLE DISEASES

The complete alcohol and drug policy can be found in the Student Handbook.
Notice of Student Rights

What is the College District policy concerning sexual misconduct?

The College District forbids employee conduct constituting sexual harassment of students. The College District forbids students from engaging in unwanted and unwelcome verbal or physical conduct of a sexual nature directed toward another student or a College District employee.

What is sexual harassment?

Sexual harassment of a student by an employee includes any unwelcome sexual advances, requests for sexual favors, and other verbal (oral or written), physical, or visual conduct of a sexual nature. It also includes such activities as engaging in sexually oriented conversations for purposes of personal sexual gratification, telephoning a student at home or elsewhere to solicit inappropriate social relationships, physical contact that would be reasonably construed as sexual in nature, and enticing or threatening a student to engage in sexual behavior in exchange for grades or other school-related benefit.

Sexual harassment of a student by another student includes unwanted and unwelcome verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including requests for sexual favors.

What laws address sexual harassment of students?

Sexual harassment or abuse of students by College District employees may constitute discrimination on the basis of sex and is prohibited by Title IX (the federal law prohibiting gender-based discrimination by schools that receive federal funds).

What will the College District do when it learns of sexual harassment of a student?

When a college administrator receives a report that a student is being sexually harassed or abused, he or she will initiate an investigation and take prompt action to intervene.

What do I do if I have been sexually harassed at college?

A student who has a complaint alleging sexual harassment by other student(s) or sexual harassment by an employee may request a conference with the appropriate administrator or designee, or the College District’s Title IX coordinator. The conference will be scheduled and held as soon as possible but within seven calendar days. The appropriate administrator or Title IX coordinator will coordinate an investigation. Oral complaints should be reduced to writing to assist in the College District’s investigation.
A complaint may also be filed separately with the Office of Civil Rights:

Regional Director
Office of Civil Rights, Region VI
1999 Bryan Street, Suite 2600
Dallas, Texas 75201
Telephone: (214) 880–2459
Fax: (214) 880–3082 TDD: (214) 880–2456

Who is the Title IX coordinator and how do I contact that person?

The Title IX coordinator for the College District is:

Name: Steve Hudman
Position: Dean of Student Services
Address: Student Center, Room 101
Telephone: (936) 633–5293

The Title IX coordinator is a College District employee who has the responsibility to assure College District compliance with the requirements of Title IX. The coordinator will investigate or oversee an investigation of a complaint alleging violations of Title IX.

The College District has adopted complaint procedures for handling Title IX complaints, which may be obtained from the appropriate administrator or Title IX coordinator. The student may be accompanied by an advisor throughout the complaint process.

Will my complaint be confidential?

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

What if I am not satisfied by the College District’s resolution of my complaint?

If the student is not satisfied with the College District’s initial response to the complaint, he or she has seven calendar days to request a conference with the College President or designee, who will schedule and hold a conference. Prior to or at the conference, the student must submit a written complaint that contains: a statement of the complaint; any evidence to support the complaint; the resolution sought; the student’s and/or student’s signature; and the date of the conference with the appropriate administrator.
If the student considers the resolution unsatisfactory, he or she may request that the complaint be heard by the Board of Trustees at its next regular meeting, in accordance with policy BD(LOCAL). The Board will hear the complaint in closed meeting, unless otherwise required by the Texas Open Meetings Act. At the conclusion of the hearing, the Board will decide what action it deems appropriate.
There are a number of scholarships made available to College District students by individuals and organizations interested in the education of worthy students in the community. Scholarships are awarded by various divisions of the College, local industries, organizations, businesses and the scholarship committee. All scholarship awards, regardless of the sources, are administered by the Scholarship Coordinator and the Dean of Student Services.

Although primary emphasis of scholarship awards is placed on recruitment, awards may be given for the purpose of retention or when upgrading a recipient’s award is deemed appropriate by the committee.

In the interest of providing adequate control over scholarships and fairness in the distribution of scholarships among students, the following policy and procedures will apply to scholarship awards with the exception of athletic and cheerleader scholarships.

The committee shall consist of full-time faculty, with each division of the College District being represented by one or more members, (See BGC).

The committee shall award academic scholarships to eligible students, except for those scholarships awarded by the divisions. The committee shall recommend policy changes, recommend scholarship recipients to the office of student services and elect a chairperson during the September meeting.

The committee shall have regularly scheduled meetings in August, December, March and July during the academic year.

The chairperson shall call additional meetings as necessary.

In addition to the committee, the Fine Arts Division, the Health Careers Division and the Technology/Workforce Division award scholarships. There are also several personal consultation scholarships awarded that are personally recommended by faculty.

In order to facilitate adequate control and fairness in the distribution of scholarships, the Fine Arts, Health Careers and Technology/Workforce Divisions must provide the following information to the Scholarship Coordinator and chair of the scholarship committee immediately after the selection of award recipients: name
and student identification number of recipient, name of award, amount and duration of award.

The committee shall notify the above-mentioned divisions of any awards made by the committee for the purpose of ensuring fairness in the distribution of academic scholarships.

SCHOLARSHIP AWARDS/LIMITATIONS

The committee shall generally award only one scholarship to a prospective recipient. However, under exceptional circumstances, the committee may deem it appropriate to award multiple scholarships.

Full-time scholarship recipients may receive awards for up to four semesters, fall and spring semesters only, provided they meet the eligibility criteria outlined in the specific award. No scholarships awarded by the committee shall be available during the summer terms.

Part-time students, enrolled in less than 12 semester hours, shall be eligible for academic scholarships that do not specifically state in the eligibility criteria that the student must be full-time. Part-time scholarship recipients may be eligible for awards in excess of four semesters. The total dollar amount shall not exceed the amount a full-time student would receive on a comparable scholarship.

DIRECTOR OF FINANCIAL AID/SCHOLARSHIP COORDINATOR/Office OF STUDENTS SERVICES RESPONSIBILITIES

The Director of Financial Aid and Scholarship Coordinator shall ensure that scholarship information is current in the College District bulletin. The Scholarship Coordinator shall create and be responsible for distribution of applications, brochures and other related documents. The Scholarship Coordinator shall provide scholarship information and applications to students at orientation sessions.

The Scholarship Coordinator shall compile a master list of all scholarship applicants and provide a list of applicants ranked by entrance exam scores, high school class rank, College District grade point average and other pertinent information to the committee members at least three days prior to committee meetings.

The Scholarship Coordinator shall receive the current scholarship balances from the designated staff in the business office in order to determine scholarship availability. The Scholarship Coordinator shall provide the committee with a list of available scholarships, the eligibility requirements for each scholarship and the number of awards that can be made from each scholarship.
The Scholarship Coordinator shall create and disburse letters of acceptance or rejection to scholarship applicants promptly after committee action. A master file of all acceptance letters shall be maintained.

The Scholarship Coordinator shall review the income-by account, or summary, of all scholarship awards and shall reconcile it and make necessary corrections and initiate reimbursements when necessary.

The Scholarship Coordinator shall work with recipients in sending letters of gratitude to donors and coordinate news releases concerning scholarships.

The Scholarship Coordinator shall ensure the orderly processing of non-institutional and general criteria-driven awards and review awards prior to each semester to ensure that recipients meet the eligible criteria.

The Scholarship Coordinator shall compile a list of all recipients awarded scholarships by the committee, including the recipient’s grade point average, total number of hours taken each semester and semesters on this scholarship. This information will be made available to the committee during the January and June meetings.

The Scholarship Coordinator shall review the list of graduates at the conclusion of each term and notify the committee of graduation status.

The Dean of Student Services, or his designee, shall provide scholarship information and applications to prospective students at high school career days and other similar activities throughout the service area of the College District.

The Dean of Student Services, or his designee, shall regularly communicate with principals, counselors and other appropriate high school personnel throughout the service area of the College District regarding the availability of scholarships at the College District. Principals, counselors and other appropriate high school personnel shall, at least annually, be provided multiple copies of the academic scholarship application form.

The Dean of Student Services, or his designee, shall represent Angelina College at ceremonies in which College scholarships are presented to high school seniors.
STUDENT FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

SECTION ONE
STATEMENT OF NONDISCRIMINATION

1.01 Statement of Nondiscrimination
The College prohibits discrimination, including harassment, against any student on the basis of sex, gender, race, color, religion, national origin, disability, age, or any other basis prohibited by law.

1.02 Retaliation
The College prohibits retaliation by a student or by a College 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.

1.03 False Claims and Statements and Noncooperation with Investigations
A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action.

SECTION TWO
DEFINITIONS

2.01 Discrimination
Discrimination against a student is defined as conduct directed at a student on the basis of sex, gender, race, color, religion, national origin, disability, age, or on any other basis prohibited by law that adversely affects the students.

2.02 Prohibited Harassment
Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s sex, gender, race, color, religion, 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’s educational program.

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.
2.03 Sexual Harassment by an Employee
Sexual harassment of a student by a College 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:

2.03.1 A College 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

3.03.1 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’s educational program.

2.04 Sexual Harassment 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’s educational program.

2.05 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.

2.06 Examples of Sexual Harassment
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.

2.07 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 a student’s ability to participate in or benefit from the College’s educational program.
STUDENT FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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.

2.08 Retaliation
Retaliation is punishing students for asserting their rights to be free from discrimination including harassment. Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified reprimands, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

2.09 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.

SECTION THREE
REPORTING PROCEDURES

3.01 Student Report
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.

3.02 Employee Report
Any College 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 official listed in this policy and shall take any other steps required by this policy.

3.03 Reporting Exceptions
A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person shall 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’s annual security report under the Clery Act.
3.04 Responsible Employee
For purposes of this policy, a “responsible employee” is an employee:

3.04.1 Who has the authority to remedy prohibited conduct;

3.04.2 Who has been given the duty of reporting incidents of prohibited conduct; or

3.04.3 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 designates the following persons as responsible employees: any instructor, any administrator, or any College official designated below.

3.05 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 designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Steve Hudman
Title: Dean of Student Affairs
Mailing Address: Office of the Dean of Student Affairs, P.O. Box 1768, Lufkin, TX 75902-1768
Campus Address: 101 Student Center

3.06 Student ADA/Section 504 Coordinator
Reports of discrimination based on disability may be directed to the ADA/Section 504 Coordinator. In matters relating to students, the College 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: Sellestine Hunt
Title: Associate Dean of Student Services
Mailing Address: Office of Student Services, P.O. Box 1768, Lufkin, TX 75902-1768
Campus Address: 200 Student Center

3.07 Other Antidiscrimination Laws
The College President or designee shall serve as coordinator for purposes of College compliance with all other antidiscrimination laws.
STUDENT FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

3.08 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 Title IX Coordinator or the ADA/Section 504 Coordinator, may be directed to the College President. A report against the College President may be made directly to the Board President. If a report is made directly to the Board President, the Board shall appoint an appropriate person to conduct an investigation.

3.09 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’s ability to investigate and address the prohibited conduct.

3.10 Investigation of Report
3.10.1 The College may request, but shall not require, a written report. If a report is made orally, the College official shall reduce the report to written form.

3.10.2 Investigation of the Report Upon receipt or notice of a report, the College official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College official shall immediately authorize or undertake an investigation, except as provided below Section 3.10.5.

If the College official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the College official shall refer the complaint for consideration under the Student Complaints policy (FLD Local in the College’s Policy and Procedure Manual), as appropriate.

3.10.3 Interim Action If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College shall promptly take interim action calculated to address prohibited conduct prior to the completion of the College’s investigation.

3.10.4 College Investigation The investigation may be conducted by the College official or a designee or by a third party designated by the College, such as an attorney (hereinafter “investigator”). The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College’s policy and procedures. 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.
3.10.5 Criminal Investigation If a law enforcement or regulatory agency notifies the College that a criminal or regulatory investigation has been initiated, the College shall confer with the agency to determine if the College’s investigation would impede the criminal or regulatory investigation. The College 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 shall promptly resume its investigation.

3.10.6 Concluding Investigation Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College to delay its investigation, the investigation should be completed within ten College 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 official overseeing the investigation.

3.10.7 Notification of the Outcome The College 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 complainant and the person against whom the complaint is filed.

SECTION FOUR
COLLEGE ACTION

4.01 Prohibited Conduct
If the results of an investigation indicate that prohibited conduct occurred, the College shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College policy and procedures.

4.02 Examples of Corrective Action
Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the College 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 climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the College’s policy against discrimination and harassment.

4.03 Exception - Sexual Harassment
The College 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 shall
STUDENT FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

be involved in an appropriate manner. Mediation shall not be used to resolve sexual harassment complaints.

4.04 Improper Conduct
If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College may take disciplinary action in accordance with College policy and procedures or other corrective action reasonably calculated to address the conduct.

4.05 Confidentiality
To the greatest extent possible, the College 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.

4.06 Appeal
A student who is dissatisfied with the outcome of the investigation may appeal through the Student Complaints policy’s appeal process (see FLD LOCAL in the AC Policy and Procedure Manual), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.

4.07 Records Retention
Retention of records shall be in accordance with the College’s records retention procedures.

4.08 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 employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the College Policy and Procedure Manual, and other major College publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College’s website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College’s administrative offices and shall be distributed to a student who makes a report.
STUDENT HOUSING

The College District maintains one residence hall and rooms are reserved on a first-come, first-served basis after full scholarship recipients are housed and returning resident students have exercised their option to renew a reservation for the ensuing semester or term.

Dormitory residents are expected to obey all local, state, and federal laws in addition to all the College District regulations outlined in the code of student conduct and the residence hall agreement.

The code of student conduct shall be found in the current Student Handbook.
As used in this regulation, the word solicitation shall mean the free
distribution, 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, a recognized student organization, or
individuals or groups unaffiliated with the College District.

No solicitation shall be conducted in or on any property either owned or
controlled by the College District except in accordance with the following
provisions when they do not violate a sole source vendor contract clause:

1. The sale of any newspaper, magazine, or other publication in an
area designated in advance by the dean of student services for
the conduct of such an activity.

2. The sale or offer for sale of any food or drink item in an area
designated in advance by the dean of student services for the
conduct of such an activity.

3. The collection of membership fees or dues by recognized student
organizations at meetings of such organizations scheduled in
accordance with the College District’s regulations on use of
facilities.

4. The collection of admission fees for programs sponsored by
recognized student organizations and scheduled in accordance
with the College District’s regulations.

5. The activities of a recognized student organization that can
present to the dean of student services 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 organization may solicit under this section
without the approval of the activity from the dean of student
services, and if approved, for no more than fourteen days,
whether continuous or intermittent, during the school year.

6. Solicitations involving only the campus community must be
approved by the dean of student services.

Solicitation made pursuant to the terms of this policy shall 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 will not harass, embarrass, or intimidate the person or persons being solicited.

4. If, after a reasonable investigation, the dean of student services determines that a solicitation is being conducted in a manner violating this policy, the dean may prohibit that party from soliciting on the campus.
The student educational records maintained by the College District fall into two general categories: directory information and student records. The purpose of this policy is to describe various kinds of educational records and to state the permissible uses of these records. These policies and procedures are in full accord with the final regulations implementing the Family Educational Rights and Privacy Act of 1974.

That part of a student’s educational record defined as directory information is public information and will be made available to the public. The Family Education Rights and Privacy Act of 1974 defines directory information. Directory information includes, but is not limited, to the student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate; full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended.

Student records include all educational records except for directory information and are not public records. The College District will maintain the confidentiality of these student records.

Information in a student’s educational record may be released by the College District as directed by the College President in response to a health or safety emergency.

The College President shall be the College District’s officer for public records. Each department head shall be an agent of the officer for public records for the purposes of complying with the Public Information Act and the College District’s policy on public records.

Students may at any time request that all directory information be withheld by completing a non-disclosure statement in the registration and admissions office.
STUDENT ACTIVITIES:  
STUDENT PUBLICATIONS (REGULATION)

College student publications shall support freedom of the press as a right guaranteed by the First Amendment of the U.S. Constitution.

Publications shall be produced by and for students in keeping with the goals and mission of the College District for the purpose of information and entertainment.

The College District newspaper and publications shall accept signed letters to the editor expressing the opinions of students and faculty in response to topics of interest to the college community. If published, the letters will be held to the same journalistic standards of fairness and accuracy as is expected in the work of the newspaper staff members.

The College District may subject student expression to prior screening under clear and reasonable regulations.

The College District’s educators shall exercise editorial control over style and content of student speech in school-sponsored expressive activities so long as their actions are reasonably related to legitimate pedagogical concerns.

The College District may refuse to disseminate or sponsor student speech that:

1. Would substantially interfere with the work of the school.
2. Impinges on the rights of other students.
3. Is vulgar or profane.
4. Might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order.
5. Is inappropriate for the level of maturity of the readers.
6. Does not meet the standards of the educators who supervise the production of the publication.
7. Associates the school with any position other than neutrality on matters of political controversy.
Participation of students in student activities is based upon interests, abilities, and maintenance of satisfactory academic standing and progress. The general objectives of all student activities shall be the development of intellectual potential, to attain physical wellbeing, and to enrich student’s social, cultural, and civic experiences.

The student activities program shall be under the supervision of the Dean of Student Services or designee. The Dean of Student Services in conjunction with the student activities and athletic committee, the College District student association, and the dormitory council will plan and schedule student activities.

The College District shall not discriminate on the basis of race, creed, color, sex, national origin, or disability in providing student activities to the students. The College District shall provide qualified disabled students an equal opportunity to participate in collegiate clubs, intramural sports, and other student activities.

Members of student organizations are expected to obey all local, state, and federal laws in addition to all the regulations of the College District. The standards of student conduct, including disciplinary procedures are designed to provide and conform to the basic tenets of due process.

Freedom of discussion, inquiry, and expression is fostered by the College District and the privileges of citizenship are protected. Accordingly, the College District has developed regulations pertaining to students and student organizations. Any student or organizations violating a regulation of the College District is subject to disciplinary action according to the provisions of this code.

Personal conduct of students or student organizations on the College District campus, or at College District-sponsored events is subject to College District disciplinary jurisdiction. The College District may enforce its disciplinary policy and procedure when personal conduct, regardless of where it occurs, directly, seriously, or adversely interferes with, or disrupts the overall mission, programs, or other functions of the College District.

Recognition of student groups shall not be denied on the basis of views expressed by the group. However, emphasis for recognition is placed on the activity orientation of the prospective organization and is generally related to instructional areas or recreational pursuits. Recognition may be
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STUDENT ACTIVITIES:  
REGISTERED STUDENT ORGANIZATIONS  
FKC  
(REGULATION)

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<tr>
<th>Section</th>
<th>Details</th>
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<tr>
<td>FACULTY / STAFF ADVISOR</td>
<td>Student organizations must have an approved faculty or staff advisor who shall ensure that the College District regulations pertaining to student organizations are fulfilled. The faculty/staff advisor shall provide leadership and guidance to the student organization as well as continuity from one year to the next. It is especially noted that the role of the faculty/staff advisor is not one of control but rather advisement and counsel.</td>
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<td>RECOGNITION OF STUDENT ORGANIZATIONS</td>
<td>Student organizations may be officially recognized when formed for purposes that are consistent with the philosophy, goals, and mission of the College District. To be recognized, student groups must:</td>
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1. Have an approved faculty/staff advisor.

2. File a constitution and statement of purpose with the office of student services.

3. File an annual request with the office of student services for official recognition.

4. Conduct the activities of the organization in a manner that reflects the goals of the College District.

5. Ensure that the purpose, goals, and activities of the organization does not duplicate those of another.

6. Ensure that participation is not denied based on sex, disability, race, nationality, or religion.]  

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<th>ELIGIBILITY CRITERIA FOR STUDENT PARTICIPATION</th>
<th>Students participating in student organizations must maintain satisfactory academic progress as outlined in the College District Student Handbook. Students selected as officers in student organizations will have at least a 2.00 grade point average at the time of election and post at least a 2.00 GPA during subsequent semesters. Officers shall be enrolled in a minimum of six semester hours.</th>
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| RIGHTS AND DUTIES | A recognized student organization shall be entitled to invite and sponsor speakers for its group. However, organizations are not authorized to present programs to an all-College audience unless they are approved to |

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do so by the Dean of Student Services. An event open to an all-College audience shall generally be defined as one that is promoted as being open to persons who are not members of the sponsoring organization.

The Dean of Student Services shall negotiate and sign contracts for all entertainment, recreational, cultural, or educational events that are being considered for an all-College District audience.

The organization inviting a speaker or performer to the campus shall be responsible for any and all damages proximately caused by acts of misfeasance or malfeasance on the part of the speaker/performer or those acting in concert with the speaker. The inviting organization shall hold the College District harmless from any and all damages caused by the speaker/performer or those acting in concert with the speaker.

The College District reserves the right to cancel any event deemed likely to cause an interruption in the College District's orderly activities. The president or a duly authorized representative may order an event to be terminated on grounds that it constitutes disruptive activity as defined by the Texas Education Code.

All student organizations will have their functions, whether on or off campus, approved by their official faculty/staff advisors.

State law as it regards candidates for public office and campaigning on public property and all other applicable statutes shall be observed. Political organizations inviting candidates to speak to an all-College District audience shall afford equal time to opponents seeking that political office.

General publicity shall be defined as any method or device for disseminating informational material on the College District campus. General publicity must be approved by the office of student services before posting on College District bulletin boards.

Only events sponsored by a recognized student organization may be promoted under these guidelines.

All publicity posted on bulletin boards shall be no larger than 616 square inches, 22" x 28".

There shall be no more than one poster or announcement of a particular announcement per bulletin board.
All publicity shall contain the name of the sponsoring organization.

Recognized organizations posting publicity are responsible for removal of the material when the date for posting has expired. An expiration date shall be considered as one day following the date of the posted event. The posting period shall not exceed three weeks.

General publicity printed in a foreign language shall have the same information presented in English and shall have the name of the recognized organization presented in English.

General publicity shall be posted to bulletin boards and other designated posting areas only. No posting shall be attached to glass surfaces, indoor or outdoor walls, doors, vending machines, cars, trees, light posts, or other similarly unauthorized locations. Chalking of sidewalks is prohibited.

A recognized organization shall not advertise or promote events or activities in a manner that falsely suggests that the event or activity is sponsored by the College District.

Fund-raising activities shall be conducted in a manner that does not jeopardize support the College District receives. Fund-raising activities by recognized student organizations shall be approved by the Dean of Student Services.

The College District business office maintains accounts for all recognized organizations. All funds earned through fund-raising activities or membership dues shall be deposited in the organization’s account.

The athletic program functions in accordance with the goals and mission of the College District. The athletic program adheres to the rules and regulations set forth by the National Junior College Athletic Association and the Region 14 Athletic Conference and strives to promote a sense of community in the College District and its service area.

The intercollegiate athletic program operates under the supervision of the athletic director who reports to the College President. The student activities and athletic committee is a standing faculty committee charged with the review and recommendation of student activities and athletics regarding their contributions to the College District community. The committee’s review shall include athletic department policies and input into the evaluation of the program’s effectiveness.
The granting of intercollegiate athletic scholarships shall follow the regulations set forth by the National Junior College Athletic Association and the Region 14 Athletic Conference.
The College District shall maintain a student association organized to deal with programs, issues, enhancement of student activities, and to provide input to the College District administration on policies, planning, and evaluation. The name of the student association shall be the Angelina College Student Association, (ACSA).

Membership of the association shall be representative of the various recognized student organizations active on the College District campus. Members-at-large shall be appointed by instructional divisions only when the respective division is not represented by a recognized student organization.

Members shall be elected by their respective student organizations, or, if necessary, appointed by their instructional division annually and no member shall serve more than two years.

The association shall meet on a regular schedule to discuss policy implementation, modification, or elimination, discuss the enhancement of student programs, issues, and activities, and to provide input to the faculty committee on activities and athletics and the institutional planning and evaluation council (IPEC).

The chairperson shall call additional meetings as necessary.

The association shall elect a chairperson, vice chairperson, and secretary at the September meeting.

The officers, or their appointed representatives, shall attend all scheduled meetings of the faculty committee on activities and athletics and the IPEC.

Two members of the association shall serve on the IPEC student services committee and two members shall serve on the IPEC learning resources committee. These four members shall be appointed by the association officers.

The Dean of Student Services shall be responsible for providing administrative support to the association. This support shall include, but not be limited to, scheduling of meeting facilities, access to photocopying equipment, supplies, and financial support for the orderly conduct of association business.
STUDENT RIGHTS AND RESPONSIBILITIES: INVOLVEMENT IN DECISION-MAKING

The Dean of Student Services shall be responsible for ensuring that open communication exists between the ACSA and the faculty committee on activities and athletics, the IPEC, and the administration’s executive committee.
INTENT

It is the intent of the Student Conduct and Discipline Program to provide an educational and developmental response to student misconduct while maintaining and protecting a safe and appropriate teaching and learning environment.

In keeping with the educational intent of the Student Conduct and Discipline Program, the College engages in progressive discipline to help students understand and behave in accordance with the College’s conduct standards. The progressive discipline process includes (a) selecting a proportional response to a student’s misbehavior, and (b) increasing the level of response if the student subsequently misbehaves.

In a progressive discipline environment, the discipline the College administers for the first occurrence of serious misconduct may be expulsion.

PERSONAL CONDUCT

The personal conduct of students (a) on the grounds of any site or campus, in any facility, or in any vehicle owned by or controlled by Angelina College; (b) participating in or attending college functions; or (c) as members of recognized student organizations, participants in college-sponsored groups, or members of intercollegiate athletic teams is subject to College disciplinary jurisdiction. The College may also enforce its own disciplinary policy and procedure when the personal conduct of students - regardless of where it occurs -- directly, seriously, or adversely interferes with or disrupts the overall mission, programs, or other functions of the College.

The Dean of Student Services or designee shall have primary authority and responsibility for administering the Student Conduct and Discipline Program. The President may take immediate interim disciplinary action, including suspension, pending a hearing for student violation of College policy. Such interim disciplinary action, including suspension, may occur in drug-related cases or when the continuing presence of the accused student poses a danger to person or property or is an ongoing threat of disruption to the scholastic process. When such interim disciplinary action occurs, the President shall communicate the disciplinary action in writing and, if possible, meet with the student to discuss reasons for the interim disciplinary action and to allow the student a rebuttal pending a full hearing.

Students are expected to obey all local, state, and federal laws and ordinances, in addition to all the policies and regulations of the College. Students are expected to conduct themselves and dress in a manner that preserves an appropriate atmosphere and will not disrupt teaching and learning activities. In addition, students engaging in student activities, working for the College, or representing the College at special events may be held to guidelines for conduct, dress, and appearance appropriate to that activity.
1. **Academic Integrity**
   It is the aim of Angelina College faculty to foster a spirit of complete honesty and a high standard of integrity. The attempt of any student to present, as his or her own, any work that he or she has not honestly performed is regarded by the faculty and administration as a most serious offense and is prohibited.

   **Cheating:** Complete honesty is required of the student in the presentation of any and all phases of course work. Dishonesty of any kind on examinations, quizzes, or assignments is considered cheating and is prohibited. Common examples of cheating include the following:
   
   - Copying from another student’s test paper, laboratory report, other report, or computer files, data listings, and/or programs;
   - Using materials during a test that are not authorized by the test administrator;
   - Collaborating with another person or persons during an examination or in preparing academic work without authorization;
   - Knowingly and without authorization, using, buying, selling, stealing, soliciting, copying, or possessing in whole or in part, the contents of an administered test;
   - Substituting for another student, permitting any other person, or otherwise assisting any other person to substitute for oneself or for another student in the taking of an examination or the preparation of academic work to be submitted for academic credit; and
   - Purchasing or otherwise acquiring or submitting as one’s work any research paper or writing assignment prepared by another individual or firm.

   **Plagiarism:** Plagiarism means the appropriation of another’s work or idea and the unacknowledged incorporation of that work or idea in one’s own written work offered for credit. Plagiarism is prohibited.

2. **Alcoholic Beverages**
   Student possession or consumption of alcoholic beverages is prohibited on College property. Violations subject to disciplinary action include the possession, consumption, or being under the influence of alcoholic beverages on the college campus or while representing the College during an off-campus activity.

3. **Illegal Substances**
   The possession, distribution, or use of any illegal substance on campus or at any College related function on or off campus is prohibited.
4. **Tobacco**
   Angelina College is a *Tobacco Free* campus. The use of tobacco products is prohibited on all College property.

5. **Vapor and e-cigarettes**
   The College prohibits use of vapor and e-cigarettes on all College property.

6. **Housing and Residence Life**
   Violations or breaches of the Angelina College Residential Contract by students living in College housing is prohibited.

7. **Animals on Campus**
   Pets and other privately-owned animals are prohibited in any College building unless the Vice President and Dean of Instruction makes a specific exception for academic purposes. Animals on campus must be on a leash or be otherwise under the direct and positive control of the owner. Service animals assisting individuals with disabilities are permitted in all College facilities, programs, and events. Students with disabilities should contact the Office of the Dean of Student Services to obtain guidelines and regulations related to service animals.

8. **Children in the Classroom**
   Students bringing children to class without prior consent from the instructor is prohibited.

9. **Discrimination and Harassment**
   Discrimination and Harassment on the basis of race, color, national origin, sex, gender identity, sexual orientation, disability, age, religion, or any other characteristic protected by institutional policy or state, local, or federal law are prohibited. Further information regarding discrimination and procedures for students who believe they have been subjected to discrimination can be found in the Student Rights and Responsibilities section of the Angelina College Policy and Procedures Manual.

*Title IX:* Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., protects individuals from discrimination and harassment based on sex in any educational program or activity operated by recipients of federal financial assistance. Sexual harassment, including sexual violence, is a form of sex discrimination and is therefore prohibited under Title IX. Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it
explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work or educational performance, or creates an intimidating or hostile work or educational environment.

Angelina College is committed to providing an environment of academic study and employment free from harassment or discrimination to all segments of its community; its faculty, staff, students, guests and vendors; and will promptly address all complaints of discrimination, sexual harassment, and related retaliation in accordance with applicable federal and state laws.

To report a violation of Title IX or ask questions regarding Title IX, contact Steve Hudman, Dean of Student Services/Title IX Coordinator. His office address is 101 in the Student Center, his telephone number is 936-633-5293, and his email address is shudman@angelina.edu. Students may also contact the U.S. Department of Education, Office for Civil Rights (800-421-3481) to complain of sex discrimination or sexual harassment including sexual violence.

Title IX Grievance Procedure: The College is committed to prompt and equitable resolution of student complaints of sexual discrimination, including sexual violence, by fellow students through the Discipline Program Procedure. The Title IX Coordinator will monitor the administration of the Discipline Program Procedure to ensure prompt and equitable resolution of the complaint. Other complaints of sexual discrimination (i.e., complaints against College employees) will be investigated and resolved by trained administrators with oversight by the Title IX Coordinator. In addition to the resolution procedures, when a student alleges sexual harassment or assault, the Title IX Coordinator will promptly meet with the student to explain:

- the investigation process, including the importance of treating both parties equitably, and that the complainant and alleged perpetrator will receive written notice of the outcome of the complaint;
- assurance that the College will take steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the complainant and others, if appropriate;
- the College’s resolution procedures, making clear that students are not required to work out issues directly with each other and that mediation is not used in sexual assault cases;
- counseling services available either on or off campus;
- possible academic accommodations; and
- that the College prohibits and will protect complainants from retaliation.
In sexual assault cases, the Title IX Coordinator will urge the student to seek medical attention. The Coordinator will also advise the student of the right to file a criminal complaint as well as to use the College’s Student Conduct and Discipline Program. In addition, the Coordinator will explain any legal requirement or school policy to notify police of the alleged assault.

The College has a duty to investigate even if the complainant asks that it not do so. If the complainant requests anonymity, the Title IX Coordinator will remind the complainant that he or she will be protected from retaliation, and explain that anonymity may limit the College’s ability to respond. Furthermore, the Coordinator will assure the complainant that the investigation will be discreet and only disclosed on a “need to know” basis. In deciding how to proceed, the Title IX Coordinator will weigh the complainant’s anonymity request against the alleged perpetrator’s potential danger to other students. In addition, the Coordinator will determine whether interim protective actions are necessary, such as issuing a “no contact” directive. The Coordinator will follow the initial meeting with a letter to the student reviewing the options and resources and requesting a signed acknowledgment of receipt as well as a written statement indicating the course of action the student wishes to pursue.

10. Disruptions
The use of force, violence, tactics, or behavior that causes obstruction or disruption of teaching, administration, disciplinary procedures, or other college authorized activities on college premises is prohibited. This includes use of language or behavior that disrupts the College learning environment.

11. Distribution of Literature, Advertising, Selling or Solicitation
Selling and soliciting are only permitted on the College’s campus and sites with official authorization. Solicitation of students, faculty, or staff members by personal contact or through the distribution of advertising leaflets or handbills to promote sales without prior approval of Dean of Student Services is prohibited on any College property or in any buildings.

12. False Reports
False reporting of incidents including intentional activation of fire alarms or fire suppression systems on campus when a threat is not imminent is prohibited.

13. Falsification of Records
Knowingly furnishing false information to the College by forging or altering a document, record, or identification is prohibited.
14. Financial Responsibilities
Failure to promptly address all financial responsibilities owed Angelina College is prohibited. This includes any student unpaid debts, returned checks, overdue borrowed books, and other cases of financial irresponsibility.

15. Firearms, Fireworks, and Explosives
The unauthorized possession or use of firearms, fireworks, explosives, or unauthorized hazardous chemicals of any description on College grounds or property, including residence halls, is prohibited.

16. Food and Drinks
Possession and consumption of food and drinks is prohibited in the computer labs, classrooms, laboratories, shops, theatre, library, and other designated areas on campus without prior college approval.

17. Gambling
Gambling in any form is prohibited on College grounds and property, including College residence halls.

18. Lewd, Indecent or Obscene Conduct
Lewd, vulgar, indecent, or obscene conduct/expression infringing upon the rights of others and/or disrupting the campus learning environment is prohibited. This includes all Angelina College activities conducted on and off campus property.

19. Misuse of Student Identification Card
The use of a student identification card by anyone other than the person to whom it is issued, and the failure to present or relinquish a student identification card to a member of the faculty, staff, or administration upon request is prohibited.

20. Official Directives
Failure to comply with the lawful directives of all College officials acting within the scope of their responsibilities is prohibited.

21. Stalking
Attempting to control or intimidate another student through behavior or threats is prohibited. A stalker can be anyone, including an unknown person, an acquaintance, or a former intimate partner. A stalker may follow a victim off and on for a period of days, weeks, or even years. A stalking victim feels reasonable fear of bodily injury or death to self or to a family or household member or damage to property. Stalking can be perpetrated by the stalker or by someone acting on her/his behalf. Stalking can take the form of verbal threats or threats conveyed by the stalker's conduct, threatening mail,
SPECIAL PROCESS PROVISIONS

22. **Student Dress**
   Classroom instructors and College staff in charge of College events have the right to refuse entrance to students dressed in inappropriate attire.

23. **Terroristic and Bomb Threats**
   Terroristic behavior such as sending threatening letters or electronic mail, communicating threats through telephone calls or text messages, and bomb threats are prohibited.

24. **Unauthorized Entry**
   The unauthorized entry or use of College buildings, offices, or facilities is prohibited.

25. **Unauthorized Possession of Keys**
   The possession by students of keys to College buildings or facilities that have not been issued by an authorized College official is prohibited.

26. **Vandalism**
   The willful malicious destruction, damage, or defacing of property whether it belongs to the College or another student constitutes an act of vandalism and is prohibited.

27. **Violent Behavior**
   The use or threat of physical violence against another person on College property or at College-sponsored events is prohibited.

28. **Violation of Local, State or Federal Law**
   Any action, event, or group of events that provides grounds for a charge or violation of local, state, or federal laws is prohibited.

**Attempted Violations**
In most circumstances, the College will treat attempt to commit any violations of Student Conduct as if that attempt had been completed.

**College as Complainant**
As necessary, Angelina College reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of misconduct.

**Immunity for Victims and Witnesses**
At the sole discretion of the Dean of Student Services, the College may choose to not issue charges nor to administer punishment for violations of...
the Student Code to victims and witnesses of serious criminal activity, including sexual harassment and sexual misconduct.

**Bystander Engagement**
At the sole discretion of the Dean of Student Services, the College may choose to not issue charges nor to administer punishment for violations of the Student Code when students report a dangerous situation to a College official or seek emergency assistance for themselves or other students.

**Parental Notification**
The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, related to alcohol and/or drug violations. The College may also notify parents/guardians of not-dependent students under age 21 of alcohol and/or drug policy violations. Where a student is not-dependent, the College will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The College also reserves the right to designate which college officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).

**Notification of Outcomes**
The outcome of a campus hearing is part of the educational record of the accused student, and is protected from release pursuant to the Family Educational Rights and Privacy Act (FERPA). However, the College observes the legal exceptions as follows:

- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and relationship violence incidents have an absolute right to be informed of the outcome, essential findings, and sanctions of the hearing, in writing, without condition or limitation.

- The College may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a college policy that is a “crime of violence,” including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction.

**Penalties for Misconduct**
Penalties for misconduct include, but are not limited to the following:

**Warning or Reprimand**
Warning or Reprimand may include, but is not limited to, counseling with or writing a letter to the student. These actions are cumulative and are considered official college actions that are recorded in the Office of the Dean of Student Services.
Restriction
Restriction involves specifically prohibiting a student from attending campus activities, occupying campus facilities, or using campus equipment or services.

Community Service
Community service is an assignment of unpaid work on campus or in the community with a restorative intent.

Disciplinary Probation
Disciplinary probation is applied for a stated period with or without specified restrictive conditions. Restrictive conditions may include but are not limited to:
- removing the right of the student to receive any college award, scholarships, or financial aid;
- removing the right to occupy any position of leadership in any college or student organization or activity.

Disciplinary probation will become a part of the student’s permanent academic record.

Removal from College Housing
In certain instances, the college may remove a student from College housing and allow him/her to continue attending classes.

Course Grade Reduction
Faculty members may reduce a student’s course grade in response to student behaviors that violate standards set forth in the course syllabus and/or prohibited in the student code.

Administrative Course Withdrawal
Administrative course withdrawal results in a “W” grade. Angelina College reserves the right to withdraw students from a class or all classes if, in the judgment of the appropriate college official, such withdrawals are in the best interests of students and the college. Students may be withdrawn for reasons of lack of attendance, irresponsible financial conduct, personal misconduct, academic integrity violations, unlawful compliance of a college official, or other academic infractions.

Disciplinary Suspension
Suspension is for a stated period, but never less than the remainder of the semester in which the offense is committed. During suspension, the student shall not attend classes, participate in any college related activity, or be on campus for any reason except application for readmission. Readmission on probation may be granted at the end of the suspension period. Disciplinary suspension will become a part of the student’s permanent academic record.
Expulsion
Expulsion is the permanent removal from Angelina College with no opportunity for readmission. Expulsion will become a part of the student’s permanent academic record.

The Office of the Dean of Student Services shall administer the Angelina College Student Conduct and Discipline Program.

Rules of Evidence and Burden of Proof
Disciplinary decisions will be based on the preponderance of evidence. Meaning, it is more likely than not an alleged incident occurred. A totality of all available and relevant evidence will be used to establish this preponderance. The burden and responsibility for gathering and evaluating evidence rests with the College. Accused students may elect to not self-incriminate and should be active in presenting relevant evidence to support their position. Witness statements that are unsigned and/or undated will not be considered in discipline process; however, if an investigation stemming from an unsign ed and/or undated statement results in the discovery of evidence that misconduct may have occurred, the student responsible for that misconduct may be subject to disciplinary action.

Steps in the Student Conduct Process
1. Dean of Student Services or designee (hereinafter “College Official”) will investigate alleged student misconduct.
2. If the College Official finds sufficient evidence of misconduct, the College Official will issue a letter to the student to schedule a hearing. The letter will include a description of the charge(s) and evidence.
3. College Official will conduct a hearing during which he/she explains the student’s right to due process, reviews the Student Conduct Process including appeal procedures, lists the charge(s), and presents all evidence collected during his/her investigation. The student may present evidence, call witnesses, and/or address witness statements and evidence presented. Complainants and victims may present witnesses and other evidence during the hearing. The outcomes of the hearing will be one of the following:
   a. The student admits misconduct in writing. The College Official will assign appropriate discipline in writing to the student. The student may appeal the assigned discipline to the Student Conduct Panel in writing to the Dean of Student Services within five (5) business days of receiving documentation from the College Official.
   b. The College Official finds the student presents a preponderance of evidence that he/she is not responsible for the alleged misconduct. The College Official will dismiss the charge(s)
against the student in writing.

c. After considering all evidence provided by the student, the College Official finds the preponderance of evidence supports the charge(s). The College Official will assign appropriate discipline in writing to the student. The student may appeal the finding of the College Official and/or the assigned discipline to the Student Conduct Panel in writing to the Dean of Student Services within five (5) business days of receiving documentation from the College Official.

4. When a student appeal is received, the Student Conduct Panel will conduct a hearing. During the hearing, the College Official will present the charge(s) and all evidence collected during his/her investigation. Complainants and victims will also be afforded the opportunity to present witnesses and other evidence during the hearing. The accused student may present evidence, call witnesses, and/or address witness statements and evidence presented. The outcomes of the hearing may be one of the following:
   a. The Student Conduct Panel finds the preponderance of evidence supports the charge(s) and assigns appropriate discipline in writing.
   b. The Student Conduct Panel finds the preponderance of evidences does not support the charge(s) and dismisses the charge(s) in writing.

5. A student or complainant may appeal the Student Conduct Panel’s findings or discipline assignment in writing to the Angelina College President within five (5) business days of receiving documentation from the Student Conduct Panel. The only grounds for appeal are as follows:
   a. A procedural error occurred that significantly impacted the outcome of the hearing(s) (e.g. substantiated bias, failure to document findings, material deviation from established procedures, etc.);
   b. New evidence unavailable during the original hearing or investigation that could substantially impact the original finding or discipline assignment is found. A summary of this new evidence must be included in the written appeal;
   c. The discipline assigned is materially disproportionate to the severity of the violation.

6. The President will review the charge(s), the written findings of the Case Official and the Discipline Panel, and the written appeal from the student to decide the merits of the student’s appeal. At his/her sole discretion, the President may meet with the student during his/her deliberation of the appeal. Pursuant to authority delegated to the President by the Angelina College Board of Trustees, the decision of the President is final.
Student Conduct Panel
Each year, the Dean of Student Services shall request the Angelina College Committee on Committees assign not less than three (3) faculty members and three (3) professional staff members to the Student Conduct Panel to serve one year terms. A faculty or professional staff member may serve additional one year terms at his/her request if the Dean of Student Services approves. The Dean of Student Services will recruit and appoint not less than three (3) currently enrolled students to serve on the Student Conduct Panel during each semester. The Dean of Student Services or designee shall conduct thorough, appropriate training with the Student Conduct Panel each semester. If a panelist cannot complete his/her term for any reason, the Dean of Student Services shall appoint and train a panelist from the exiting panelist’s group (i.e., faculty, professional staff, student) who will serve the remainder of the exiting panelist’s term. The Student Conduct Panel shall elect a Chief Panelist each semester by majority vote.

When the Student Conduct Panel receives a student appeal, the Chief Panelist will assign three current panelists, including at least one (1) student but not more than two (2) students, to conduct the hearing and render findings. At the hearing, the findings of the investigation will be admitted, but are not binding on panelists. The goal of the hearing is to provide an appropriate resolution via an equitable process.

APPEALS
All sanctions imposed by the College Official or Student Conduct Panel will be in effect during any appeal. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the student to his/her prior status, recognizing that some opportunities lost may be irretrievable in the short term.
The student complaints policy is designed to resolve complaints in a timely and equitable manner. All complaints will be handled in a confidential manner, and information will not be disclosed to anyone except as required by law, as needed to effectively investigate the complaint, and/or as required to respond to legal proceedings.

SECTION ONE
GUIDING PRINCIPLES

1.01 The College encourages students to discuss their concerns with the appropriate instructor or other College employee who has the authority to address the concerns.

1.02 Concerns should be expressed as soon as possible to allow timely resolution.

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

SECTION TWO
FORMAL PROCESS GENERAL PRINCIPLES

2.01 A student may initiate the formal process described below by timely filing a written complaint form (see: FLD Exhibit).

2.02 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. 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.

2.03 Freedom from Retaliation
Neither the Board nor any College employee shall unlawfully retaliate against any student for appropriately communicating a concern or complaint.

2.04 Notice to Students
The College shall inform students of this policy through appropriate College publications.

2.05 Other Complaint Processes
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 this policy after the relevant complaint process.

1. Complaints alleging discrimination, including violations of Title IX of the Education Amendments Act of 1972, as amended (gender), Title VII of the Civil Rights Act of 1964, as amended (sex, race, color, religion, national origin), Age Discrimination in Employment Act of 1967 (age), or Section 504 of the Rehabilitation Act, as amended and Americans with Disabilities Act of 1990 as amended (disability), shall be submitted in accordance with the Student Freedom
STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT COMPLAINTS

from Discrimination, Harassment, and Retaliation policy (see: FFD Regulation in the AC Policy and Procedure Manual).

2. Complaints concerning retaliation relating to discrimination and harassment (see: FFD Regulation in the AC Policy and Procedure Manual).


4. Complaints concerning a commissioned peace officer who is an employee of the College shall be submitted in accordance with state law.

5. Complaints or appeals regarding course grades (see EGA Regulation in the Policy and Procedure Manual).

2.06 Filing a Complaint

Complaint forms and appeal notices (see FLD Exhibit) 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 employee 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 five (5) days after the deadline.

2.07 Scheduling Conferences

If a student fails to appear at a scheduled conference, the College may hold the conference and issue a decision in the student’s absence.

2.08 Response

At Levels One, Two, and Three, “response” shall mean a written communication to the student from the appropriate College employee. 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.

2.09 Days

“Days” shall mean College business days. In calculating timelines under this policy, the day a document is filed is “day zero.” The following day is “day one.”

2.10 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 (see FLD Exhibit) at any level of this process. If the student designates a representative with fewer than five days’ notice to the College before a scheduled conference or hearing, the College may reschedule the conference or hearing to a later date, if desired, in order to include the College’s counsel. The College may be represented by counsel at any level of the process.
2.11  **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.

2.12  **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 five (5) 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.

2.13  **Costs Incurred**
Each party shall pay its own costs incurred in the course of the complaint.

2.14  **Complaint and Appeal Form**
Complaints and appeals under this policy shall be submitted in writing on a form provided by the College (see FLD Exhibit). Copies of any documents that support the complaint should be attached to the complaint form. If the student does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student unless the student did not know the documents existed before the Level One conference.

A Complaint and 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.

**SECTION THREE**
**FORMAL COMPLAINT PROCESS**

3.01  **Level One - Staff Member or Faculty Member**
Complaint forms must be filed within five (5) 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; and with the lowest-level staff member or faculty member who has the authority to remedy the alleged problem.

If the complaint is not filed with the appropriate staff member or faculty member, the receiving employee must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate staff member or faculty member.

The appropriate College employee shall investigate as necessary and schedule a conference with the student within five (5) days after receipt of the written complaint. The employee may set reasonable time limits for the conference.
STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT COMPLAINTS

Absent extenuating circumstances, the employee shall provide the student a written response within five (5) days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the employee may consider information provided at the Level One conference and any relevant documents or information the employee believes will help resolve the complaint.

The employee shall develop a record of the Level One process that includes the following documents and files, and submit the entire record to the Dean of Student Affairs:

- The original complaint form and any attachments;
- All other documents submitted by the student;
- The written response issued by the employee and any attachments;
- All other documents relied upon by employee in reaching the initial decision; and
- Any audio or video recordings of conferences.

3.02 Level Two - Supervisor

If the student did not receive the relief requested at Level One or if the time for a response has expired, the student may request a conference with the appropriate supervisor to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the College, within five (5) days of the date of the written Level One response or, if no response was received, within five (5) days of the Level One response deadline.

After receiving notice of the appeal, the Level One employee shall forward the full Level One record to the Level Two supervisor. The student may request a copy of the Level One record.

The Level Two supervisor shall schedule a conference within five (5) 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 presented at the Level One conference. The Level Two supervisor may set reasonable time limits for the conference.

The Level Two supervisor shall provide the student a written response within five (5) days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Two supervisor may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two supervisor believes will help resolve the complaint.

The Level Two supervisor shall develop a record of the Level Two process that includes the following documents and files, and submit the entire record to the Dean of Student Affairs:

- The complete Level One record;
- All other documents submitted by the student;
- The written response issued by the supervisor and any attachments;
STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT COMPLAINTS

- All other documents relied upon by supervisor in reaching the initial decision; and
- Any audio or video recordings of conferences.

### 3.03 Level Three - Executive

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 appropriate Vice President or Dean (hereinafter “executive”) to appeal the Level Two decision.

The appeal notice must be filed in writing, on a form provided by the College, within five (5) days of the date of the written Level Two response or, if no response was received, within five (5) days of the Level Two response deadline.

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

The Level Three executive shall schedule an appeals conference within five (5) days after the appeal notice is filed. The conference shall be limited to the issues and documents presented at Level Two. At the conference, the student may provide information concerning any documents or information relied on by the supervisor for the Level Two decision. The Level Three executive may set reasonable time limits for the conference.

The Level Three executive shall provide the student a written response within five (5) days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the executive may consider the Level One and Level Two record, information provided at the Level Three conference, and any other relevant documents or information the Level Three executive believes will help resolve the complaint.

The Level Three executive shall develop a record of the Level three process that includes the following documents and files, and submit the entire record to the Dean of Student Affairs:

- The complete Level One record;
- The complete Level Two record;
- All other documents submitted by the student;
- The written response issued by the executive and any attachments;
- All other documents relied upon by executive in reaching the initial decision; and
- Any audio or video recordings of conferences.

### 3.04 Level Four - College President

Within five (5) days of receiving notice of the Level Three response, any party to the complaint may petition in writing the College President to review the decision. The petition shall state with particularity why the decision is believed to be incorrect or unfair. The College President shall review the Level Three record, and may -- at the College President’s sole discretion -- schedule a conference with the involved parties to discuss the appeal.
Within five (5) days of receiving the petition, the College President may act to affirm, modify, remand, or reverse the decision in a written response to all parties. If no action is taken within five (5) days, the Level Three decision shall thereby be affirmed and final.
ANGELINA COLLEGE
STUDENT COMPLAINT AND APPEAL FORM

All formal complaints/grievances and appeals must be submitted using this form, and all fields must be completed. If a field is not relevant, write “N/A” in the space provided. Please note that complaints alleging discrimination, including violations of Title IX (sex and gender), Title VII (race, color, religion, national origin), ADEA (age), or ADA/Section 504 (disability), must be submitted to the Dean of Student Affairs, Student Center room 101, and in accordance with Angelina College policy.

Field 1 Student Name: _______________________________  Field 2 Date: __________________

Field 3 Select One Option Below:

- ○ LEVEL ONE: Complaint filed with Staff or Faculty Member
- ○ LEVEL TWO: Appeal to Associate Dean or Director
- ○ LEVEL THREE: Appeal to Vice President or Dean
- ○ LEVEL FOUR: Appeal to College President

- ○ DISCRIMINATION

Title IX, Title VII, ADEA & Section 504, and all other Discrimination: submit to Dean of Student Affairs.

You may attach any relevant documents to this form. You may also attach additional pages if the spaces provided below are insufficient. If you choose to attach additional pages, please write “see attached” in the space(s) below.

Field 4 Complaint
Be specific (e.g., include full names, date the alleged incident occurred, places, relevant rules & regulations, etc.). The complaint must be in relation to an incident that has already occurred. Do not reference multiple matters or matters already addressed in a grievance you previously submitted.

Field 5 Adverse Effect
Explain how the alleged action or issue adversely affected or interfered with your right to an education.
**Field 6 Requested Relief**
State the specific corrective action or relief you are requesting. The corrective action or requested relief must be within the authority of AC to grant.

**Field 7 Names of Witnesses** who have firsthand knowledge of the complaint if you want to present a witness(es) or testimony from such a witness or witnesses:

__________________________________________  ______________________________________

__________________________________________  ______________________________________

**Field 8 Name of Representative:**
You may identify a representative when the complaint is initially submitted or when submitting an appeal to a Level One, Level Two, or Level Three response. If you fail to identify a representative when this form is submitted, a representative shall not be allowed to attend the corresponding conference or hearing.

**Field 9 Signature**

____________________  ______________________
Signature           Date

____________________
Printed Name

**ADMINISTRATION USE ONLY**

Name of employee who received this form: ________________________________

Date complaint form received: ___________ Did student discuss complaint with you informally (y/n) ______

Date of complaint conference or hearing: ___________ Date written response sent to student: ___________

**Employee must send** (a) the original complaint form and any attachments, (b) all other documents submitted by the student, (c) the written response issued by the employee and any attachments, (d) all other documents relied upon by the employee in reaching the initial decision, and (e) any recordings of conferences to the Dean of Student Affairs.

Administrative Notes:
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<td>GA</td>
<td>PUBLIC INFORMATION PROGRAM</td>
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<td>GAA</td>
<td>Public’s Right to Know</td>
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<td>GCA</td>
<td>OFFICIAL INSTITUTIONAL RELATIONSHIPS POLICY</td>
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<td>GF</td>
<td>STUDENT AND COMMUNITY USE OF DISTRICT FACILITIES</td>
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<td>GFA</td>
<td>Conduct on College District Premises</td>
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COMMUNICATIONS, COMMUNITY, AND GOVERNMENTAL RELATIONS

Important factors in the overall effectiveness and image of the College District are the relationships with various community, educational, and governmental organizations.

The following guidelines are designed to enhance the image of the College District and ensure consistency in community relations:

1. The College President is the only official designated to legally obligate the College District in contractual relationships with other schools, governmental and community agencies, or accreditation agencies. This authority may be delegated only if specifically provided in the document or agreement.

2. All major news releases, articulation agreements, or community information initiatives should be approved by the College President or his designee, including the Coordinator of Marketing and Development, and the Vice President and Dean of Instruction.

3. The College President or his designee should be the only official spokesperson with elected officials or government agencies.

4. All news releases and advertising material should be approved by the College President or his designee, the Coordinator of Marketing and Development.

5. All communication devices (phones, faxes, computers, Internet connections) are the property of the College District and should be used for College District business only. Any personal use shall be reimbursed to the College District.

6. Telephone advertising must be approved by the office of public information.

7. The Communications and Publications Office will send flowers, cards, and remembrances on the behalf of the College District at appropriate times.

WEB PAGE AND PROTOCOL

The College District has created and maintains a College District Web page for public information about the College District. The Communications and Publications Office is charged with the responsibility for changing and maintaining the Web pages.

The College District Web page is maintained using the following protocol:
1. The College District Web page is administered through the Coordinator of Communications and Publications and a Web page administrator.

2. The faculty technology committee will periodically review the Web page and its use.

3. Each division will be responsible for its own web content subject to approval by the Coordinator of Communications and Publications.

4. Instructors and students are not permitted to create and maintain private Web pages or social media sites that represent the College District or its programs and services.
Persons desiring to review documents maintained by the College District and classified as public information shall submit their request, in writing, on forms provided by the College District or in any other written manner that sets forth the required information. The application shall properly identify the document, or documents, to be inspected. Reasonable charges to provide required information shall include photocopying and personnel expenses.

The applicant’s name and address must be set forth on the application. A picture identification card, such as a driver’s license, may be required to verify identity.

Applications shall be handled in the order in which they are received.

Applications to review documents must be approved by the College President’s office and the appropriate administrator who is custodian of the records.

In the event the requested documents are in active use or in storage and, therefore, not available at the time the application to review documents is submitted, the College President or designee shall set forth this fact in writing on the application returned to the applicant, and set a date and hour at which time the requested materials will be available for inspection.

The College District is not required to prepare or create new information requested by a member of the public. The Public Information Act does not require the College District to prepare or generate information in the specific form that may be requested by the public.

Persons inspecting documents may do so only in a designated inspection area and a College District employee shall be available for assistance.

The College President or designee may limit the number of pages that can be copied and supplied during a person’s visit, if the number of copies requested is beyond the reasonable capacity of the available personnel and machines. Copies in excess of the number available during a person’s visit will be made and mailed to the applicant in the order in which the request is received.

Documents may be inspected during regular business hours. Persons requesting information, in a written form, at a public meeting (Board meeting, hearing) shall be directed to follow the procedures outlined in this policy.
The College District shall apply the standard published cost for supplying copies of public information documents to the public in addition to direct personnel expenses.

The College District is not required to release information contained in its education records except in conformity with the provisions of the Family Educational Rights and Privacy Act of 1974.
The Angelina College Board of Trustees recognizes the potential value of official institutional relationships with individuals, civic and nonprofit organizations, government agencies and districts, businesses and corporations, other higher education institutions, independent school districts, and other entities. Official institutional relationships shall not detract from the College's values, dignity, integrity, or reputation, nor shall any official institutional relationship create a conflict of interest or the appearance of a conflict of interest.

The Board of Trustees delegates exclusively to the College president authority to develop and negotiate on behalf of the College District official institutional relationships with the intent of contributing to the overall operation, development, and promotion of the College District. On behalf of the College District, the College president shall execute an appropriate instrument such as a memorandum of understanding, articulation agreement, or contract with any entity with which he or she negotiates an official institutional relationship. A provision allowing the College District to terminate the agreement within a reasonable timeframe for breach of contract or material changes in circumstances must be incorporated in the agreement instrument. The College president shall exclusively recommend official institutional relationships to the Board of Trustees, and all official institutional relationships are pending upon final approval of the Board of Trustees.

For the purposes of this policy, official institutional relationships are those that (a) involve a substantial or material commitment of College District financial, physical, or personnel resources; (b) publically associate the College District's name or brand with the name or brand of another entity; and/or (c) establish an exclusive association between the College District and an entity for the provision of a service, program, or activity.

The Board delegates to the College president authority to enter into unofficial relationships on behalf of the College District providing an unofficial relationship does not result in a commitment, association, or establishment as described in the definition of an official institutional relationship.
STUDENT AND COMMUNITY USE OF
DISTRICT FACILITIES

PURPOSE
A comprehensive community college recognizes the need for the use of its facilities by outside organizations. Such use is encouraged to bring visitors onto campus, to assist the community in its endeavors, and to complement the College District program and mission.

USE BY COLLEGE DISTRICT GROUPS AND ORGANIZATIONS
All College District organizations and outside entities wishing to schedule facilities for use, other than direct College District course instruction, shall complete a facility reservation request and contract. [See GF(EXHIBIT)]

College District student organizations desiring to use a facility for an activity should seek approval for the activity, its location, and any form of advertising or announcement from the dean of student services. [See FKC(REGULATION)]

PRIORITY OF USE
College District activities have first priority. Reservations made more than four months or one semester in advance are subject to cancellation by the College District if the College District or one of its organizations must use the facility for an event that they are sponsoring or cosponsoring. The College District will offer alternative facilities in the event of a cancellation if alternate facilities are available.

RESTRICTIONS
All activities are scheduled subject to availability and must not supplant the regularly scheduled activities of the College District. Use may be denied groups engaging in activities that:

1. Conflict with the goals and mission of the College District;
2. Engage in commercial profit-making or recruiting; or
3. Cause a security concern.

Private parties or individuals may be denied use of College District facilities. Groups that have previously received disciplinary action by the College District, have damaged College property, or have a current unpaid debt to the College District may be denied use of College District facilities. Activities that would disrupt instructional programs or conflict with College organizations will be prohibited. Organizations that charge admission or solicit funds may be denied use of facilities or charged an additional fee. Facilities are not normally available for use during Christmas break, spring break, or holidays when the College is closed. Facility use when The College is closed may require the payment of additional fees.
PROcedures

The community services office will handle all administrative activities associated with the reservation and use of facilities including information, requisitions, determination of rents, audiovisual or equipment needs, contracts, custodial arrangements, collection of deposits and rents, and resolution of conflicts. Ample parking is available in the College District parking lots for most evening events without restriction. Daytime events may require special parking considerations, which will be established by the community services office. The office will handle all administrative activities associated with the use of facilities including information, requisitions, determination of rents, audiovisual or equipment needs, contracts, custodial arrangements, collection of deposits and rents, and resolution of conflicts.

reservation of Special areas

In the case of fine arts, food service, dormitory, gymnasium, or athletic field, community services will review reservation requests from the requesting group and confirm availability of facilities and contact the appropriate College District office. Upon approval of the office, the community services office will notify the requesting party. These offices will confirm arrangements made to the community services office so that a proper facility reservation form may be issued. All reservations for facility use by outside organizations must be issued by the community services office. The office maintains a master calendar of activities to avoid conflicts of use. All forms of advertising by outside groups must be approved by the community services office.

Organizations or persons requesting to reserve these special facilities subscribe to special rules and regulations in addition to the normal requisition of facilities. Any contract issued for use may require the assignment of College District personnel to operate light and/or sound systems, scoreboards, etc., which will be billed to the reserving organization. In addition, a College District staff member will be assigned to monitor the activities and provide necessary assistance. [See GF(EXHIBIT)]

Off-campus facilities owned or operated by The College may have different restrictions, limitations, or rental-use fees subject to an operations agreement, a deed, or a rental agreement for that property.
EXHIBIT A

FACILITY AND EQUIPMENT RENTAL RATES AND FEES
(EFFECTIVE 9/1/02)

A. Facility Rental
Daily rates include up to 8 hours (8 a.m. – 5 p.m.) or one evening (5 p.m. – 10 p.m.)

1. General Purpose Classroom
   Weekday, 7 a.m. – 5 p.m.    $40/day
   Weekday, after 5 p.m.        $50/day
   Weekend                      $60/day

2. Cafeteria, large lecture hall, computer or specialized classroom/laboratory, Health Careers or Science/Mathematics Lecture Hall
   Weekday                    $100/day
   Weekend                    $150/day

3. Community Services Conference Center
   $150/day, plus operational expenses

4. Dormitory
   Based on availability       $15 per student per day
                                  $25 per non-student per day

5. Hudgins Hall Auditorium
   $200/day, with $100 deposit + actual cost of personnel and security

   Angelina Center for the Arts, Temple Theater
   $1,100/day* with $200 deposit (includes costs of personnel and security)*

6. Gym, athletic fields, or tournament activity, unless game is cosponsored by the College District or approved by a separate agreement:
   Gym                         $150/day
Activity Center, Shands Gym $850/day** — $100 deposit (includes costs of personnel and security)**
Baseball Field or Softball Field $400/day or $500 for evening game (lights) plus cost of personnel and Security

7. Ropes Course $25 per person per day arranged through Community Service

8. Teleconference Facility $150/day
Interactive Phone Service $.15/jack/minute
Tape Recording Service $50
Program Receive Cost Annual cost ($50 minimum)

B. EQUIPMENT RENTAL

Computer Use $15/day per station
Piano Rental $75/day ($75 minimum)
Power Point projector $75/day
Laptop Computer $100/day
Use of Copier $.10/page
TV/VCR $25/day

*Minimum charges required per day or evening for Angelina Center for the Arts that are included in base rental.

Required security $20/hr
Ushers = $85
Custodial (required) = $250
Building supervision = $75
Lights, sound, technical = As Needed
    Extra total minimum estimated = $500
Plus box office services provided by Angelina Arts Alliance of $1.00 per ticket printed or 10% of the gross.

**Minimum charges required per day or evening for Activity Center, Shands Gym that are included in base rental.

Required security $15/hour minimum = $90
Gate personnel $15 per game, $25 for two games/minimum = $60
Custodial (required) = $250
Scorers table $20.00 per game
Building supervision = $75
    Extra total minimum estimated = $500
C. OTHER FEES

1. Holidays and breaks when College is closed:
   Additional utility and security fee of $150/day added to rental.

2. Outside events that raise funds, solicit donations, charge admission, or sell items
   are subject to a College District charge of 10% of gross receipts.

3. College District personnel assigned as necessary to monitor or assist with
   events: $75 per event (evening or ½ day).

4. College District food service for refreshments, banquets, dinners are negotiated
   on the basis of menu and number of persons attending.
Angelina College
03501

STUDENT AND COMMUNITY USE OF COLLEGE DISTRICT FACILITIES: CONDUCT ON COLLEGE DISTRICT PREMISES

In addition to criminal penalties as allowed by law, any student who refuses to identify himself or herself fully may be subject to discipline, including suspension.

WEAPONS PROHIBITED
The College District prohibits the use, possession, or display of any firearm, illegal knife, club, or prohibited weapon, as defined in FLB, on all College District property at all times.

EXCEPTIONS
No violation of this policy occurs when the use, possession, or display of an otherwise prohibited weapon takes place as part of a College District-approved activity supervised by proper authorities.

TOBACCO USE
The College District is a tobacco-free institution committed to providing its students and employees a safe and healthy environment. The use of all tobacco products shall be prohibited on all property owned or operated by the College District. This shall include buildings, grounds, sidewalks, and streets. This policy shall also apply to vehicles owned or operated by the College District.

Smoking and Tobacco use are permitted only inside the confines of private vehicles.

E-Cigarettes are prohibited in classrooms, labs, and activity areas in which they would be a potential hazard or distraction.