

**BBF(Local): Board Members - Ethics**

**BBF(Local) Provisions have been added to include a regular Board self-assessment. This is a new SACS-COC accreditation standard.**

	<b>Before</b>	<b>After</b>	<b>Operational Impact</b>	<b>Cost Impact</b>
<b>A</b>	n/a	<p>NEW LANGUAGE:</p> <p>13. Regularly conduct a Board of Trustees' self-assessment to give individual Board members an opportunity to assess how effectively they fulfill their responsibilities as a Trustee and how effectively the full Board fulfills its duties.</p>	<p>The Board conducted a self-assessment in 2017, so this will not be a new process, but rather a codification of the existing process.</p>	n/a

**Statement of Ethics**

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

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

12. Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law.



~~12-13.~~ Regularly conduct a Board of Trustees' self-assessment to give individual Board members an opportunity to assess how effectively they fulfill their responsibilities as a Trustee and how effectively the full Board fulfills its duties.

~~13-14.~~ Remember always that my first and greatest concern must be the educational welfare of the students attending the College District.

REFERENCES: National School Boards Association and Southern Association of Colleges and Schools Commission on Colleges

**BCB(Local): Board Internal Organization – Board Committees**

**BCB(Local) – Recommended edits clarify the roles of the board finance and audit committee and the facilities and construction committee.**

	<b>Before</b>	<b>After</b>	<b>Operational Impact</b>	<b>Cost Impact</b>
<b>A</b>	The finance and audit committee shall review the College’s budget, estimated resources and requirements, and budget adjustments and make recommendations to the Board for action. It also shall review the College’s annual financial audit and present the findings to the Board.	The finance and audit committee may receive and review staff recommendations prior to making a recommendation to the Board of Trustees on matters involving budget development and amendment; ad valorem property tax analyses, truth in taxation calculations and locally authorized exemptions; changes in investment policy and authorized broker dealers; the annual comprehensive annual financial report; debt analyses; revenue and expense analyses, procurement recommendations and other fiscal strategies and impacts.	n/a	n/a
<b>B</b>	The finance and audit committee shall also receive periodic operational audit updates from the Office of Internal Audit and shall review the annual audit review plan and the internal operational audit charter prior to consideration for approval by the Board.	The finance and audit committee shall also receive periodic updates on operational analyses and shall review the annual operational review plan.	n/a	n/a

C	<p>The campus facilities and construction committee shall review site selection criteria for campuses, major building modifications; and significant change orders and architectural selection processes. It also shall serve as liaison with city officials regarding activities related to site and building construction.</p>	<p>The campus facilities and construction committee may receive and review staff recommendations prior to making a recommendation to the Board of Trustees on matters involving master planning; major building modifications; significant construction change orders that involve changes in scope or budget increases; recommendations on construction delivery methods; Requests for Qualifications to solicit architectural or construction services; contracts to engage architectural or construction firms; contracts to acquire land or to authorize capital improvement projects; acceptance of completed projects; and, other facility related matters.</p>	n/a	n/a
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BOARD INTERNAL ORGANIZATION  
BOARD COMMITTEES

BCB  
(LOCAL)

FINANCE AND AUDIT  
COMMITTEE



The finance and audit committee may receive and review staff recommendations prior to making a recommendation to the Board of Trustees on matters involving budget development and amendment; ad valorem property tax analyses, truth in taxation calculations and locally authorized exemptions; changes in investment policy and authorized broker dealers; the annual comprehensive annual financial report; debt analyses; revenue and expense analyses, procurement recommendations and other fiscal strategies and impacts. ~~shall review the College's budget, estimated resources and requirements, and budget adjustments and make recommendations to the Board for action. It also shall review the College's annual financial audit and present the findings to the Board.~~



The finance and audit committee shall also receive periodic operational audit updates on operational analyses from the Office of Internal Audit and shall review the annual operational audit review plan, ~~and the internal operational audit charter prior to consideration for approval by the Board.~~

CAMPUS FACILITIES  
AND CONSTRUCTION



The campus facilities and construction committee may receive and review staff recommendations prior to making a recommendation to the Board of Trustees on matters involving master planning; shall review site selection criteria for campuses, major building modifications; and significant significant construction change orders that involve changes in scope or budget increases; recommendations on construction delivery methods; Requests for Qualifications to solicit architectural or construction services; and contracts to engage architectural or construction firms; contracts to acquire land or to authorize capital improvement projects; architectural selection processes acceptance of completed projects; and, other facility related matters. ~~It also shall serve as liaison with city officials regarding activities related to site and building construction.~~

ORGANIZATION,  
EDUCATION, AND  
POLICY

The organization, education, and policy committee shall review recommendations from the District President related to organization, education, and College policies and shall make recommendations to the Board for action.

REPRESENTATION ON  
OTHER BOARDS

Members of the Board may also be appointed to represent the College on external boards, including but not limited to, economic development boards, Tax Increment Financing (TIF) boards, tax abatement boards, and the Collin County Community College District Foundation, Inc. Board.

TEXAS OPEN  
MEETINGS ACT

All committees of the Board shall meet in compliance with the Texas Open Meetings Act, as applicable. [See BCB(LEGAL)]

**CDC(Local): Accounting - Audits**

**CDC(Local) – Recommended edits provide clarification of the expectation and role of the external audit process and reports to the Board of Trustees.**

	<b>Before</b>	<b>After</b>	<b>Operational Impact</b>	<b>Cost Impact</b>
<b>A</b>	<p>The Board shall select an auditing firm for a designated period through a Request for Qualifications (RFQ) or an engagement letter that outlines the Board's expectations for the annual financial audit.</p>	<p>The Board shall engage a firm of independent Certified Public Accountants (CPA) for a designated period through a Request for Qualifications (RFQ) solicitation process that outlines the Board's expectations for the annual financial audit which includes rendering opinions on the College's financial statements. Such engagement shall be conducted according to auditing standards generally applicable in the United States of America and the standards applicable to financial audits contained in <i>Government Auditing Standards</i> issued by the Comptroller General of the United States. Additionally, the selected audit firm is required to audit the compliance of the College with the types of compliance requirements described in the <i>U.S. Office of Management and Budget's OMB Compliance Supplement</i> and the <i>State of Texas Single Audit Circular</i> that could have a direct and material effect on each of its major federal and state programs.</p>	<p>Clarifies and strengthens the board's expectations of an external auditor.</p>	<p>n/a</p>

<b>B</b>	<p>The Board shall select an auditing firm for a designated period through a Request for Qualifications (RFQ) that outlines the Board's expectations for the annual financial audit and ensures that the audit firm follows the guidelines and standards of the American Institute of Certified Public Accountants (AICPA) and the Governmental Accounting Standards Board (GASB).</p> <p>The annual financial audit of all funds shall be made to determine:</p> <p>The adequacy of the Board's fiscal policies.</p> <p>The execution of those fiscal policies.</p>	<p>In each fiscal year that ends with an odd digit the independent auditor is required to comply with the Public Funds Investment Act (PFIA), Texas Government Code Section 2256.005(n), by submitting the Biennial Compliance Audit Report to the State Auditor's Office.</p>	<p>Clarifies and strengthens the board's expectations of an external auditor.</p>	<p>n/a</p>
<b>C</b>	<p>A comprehensive financial audit report of all funds and accounts of the College shall be submitted annually to the Board.</p>	<p>A Comprehensive Annual Financial Report (CAFR) shall be submitted annually to the Board for approval no later than December 31.</p>	<p>Clarifies and strengthens the board's expectations of an external auditor.</p>	<p>n/a</p>



FINANCIAL AUDITS

**A**

The Board shall ~~select~~engage ~~an firm of~~ independent Certified Public Accountants (CPA) auditing firm for a designated period through a Request for Qualifications (RFQ) solicitation processer ~~an engagement letter~~ that outlines the Board's expectations for the annual financial audit which includes rendering opinions on the College's financial statements. Such engagement shall be conducted according to auditing standards generally applicable in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States. Additionally, the selected audit firm is required to audit the compliance of the College with the types of compliance requirements described in the U.S. Office of Management and Budget's OMB Compliance Supplement and the State of Texas Single Audit Circular that could have a direct and material effect on each of its major federal and state programs.

**B**

In each fiscal year that ends with an odd digit the independent auditor is required to comply with the Public Funds Investment Act (PFIA), Texas Government Code Section 2256.005(n), by submitting the Biennial Compliance Audit Report to the State Auditor's Office and ensures that the audit firm follows the guidelines and standards of the American Institute of Certified Public Accountants (AICPA) and the Governmental Accounting Standards Board (GASB).

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

~~The adequacy of the Board's fiscal policies.~~

~~The execution of those fiscal policies.~~

~~A check and review of the College's fiscal actions for the preceding year.~~

**C**

A Comprehensive Annual Financial audit Report (CAFR) of all funds and accounts of the College shall be submitted annually to the Board for approval no later than December 31. A copy of the independent audit shall become a part of the Board's official minutes and shall be available to the public for inspection during regular office hours.

INTERNAL AUDITS

All College operations are subject to internal audit.

**CHF(Local): Site Management - Weapons**

CHF(Local) Recommended revisions to this local policy reflect a change in terminology from "illegal knife" to "location-restricted knife" as a result of HB 1935.

	<b>Before</b>	<b>After</b>	<b>Operational Impact</b>	<b>Cost Impact</b>
<b>A</b>	The purpose of this policy is to implement Texas Government Code, Section 411.2031, CARRYING OF HANDGUNS BY LICENSE HOLDERS ON CERTAIN CAMPUSES, at Collin County Community College effective August 1, 2017, and to outline prohibited fire-arms and weapons on all College District campuses.	The purpose of this policy is to implement Texas Government Code, Section 411.2031, Carrying of Handguns by License Holders on Certain Campuses at Collin County Community College effective August 1, 2017, and to outline prohibited fire-arms and weapons on all College District campuses.	n/a	n/a
<b>B</b>	All other weapons are strictly prohibited for students, staff, faculty, and visitors on College property or at any College-sponsored or -related activity, including, but not limited to, long guns, knives with blades longer than five and one-half inches, brass knuckles, clubs, explosives, fireworks of any kind, incendiary devices, instruments designed to expel a projectile with the use of pressurized air, such as a BB gun, martial arts throwing stars, or any weapons described in CHF(LEGAL).	All other weapons are strictly prohibited for students, staff, faculty, and visitors on College property or at any College-sponsored or -related activity, including, but not limited to, long guns, location-restricted knives, brass knuckles, clubs, explosives, fireworks of any kind, incendiary devices, instruments designed to expel a projectile with the use of pressurized air, such as a BB gun, martial arts throwing stars, or any weapons described in CHF(LEGAL).	n/a	n/a

<b>C</b>	The possession or use of articles not generally considered to be weapons may be prohibited when the District President or designee determines that a danger exists for any student, College District employee, or College District property by virtue of possession or use.	An exception is authorized for the limited purpose of honor guards who carry ceremonial swords (e.g. Military Ball) at a Collin College-sponsored event. The possession or use of articles not generally considered to be weapons may be prohibited when the District President or designee determines that a danger exists for any student, College District employee, or College District property by virtue of possession or use.	Provides for an exception for ceremonial swords being used by honor guards at a college-sponsored event.	n/a
<b>D</b>	Exclusion Zones:  6. Facilities where professional, high school, college sporting, or other interscholastic events are in progress.	Exclusion Zones:  6. Facilities where professional, high school, college sporting, or interscholastic events are in progress.	Clarifies that all professional, high school, and college events are exclusion zones, not just interscholastic events of this nature.	n/a
<b>E</b>	Exclusion Zones:  7. Locker rooms where individuals change clothes, including those at athletic facilities, and health science education facilities.	Exclusion Zones:  7. Locker and dressing rooms where individuals change clothes, including those at athletic, theatre, and health science education facilities.	Included theatre dressing rooms as an exclusion zone.	n/a

**Concealed Carry and  
Other General  
Provisions**



The purpose of this policy is to implement Texas Government Code, Section 411.2031, Carrying of Handguns by License Holders on Certain Campuses~~CARRYING OF HANDGUNS BY LICENSE HOLDERS ON CERTAIN CAMPUSES~~, at Collin County Community College effective August 1, 2017, and to outline prohibited firearms and weapons on all College District campuses.

**Firearms**

The College District prohibits the use, possession, or display of a firearm on College property or at a College-sponsored or -related activity in violation of the law or College policies and procedures, unless written authorization is granted in advance by the District President or designee.

**Procedures**

After consulting with students, staff, and faculty of Collin College regarding the nature of the student population, specific safety considerations, and the uniqueness of Collin College, the District President has established the following rules regarding the carrying of concealed handguns by license holders on the campuses of Collin College:

1. Only individuals with a valid License to Carry a Handgun (LTC) issued by the Texas Department of Public Safety (DPS), under Texas Government Code Chapter 411, Subchapter H, as well as licenses from other states, the validity of which is recognized by the state of Texas, may carry a concealed handgun on or about his or her person on the property of the College.
2. The College prohibits the use, possession, or display of any illegal knife, club, or prohibited weapons, as defined by the Texas Penal Code and described in CHF(LEGAL), on College property or at a College-sponsored or -related activity, unless written authorization is granted in advance by the District President or designee.
3. While on College campuses, it is the responsibility of the holder of the LTC to conceal the handgun so that it is not partially or wholly visible to another person.
4. While on a College campus, a LTC holder who is in possession of a handgun must keep that handgun on or about his or her person or in a locked vehicle, as permitted by law.
5. Handguns may not be stored overnight on College campuses, unless in a locked, privately owned or leased motor vehicle.
6. Possession of a handgun on College property while intoxicated, under the influence of illegal drugs, or while taking prescription drugs that impair judgment or physical abilities is prohibited.

SITE MANAGEMENT  
WEAPONS

CHF  
(LOCAL)

7. This policy applies to persons traveling in College-owned vehicles. However, the policies of the owner of the vehicle apply when private or commercial transportation is used for Collin College travel.
8. Individuals who do not possess a valid LTC are prohibited from possessing a handgun on College campuses.
9. This policy applies to all students, staff, faculty, and visitors of the College, except for law enforcement officers licensed by a state of the United States or a federal agency.
10. Open carry of a handgun on a campus of the College is restricted to law enforcement officers licensed by a state of the United States or a federal agency.
11. Students and employees of the College, with the exception of police officers employed by the College, shall not inquire as to whether any person is carrying a concealed weapon or possesses an LTC.
12. The storage or transportation of a firearm or ammunition is allowed by College students, faculty, staff, and employees if the individual is authorized to such possession in a locked, privately owned or leased motor vehicle on those specific premises allowed by law and described in CHF(LEGAL).

**Other Weapons**

**B**

All other weapons are strictly prohibited for students, staff, faculty, and visitors on College property or at any College-sponsored or -related activity, including, but not limited to, long guns, location-restricted knives ~~with blades longer than five and one half inches~~, brass knuckles, clubs, explosives, fireworks of any kind, incendiary devices, instruments designed to expel a projectile with the use of pressurized air, such as a BB gun, martial arts throwing stars, or any weapons described in CHF(LEGAL). An exception is authorized for the limited purpose of honor guards who carry ceremonial swords (e.g. Military Ball) at a Collin College-sponsored event.



**C**

The possession or use of articles not generally considered to be weapons may be prohibited when the District President or designee determines that a danger exists for any student, College District employee, or College District property by virtue of possession or use.

Possession of other weapons on College campuses is grounds for immediate disciplinary action and possible prosecution for violations of state law.

**Exclusion  
Zones**

Possession of a handgun is prohibited on Collin College campuses in the following locations by any person except law enforcement officers licensed by a state of the United States or a federal agency. These locations shall be appropriately identified by signage as specified under Sections 30.06 and 30.07 of the Texas Penal Code.

1. Child care facilities.
2. Polling locations.
3. In the room or rooms where a meeting of a governmental entity is held, and if the meeting is an open meeting subject to Chapter 551, Government Code, and notice as required by that chapter is provided.
4. High-hazard laboratories and health science education facilities where the presence of high-hazard materials or operations creates a significant risk of catastrophic harm due to a negligent discharge.
5. Designated meeting room(s) at each campus in Student and Enrollment Services that can be used, as needed, for disciplinary meetings or counseling meetings.
-  6. Facilities where professional, high school, college sporting, or ~~other~~ interscholastic events are in progress.
-  7. Locker and dressing rooms where individuals change clothes, including those at athletic ~~facilities, theatre,~~ and health science education facilities.
8. Any location or facility of Collin College, as directed or approved by the District President as necessary for campus safety, where effective notice on a temporary basis pursuant to Sections 30.06 and 30.07, Texas Penal Code, has been given by the required signage. An example might include a College facility where alcohol is being served for a special event.
9. A violation of these specific prohibitions is considered an offense under Section 46.035(a-3), Texas Penal Code.

**Violations**

Violations of this policy should be reported immediately to the Collin College Police Department at (972) 578-5555. Such violations may result in disciplinary action by Collin College up to and including criminal prosecution for violation of the Texas Penal Code.

Employees and students found to be in violation of this policy shall be subject to disciplinary action. [See DH, FM, and FMA]

**Reporting**

Not later than September 1 of even-numbered years, Collin College shall submit a report to the Texas State Legislature and to the standing committees of the legislature with jurisdiction over the implementation and continuation of Section 411.2031, Texas Government Code that:

1. Describes the Collin College rules, regulations, or other provisions regarding the carrying of concealed handguns on the campuses of Collin College; and
2. Explains the reasons the institution has established these provisions.

**Safety Committee**

The District President shall appoint a standing committee, the Collin College Safety Committee that is chaired by the Executive Vice President and includes representatives from the administration, faculty, staff, and student government. The committee shall be charged with meeting as needed, but at least once each fall and spring semester to review the College's policy, any new legislation and legal decisions relating to this issue, and the effectiveness of the implementation of the College's policy. Advisory notes and recommendations from the committee shall be forwarded for review and consideration by the Executive Leadership Team, District President, and Board of Trustees, as necessary.

**CR(Local): Technology Resources**

**CR(Local) Update eliminates a defunct provision that previously provided for a broadcast function for personal announcements. Provisions addressing access of electronic information by individuals with disabilities have been relocated from policy CS(Local) as a TASB recommendation. Other revisions are to clarify provisions addressing the use of drones.**

	<b>Before</b>	<b>After</b>	<b>Operational Impact</b>	<b>Cost Impact</b>
<b>A</b>	College District technological and information resources shall not be used in a manner that is invasive or that diminishes their efficiency. One example of such use involves the broadcast function. Although current technology enables users to broadcast messages to all members of the College District community simultaneously, the use of this technology is restricted to official College District activities. Any nonwork-related broadcasts of general interest to the College District community, such as birth and wedding announcements, shall be posted to the College District's general information e-mail folder.	College District technological and information resources shall not be used in a manner that is invasive or that diminishes their efficiency. One example of such use involves the broadcast function. Although current technology enables users to broadcast messages to all members of the College District community simultaneously, the use of this technology is restricted to official College District activities.	Eliminates language in policy that was no longer applicable related to an announcements function.	n/a
<b>B</b>	NEW LANGUAGE	<b>Access by Individuals with Disabilities:</b> The District President or designee shall develop procedures to ensure that individuals with disabilities have access to the College District's electronic and information resources similar to individuals without disabilities.	Existing policy language moved from policy CS per TASB recommendation.	n/a



C	The flying of drones from sites on College District property or as part of the College District's administrative, academic, or research program is permitted only in accordance with law and College District regulations.	The flying of drones over or from sites on College District property or as part of the College District's administrative, academic, or research program is permitted only in accordance with law and College District regulations.	Updates language to include drones flying over college property.	n/a
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**Definition**

Technological and information resources are defined to include electronic data and records; software; networking tools; remote access devices; electronically recorded voice, video, and multimedia communications; and other electronic devices used primarily for the transmission, storage, or utilization of electronically communicated information.

**Use of College District Technological and Information Resources**

College District technological and information resources are provided to allow faculty, staff, and students to pursue the central educational mission of the College District and are to be used to the extent that they promote that mission either directly in teaching and research or indirectly in supporting the offices that maintain College District operations. Incidental personal use that does not otherwise violate this policy or have an adverse effect on College District resources shall be permitted. Technological and information resources shall be accessed and used in an ethical manner consistent with the institution's Core Values, which include a passion for learning, service and involvement, creativity and innovation, academic excellence, dignity and respect, and integrity. All users of technological and information resources are to adhere to legal and professional standards, to support the mission, and to act in the best interests of the College District.

All users of technological and information resources are responsible for the protection of College District assets to which they are assigned and for not compromising the accuracy, integrity, and confidentiality of the information to which they have access. Resources are not to be abused or employed in such a way as to interfere with, or cause harm or damage to, another person, institution, or company within or outside the College District. While the College District encourages the exploration of educational and scholarly interests through the use of its technological resources, respect for the rights and privacy of others shall be observed. Those who are authorized to access confidential files shall respect the privacy rights of others and use data only for legitimate academic or administrative purposes.

All users of College District technology resources shall comply with the following policies, procedures, and security controls.

**Access**

Many of the technological and information resources of the College District may be accessed by all employees and students of the College District and by the public as well. However, access to some resources is restricted. The appropriate administrators shall determine and authorize the appropriate degree of access.

Users shall implement best practices in taking precautions to prevent the unauthorized use of their access codes. In choosing access codes, users shall avoid the use of common words, proper

names, readily associated nicknames or initials, and any other letter or number sequences that might easily be guessed. Users shall be held accountable for their own actions performed under their access codes and shall be subject to appropriate disciplinary action if violations occur from the actions of other individuals as a result of user negligence in protecting the codes. Users are responsible for changing access codes on a regular basis. If an access code becomes compromised, users shall change it immediately upon becoming aware that said code has been compromised.

Users shall not attempt to access, search, or copy technological and information resources without the proper authorization. No one shall use another individual's account without permission, and active sessions shall not be left unattended. Providing or using false or misleading information in order to gain access to technological and information resources shall be prohibited. Users shall not test or attempt to compromise internal controls, even for purposes of systems improvement. Such actions require the advance, written approval of the authorized administrator or must be included among the security evaluation responsibilities of one's position. Violations shall be reported to the chief information systems officer in the office of information technology.

**Protecting  
Confidentiality**

Unless disclosure is a normal requirement of a user's position and has been so authorized, no user shall disclose:

1. Confidential information that is protected by the Family Educational Rights and Privacy Act (FERPA);
2. Personnel records; or
3. Other materials commonly recognized or considered as sensitive or confidential.

All users with access to confidential data shall safeguard the accuracy, integrity, and confidentiality of that data by taking precautions and performing office procedures necessary to ensure that no unauthorized disclosure of confidential data occurs. Such precautions and procedures include, but are not limited to, securing storage of data backups, protecting sensitive data with access codes, and only storing sensitive materials on the College District's network, including College District-approved or College District-contracted external sites such as publisher websites for a course being offered by the College District.

Information regarding the confidentiality of student educational records may be found in the student handbook or by contacting the registrar.

### **Privacy**

For purposes of this policy, privacy is defined as the right of an individual or an organization to create, maintain, send, and receive electronic data, software, and communications files that are safe from examination and disclosure by unauthorized parties. The College District recognizes that individuals have a substantial interest in and reasonable expectation of privacy. Accordingly, the College District respects the privacy rights of all users of the College District's technology resources.

The College District shall not monitor users' private electronic data, software, and communications files as a routine matter. Users should note that some electronic files are copied to backups and stored for indefinite periods in centralized locations. In such instances, user deletion of an electronic file, such as an e-mail message, may not delete a previously archived copy of that file.

It is a violation of College District policy for any member of the College District community to access College District databases to engage in electronic "snooping," or to use College District technological resources for the purpose of satisfying idle curiosity about the affairs of others, with no substantial business purpose for obtaining access to such files.

The College District reserves the right to access and to disclose the contents of an individual's electronic data, software, and communications files; however, the College District will do so after obtaining the proper approvals only when a legitimate need exists and the urgency of the need is sufficiently strong to offset the College District's commitment to honor the individual's privacy. Such grounds include, but are not limited to:

1. Maintaining system integrity, for example, tracking viruses;
2. Protecting system security;
3. Investigating indications of impropriety;
4. Protecting the College District's property rights; and
5. Meeting legal obligations, for example, subpoenas and open records requests.

### **Copyright Issues**

Copyright is a form of protection the law provides to the authors of "original works of authorship" for their intellectual works that are "fixed in any tangible medium of expression," both published and unpublished (Title 17, United States Code). It is illegal to violate any of the rights provided by the law to the owner of a copyright. The College District respects the ownership of intellectual material governed by copyright laws. All users of the College District tech-

nology resources shall not knowingly fail to comply with the copyright laws and the provisions of the licensing agreements that apply to software; printed and electronic materials, including documentation, graphics, photographs, multimedia, including musical works, video productions, sound recordings, and dramatic works; and all other technological resources licensed or purchased by the College District or accessible over network resources provided by the College District. The user shall be responsible for reviewing individual author, publisher, patent holder, and manufacturer agreements for software, programs, and applications loaded by the user onto College District hardware, equipment, and web resources.

In compliance with the requirements of the Digital Millennium Copyright Act of 1998 (DMCA), any user of the College District's technology resources who violates the digital copyright laws for the first time shall be reminded of the laws, and the software or licensing violations shall be removed. A second violation shall result in removing the software or licensing violations, retraining of the user in copyright procedures, and taking appropriate disciplinary action. A third violation shall require the College District to remove the user's network and Internet access and take further disciplinary action, which may include termination from College District employment or student status. In addition, any violation of digital copyright laws by a student or by a College District employee that results in demonstrable harm to the College District's network or disruption of classroom activities shall be addressed as a formal disciplinary matter.

All technological resources developed by the College District employees, students, and contractors for use by the College District or as part of their normal employment activities are considered "works for hire." As such, the College District is considered the "author" and owner of these resources. Information regarding intellectual property rights may be found in the faculty and staff handbook.

[See CT]

**DMCA Designated Agent**

Title II of the DMCA enables Internet service providers (ISPs), such as the College District, to limit liability for monetary damages related to copyright infringing activities of their users. Provisions within the legislation further protect educational institutions and limit liability for monetary damages caused by copyright infringing activities of their users. In order to comply with Title II of the DMCA, the College District designates the following individual as the DMCA designated agent to receive notices and claims from copyright owners about infringements:

Name: David Hoyt

Position: Chief Information Systems Officer  
Address: 3452 Spur 339, McKinney, TX 75069  
Telephone: (972) 599-3133  
E-mail: dhoyt@collin.edu

Additionally, the College District shall maintain a prominent link on the information technology page of the College District website that provides access to this policy and a link to report DMCA notices or claims to the DMCA-designated agent.

### **Viruses**

It is the responsibility of the user, to the best of his or her knowledge and ability, to ensure that any imported or exported executable code or data are free of any destructive code, such as a virus. To this end, best practices regarding safety precautions shall be taken by the user. The office of information technology shall be consulted for questions related to such precautions or information and protective software.

### **Backups**

It is the responsibility of the appropriate administrator or network administrator to ensure that appropriate procedures and resources are in place to backup data on a regular basis. Backups are to be stored in a location that is physically secure to protect the confidentiality of the data. It is the responsibility of the individual user to perform any actions necessary to comply with these procedures.

### **Physical Security**

Each user shall be responsible for the physical security of the technological and information resources to which he or she has been assigned (e.g., desktop computer, laptop computer, pager, cell phone, bar code, scanner, and the like). Administrators shall help to ensure physical security by instituting procedures for the use of locked doors and/or for the use of security devices made available by the College District for the protection of equipment. To avoid loss by fire or theft, backups of important data shall not be stored in the same location as the originals. Certain electronic information shall only be stored on the College District's network, including College District-approved and College District-contracted external sites such as publisher websites for a course offered by the College District. This electronic information includes:

1. Confidential information that is protected by FERPA;
2. Personnel records; and
3. Other materials commonly recognized or considered as sensitive or confidential.

Adequate power regulators and surge suppressors shall be used.

TECHNOLOGY RESOURCES

CR  
(LOCAL)

**College District  
Property**

Technology and information resources that are the property of the College District shall not be copied, altered, manipulated, transferred, retained, or removed from campus without written authorization from the appropriate administrator. The location of each physical resource shall be entered in the College District's capital equipment inventory system and updated as necessary.

**Personal Use of  
College District  
Technological  
Resources**

Authorization for the personal use of College District technological resources by employees shall be determined on an individual basis by, and at the discretion of, the appropriate administrator. The use of the College District's technological resources, including the network, for a revenue-generating activity that benefits an individual employee shall be strictly prohibited. Personal telephones and data connections in student housing are considered to be part of the private residence. Student use of these and other College District technological resources that intrudes on general College District use or that uses significant resources is prohibited.

**Misuse of  
Technological and  
Information  
Resources**

The use of College District technological and information resources and the resources themselves shall not be abused in any way. Users shall not attempt to alter the restrictions associated with their accounts or to attempt to breach internal or external security systems. Moreover, users shall not impersonate other individuals or misrepresent themselves in any way when using College District technological resources.

Users of network resources are prohibited from engaging in any activity that is proscribed by federal and/or state law. In addition, the network shall not be used for criminal purposes such as posting another individual's credit card numbers or personal access codes. External networks, for example, NEXUS, the Internet, and bulletin boards shall also be used in an ethical, responsible, and courteous manner, and all users shall adhere to the policies of these services.

College District technological and information resources shall not be used in a manner that is invasive or that diminishes their efficiency. One example of such use involves the broadcast function. Although current technology enables users to broadcast messages to all members of the College District community simultaneously, the use of this technology is restricted to official College District activities. ~~Any nonwork-related broadcasts of general interest to the College District community, such as birth and wedding announcements, shall be posted to the College District's general information e-mail folder.~~ Notices involving monetary transactions or those that are inappropriate or illegal shall not be posted using College District technological or information resources as defined in this policy.



**Inappropriate  
Material**

Users are to comply with the College District's Core Values and exercise caution and good judgment in accessing material using College District network resources. Material that includes language and actions that would constitute a hate crime (such as language that is racist or anti-Semitic, and the like), fighting language, or visual material that creates a hostile working environment shall be accessed only for legitimate academic and administrative purposes. This material shall not be accessed in an environment and in a manner that will negatively affect third parties (including printing such information on public printers or forwarding it to others without their consent).

Communications from users of College District technology resources shall reflect civility and the College District's Core Values, which include a passion for learning, service and involvement, creativity and innovation, academic excellence, dignity and respect, and integrity. Therefore, the use of College District technological resources for creating or sending nuisance, harassing, or pornographic materials or messages is prohibited. For the purpose of applying the College District's disciplinary policy, the determination of what is pornographic or what constitutes a hate crime, fighting words, or visual material that creates a hostile working environment is within the sole discretion of the College District.

**Reporting Violations**

Violations of this policy, including any violations of the DMCA, shall be reported to the appropriate supervisor, director, dean, DMCA-designated agent, or other responsible person. DMCA notices or claims of infringements shall be immediately sent to the DMCA-designated agent listed in this policy.

Depending on the nature of the violation, the appropriate administrator may include the responsible vice president, chief information systems officer, human resources officer, or internal auditor.

Alleged violations shall be investigated and, if substantiated, addressed in accordance with appropriate College District disciplinary processes for students and employees.

The College District shall consider the intent, effect, and seriousness of the incident in levying sanctions for violations of this policy. Any person who engages in any kind of computer or systems misuse as described in this policy may be subject to disciplinary action, including the loss of computer privileges, suspension, and/or termination from the College District, and appropriate criminal prosecution, if warranted, under the applicable state and/or federal laws. Whenever the College District deems it appropriate, restitution may be sought for any financial losses sustained by the College District or by others as a direct result of the misuse.



**HEOA / Digital  
Copyright  
Compliance**

The Higher Education Opportunity Act of 2008 (HEOA) addresses, in part, unauthorized file-sharing, including, but not limited to, music, streaming, video, images, and other electronic data, using College District networks. To deter unauthorized file sharing on its networks, the College District shall:

1. Disclose annually to all users information that explains unauthorized distribution, including file-sharing, of copyrighted materials may subject the individual to civil and criminal liabilities; an explanation of federal copyright law, including a summary of penalties for related violations; and the College District's policies and procedures regarding unauthorized file-sharing, including disciplinary actions that may be taken against students who engage in unauthorized distribution or illegal downloading using the College District's information technology systems.
2. Follow a plan to effectively combat unauthorized distribution using a variety of technology-based deterrents.
3. Offer and provide access to alternatives to illegal file-sharing and downloading.

**Copyright  
Compliance Annual  
Disclosure**

The College District shall require each user of its technology resources to annually read the copyright disclosure [see CR(EX-HIBIT)] and submit an online affirmation that he or she has reviewed the disclosure and is aware of and familiar with the College District's policies and procedures regarding illegal distribution of copyrighted materials.

Additionally, during orientation activities, the College District shall provide all students a copy of the copyright disclosure [see CR(EX-HIBIT)] and information regarding the legalities associated with peer-to-peer file sharing.

**Plan to Combat  
Unauthorized  
Distribution**

The College District shall use a variety of capabilities and products from commercial vendors in order to:

1. Perform bandwidth shaping;
2. Conduct traffic monitoring to identify the largest bandwidth users; and
3. Reduce or block illegal file-sharing.

The College District shall investigate and respond to all submitted complaints of violations of the DMCA according to the reporting procedures noted above.

**Alternatives to Illegal  
File-Sharing and  
Downloading**

The College District encourages all users of its technology resources to utilize free or commercial services that provide the user with a legal way to copy and use various types of digital content and ensures the use of electronic media is in compliance with federal copyright law.

EDUCAUSE, an information technology consortium in higher education, maintains a [website of links](#)<sup>1</sup> to legal sources of online content.

**Access by  
Individuals with  
Disabilities**

**B**

The District President or designee shall develop procedures to ensure that individuals with disabilities have access to the College District's electronic and information resources similar to individuals without disabilities.

**Drones**

**C**

The flying of drones over or from sites on College District property or as part of the College District's administrative, academic, or research program is permitted only in accordance with law and College District regulations.

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<sup>1</sup> EDUCAUSE: <http://www.educause.edu/legalcontent><http://www.educause.edu/legalcontent>

**CS(Local): Information Security**

**CS(Local) As noted above, provisions addressing access of electronic information by individuals with disabilities have been relocated to policy CR.**

	<b>Before</b>	<b>After</b>	<b>Operational Impact</b>	<b>Cost Impact</b>
<b>A</b>	Access by Individuals with Disabilities:  The College President or designee shall develop procedures to ensure that individuals with disabilities have access to the College District's electronic and information resources similar to individuals without disabilities.	DELETED LANGUAGE and moved it to CR(Local)	n/a	n/a

**Information Security Program**

The ~~College President~~District President shall approve an information security program designed to address the security of the College District's information resources against unauthorized or accidental modification, destruction, or disclosure. This program shall also address accessibility, privacy, and security of the College District's ~~website~~Web site.

**Security Breach Notification**

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

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

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

**Access by Individuals with Disabilities**



~~The College President or designee shall develop procedures to ensure that individuals with disabilities have access to the College District's electronic and information resources similar to individuals without disabilities.~~

**CT(Local): Intellectual Property**

**CT(Local) Adds definitions of Incidental Use, Scholarly Works, and College District Time. Clarifies ownership of scholarly works produced with incidental use of college resources. Requires an employee to disclose planned projects with potential commercial value. Finally, clarifies that classroom lectures and materials are covered by the policy and are not available for distribution to the general public or for non-Collin College academic purposes.**

	<b>Before</b>	<b>After</b>	<b>Operational Impact</b>	<b>Cost Impact</b>
<b>A</b>		<p><b>NEW LANGUAGE</b>  <b>DEFINITIONS:</b>                      “Incidental Use” is defined as minor utilization of resources commonly encountered in the course of an employee’s daily job. This includes, but is not limited to an individual’s office, office computer, telephone, and library resources.</p>	Clarifies terms used in the policy.	n/a
<b>B</b>		<p><b>NEW LANGUAGE</b>  <b>DEFINITIONS:</b>                      “Scholarly Works” are defined as works that are created to further scholarly or artistic activity for which no compensation is granted by Collin College. These include but are not limited to manuscripts, scholarly articles, documentaries, website, monographs, works of art, and other research-based productions.</p>	Clarifies terms used in the policy.	n/a

<b>C</b>		<p><b>NEW LANGUAGE DEFINITIONS:</b></p> <p>“College District Time” is defined as time an employee spends conducting work that contributes to the course and scope of employment as defined in the assigned job description.</p>	Clarifies terms used in the policy.	n/a
<b>D</b>	<p>As an agent of the College District, an employee, including a student employee, shall not have rights to a work he or she creates on College District time or using College District technology resources or College District intellectual property. The College District shall own any work or work product created by a College District employee in the course and scope of his or her employment, including the right to obtain copyrights and patents.</p>	<p>As an agent of the College District, an employee, including a student employee, shall not have rights to a work he or she creates on College District time or using College District technology resources or College District intellectual property with the exception of Scholarly Works produced with incidental use of college resources. The College District shall own any work or work product created by a College District employee in the course and scope of his or her employment, including the right to obtain copyrights and patents.</p>	Clarifies that faculty and staff may do not lose ownership of intellectual property by through incidental use of college resources, as defined.	n/a

<b>E</b>	A College District employee shall own any work or work product not in the College District employee's course and scope of his or her employment, produced on his or her own time, away from his or her job with personal equipment and materials, including the right to obtain patents or copyrights.	A College District employee shall own any work or work product outside the College District employee's course and scope of his or her employment, produced on his or her own time, away from his or her job, and with personal equipment and materials and with incidental use of college resources, including the right to obtain patents or copyrights.	Clarifies that faculty and staff may do not lose ownership of intellectual property by through incidental use of college resources, as defined.	n/a
<b>F</b>		<p><b>NEW LANGUAGE</b></p> <p><b>DISCLOSURE OF INTELLECTUAL PROPERTY:</b></p> <p>College personnel endeavoring to produce intellectual property of commercial value shall disclose planned projects by completing the Request for Determination of Intellectual Property Rights Form available through Human Resources.</p>	Requires disclosure of projects planned with potential commercial value to clarify ownership prior to creation.	n/a

<b>G</b>		<b>NEW LANGUAGE</b> <b>PUBLIC USE:</b> Classroom lectures and classroom materials, including but not limited to recordings, faculty-produced lecture notes, and supplemental materials, are covered by this Intellectual Property policy and are not available for distribution to the general public or for non-Collin College academic purposes.	Protects classroom lectures and materials from distribution and reuse without authorization.	n/a
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INTELLECTUAL PROPERTY

CT  
(LOCAL)

INTELLECTUAL  
PROPERTY

Ownership to all copyrights, trademarks, patents, and other intellectual property rights shall remain with the College District at all times.

STUDENTS

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

DEFINITIONS

**A**

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

**B**

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

**C**

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

EMPLOYEES  
COLLEGE  
DISTRICT  
OWNERSHIP

**D**

As an agent of the College District, an employee, including a student employee, shall not have rights to a work he or she creates on College District time or using College District technology resources or College District intellectual property with the exception of Scholarly Works produced with incidental use of college resources. The College District shall own any work or work product created by a College District employee in the course and scope of his or her employment, including the right to obtain copyrights and patents.

EMPLOYEE  
OWNERSHIP

**E**

A College District employee shall own any work or work product not in outside the College District employee’s course and scope of his or her employment, produced on his or her own time, away from his or her job, and with personal equipment and materials and with incidental use of college resources, including the right to obtain patents or copyrights.

PERMISSION

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

INTELLECTUAL PROPERTY

CT  
(LOCAL)

DISCLOSURE OF  
INTELLECTUAL  
PROPERTY



College personnel endeavoring to produce intellectual property of commercial value shall disclose planned projects by completing the Request for Determination of Intellectual Property Rights Form available through Human Resources.

WORKS FOR HIRE

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

RETURN OF  
INTELLECTUAL  
PROPERTY

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

COPYRIGHT

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

TECHNOLOGY USE

All persons are prohibited from using College District technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with College District technology resources. No person shall use the College District's technology resources to post, publicize, or duplicate information in violation of copyright law. The Board shall direct the College District President or designee to employ all reasonable measures to prevent the use of College District technology resources in violation of the law. All persons using College District technology resources in violation of law shall lose user privileges in addition to other sanctions. [See BBI and CR]

ELECTRONIC MEDIA

Unless a license or permission is obtained, electronic media in the classroom, including motion pictures and other audiovisual works, must be used in the course of face-to-face teaching activities as defined by law.

INTELLECTUAL PROPERTY

CT  
(LOCAL)

DESIGNATED  
AGENT

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

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

TRADEMARK

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

COLLEGE DISTRICT-  
RELATED USE

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

PUBLIC USE

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

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



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

ADOPTED:

3 of 3

First Reading: 5/22/2018