

Instruction Sheet

Community College Localized Policy Manual Update 46

Southwest Texas Junior College

Code	Type	Action To Be Taken	Note
ATTN	(NOTE)	No policy enclosed	See explanatory note
AB	(LEGAL)	Replace policy	Revised policy
ACA	(LEGAL)	Replace policy	Revised policy
ACB	(LEGAL)	Replace policy	Revised policy
AD	(LEGAL)	Replace policy	Revised policy
AF	(LEGAL)	Replace policy	Revised policy
AFA	(LEGAL)	Replace policy	Revised policy
B	(LEGAL)	Replace table of contents	Revised table of contents
BAA	(LEGAL)	Replace policy	Revised policy
BBBA	(LEGAL)	Replace policy	Revised policy
BBBB	(LEGAL)	Replace policy	Revised policy
BBBC	(LEGAL)	Replace policy	Revised policy
BBC	(LEGAL)	Replace policy	Revised policy
BBD	(LEGAL)	Replace policy	Revised policy
BBD	(LOCAL)	Replace policy	Revised policy
BBI	(LEGAL)	Replace policy	Revised policy
BBI	(LOCAL)	Replace policy	Revised policy
BD	(LEGAL)	Replace policy	Revised policy
BG	(LEGAL)	ADD policy	See explanatory note
BG	(LOCAL)	ADD policy	See explanatory note
BI	(LEGAL)	Replace policy	Revised policy
CAAA	(LEGAL)	Replace policy	Revised policy
CAI	(LEGAL)	Replace policy	Revised policy
CAIA	(LEGAL)	Replace policy	Revised policy
CAIC	(LEGAL)	Replace policy	Revised policy
CAK	(LEGAL)	Replace policy	Revised policy
CAL	(LEGAL)	Replace policy	Revised policy
CAO	(LEGAL)	Replace policy	Revised policy
CDA	(LEGAL)	Replace policy	Revised policy
CF	(LEGAL)	Replace policy	Revised policy
CFE	(LEGAL)	Replace policy	Revised policy
CFE	(LOCAL)	ADD policy	See explanatory note
CG	(LEGAL)	Replace policy	Revised policy
CGC	(LEGAL)	Replace policy	Revised policy

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ATTN(NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

Revisions to legal frameworks incorporate clarification of existing materials and new materials arising from the 88th Regular Legislative Session and subsequent special sessions as well as amendments to federal statutes and rule changes from the Texas Higher Education Coordinating Board and other state agencies.

Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 88th Regular Legislative Session. All referenced bills have already gone into effect unless otherwise noted.

AB(LLEGAL) COLLEGE DISTRICT NAME AND DEFINITIONS

HB 8 permits the college's board of trustees to adopt any college name change unless the new name would be the same or substantially the same as an existing Texas institution of higher education.

ACA(LLEGAL) GEOGRAPHIC BOUNDARIES AND SERVICE AREAS: TAXING DISTRICT BOUNDARIES

At Generally, HB 3287 provides that existing restrictions on a college annexing territory into its taxing district do not apply in Comal, Denton, Guadalupe, or Williamson counties, in addition to Brown County, as under existing law.

ACB(LLEGAL) GEOGRAPHIC BOUNDARIES AND SERVICE AREAS: SERVICE AREAS

HB 1114 expands the Blinn Junior College District service area.

HB 5330 extends the service area of Houston Community College System District.

AD(LLEGAL) EDUCATIONAL ROLE, MISSION, PURPOSE, AND RESPONSIBILITY

HB 8 amends provisions addressing the Purpose of community colleges to replace a reference to providing freshman and sophomore courses in the arts and sciences with a reference to providing courses in the core curriculum or a field of study curriculum.

AF(LLEGAL) INSTITUTIONAL EFFECTIVENESS

SB 336 expands the definition of Compliance Program to reference agents, contractors, subcontractors, or other individuals acting on behalf of the college.

AFA(LLEGAL) INSTITUTIONAL EFFECTIVENESS: PERFORMANCE AND INSTITUTION REPORTS

At Postsecondary Credential Information, HB 8 and HB 2920 provide that colleges must include a link on their websites to the Coordinating Board's electronic tools and platforms to assist prospective postsecondary students, instead of TEA's information on the topic.

B(LLEGAL) LOCAL GOVERNANCE

The title for BG has been changed to accommodate the new legal framework at that code.

BAA(LLEGAL) BOARD LEGAL STATUS: POWERS, DUTIES, RESPONSIBILITIES

SB 784 prohibits a college from regulating Greenhouse Gas Emissions, leaving regulation of the emissions to the state's exclusive jurisdiction.

Multiple revisions have been made to reflect statutory changes from SB 1017, including:

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- At Regulation of Energy Sources, a college is prohibited from regulating access to or use of an energy source or effectively prohibiting infrastructure necessary to provide access to an energy source law, with limited exceptions.
- At Regulation of Engines, a college may not directly prohibit or restrict the use, sale, or lease of an engine based on its fuel source, with limited exceptions.

BBBA(LLEGAL) ELECTIONS: CONDUCTING AN ELECTION

HB 1217 consolidates provisions addressing the days and hours early voting may be held at a Temporary Branch polling place so that counties with a population under 100,000 must adhere to the requirements applicable to larger counties.

BBBB(LLEGAL) ELECTIONS: POST-ELECTION PROCEDURES

HB 357 requires that Runoff Elections be held on a Saturday designated by the secretary of state.

HB 2559 and HB 3474 amend the list of persons authorized to administer the Oath of Office in Texas.

BBBC(LLEGAL) ELECTIONS: REPORTING CAMPAIGN FUNDS

HB 2626 requires the clerk or secretary of a college board of trustees, or, if it does not have a clerk or secretary, the presiding officer, to make a Campaign Finance Report publicly available on the college's website by the 10th business day after the report is received.

BBC(LLEGAL) BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

HB 17 amended language related to Removal by Petition and Trial.

At Removal for Certain Criminal Offenses, SB 232 provides for the automatic removal of a college trustee on the earlier date the person enters a plea of guilty or nolo contendere to, receives deferred adjudication for, or is convicted of a qualifying offense. The board must take action at its first regularly scheduled meeting after the officer is removed to fill the vacancy.

BBD(LLEGAL) BOARD MEMBERS: ORIENTATION AND TRAINING

At Required Training After Public Information Act Violation, HB 3033 provides the attorney general may require each college trustee to complete open records training if the attorney general determines the community college has failed to comply with the PIA.

BBD(LOCAL) BOARD MEMBERS: ORIENTATION AND TRAINING

Revisions to this local policy address HB 3033, which requires board members to complete Public Information Act Training if the attorney general determines the college failed to comply with the Public Information Act (PIA). The revisions clarify that the existing delegation of the responsibility to take the PIA training to the public information coordinator only applies to the training requirement applicable to board members shortly after they are elected or appointed.

Additional recommended changes have been made to conform to TASB style.

BBI(LLEGAL) BOARD MEMBERS: TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

At the opening note, a cross-reference to policy CS was added.

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BBI(LOCAL) BOARD MEMBERS: TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

In the Note, a cross reference to CS, which covers Information Security, has been recommended.

BD(LEGAL) BOARD MEETINGS

At Internet Posting, HB 3440 requires each college board to post a meeting agenda along with the meeting notice on the college's website.

BG(LEGAL) ADMINISTRATIVE ORGANIZATION

SB 17 prohibits Diversity, Equity, and Inclusion (DEI) offices and initiatives at colleges, with limited exceptions. The majority of the bill takes effect on January 1, 2024. The portion of the bill that requires colleges to submit to the legislature and THECB a report certifying the governing board's compliance with the bill's provisions during the preceding state fiscal year prior to spending appropriated funds during the current fiscal year applies to funds appropriated for the fiscal year beginning September 1, 2024.

BG(LOCAL) ADMINISTRATIVE ORGANIZATION

This new recommended local policy addresses SB 17, which prohibits a Diversity, Equity, and Inclusion Office at a college, with limited exceptions. The bill takes effect on January 1, 2024.

BI(LEGAL) REPORTS

SB 17 requires a college to submit to the legislature and THECB a report certifying the governing board's compliance with the bill's provisions during the preceding state fiscal year prior to spending appropriated funds during the current fiscal year. This provision applies beginning with funds appropriated to a college for the state fiscal year beginning September 1, 2024.

HB 8 and SB 1887 postpone the deadline for colleges' annual report on courses taken by students who transfer to a university or earn an associate's degree from March 1 to May 1.

HB 1361 requires a college to submit an annual report to THECB regarding students who are parents or guardians of minors.

CAAA(LEGAL) STATE AND FEDERAL REVENUE SOURCES: STATE

At Appropriations, changes have been made in response to HB 8, the comprehensive college finance bill, including the addition of information on Data Reporting, Funding Calculations, and Overallocated Funds.

HB 1038 requires a college to provide to the Texas Bond Review Board information necessary for the Bond Review Board to prepare a biennial report to the state legislature on the state's lending and credit support programs.

CAI(LEGAL) APPROPRIATIONS AND REVENUE SOURCES: AD VALOREM TAXES

At Tax Rate Exceeding the Voter-Approval or No-New-Revenue Tax Rate, HB 3273 amends provisions addressing when a college may hold the public hearing on the proposed tax rate or adopt the rate. The bill also requires the college's tax assessor to prominently post on the college's website an existing Notice informing each property owner of the availability of estimated taxes in the appraisal district's property tax database.

At Dissemination of Tax Information, HB 1228 requires a property tax communication between a property owner and a college or its designee to be delivered electronically if requested by a property owner in accordance with procedures established by the college or its designee. A tax official of an appraisal district in a county with a population of at least 120,000, or a college located wholly or primarily in that appraisal

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district, must comply with the bill's provisions beginning the 2024 tax year, and the remaining colleges and tax officials must comply the 2025 tax year.

CAIA(LLEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

At Application for Exemption, Exceptions, effective January 1, 2024, HB 4077 amends provisions addressing the grant of a homestead exemption applicable to elderly persons to a person who already receives a homestead exemption.

At Surviving Spouse of Person 65 or Older, SB 1381 clarifies that, if a person dies during a year the person qualified for a homestead exemption as an elderly person, the person's surviving spouse is entitled to the same exemption the following tax year without filing an application in certain circumstances. This bill takes effect on January 1, 2024.

HB 4559 amends the population requirements related to certain Split Payment provisions.

CAIC(LLEGAL) AD VALOREM TAXES: SELECTION AND DUTIES OF CHIEF TAX OFFICIALS

At Duties, SB 539 requires the tax collector of a college to note each deferred or abated delinquent tax on each delinquent tax roll. This bill takes effect on January 1, 2024.

CAK(LLEGAL) APPROPRIATIONS AND REVENUE SOURCES: INVESTMENTS

SB 1246 amends provisions addressing fully collateralized Repurchase Agreements entered into by a college.

CAL(LLEGAL) APPROPRIATIONS AND REVENUE SOURCES: SALE, TRADE, OR LEASE OF COLLEGE-OWNED PROPERTY

HB 2518 requires the lease of college property to include Lease Terms addressing conditions for the construction, alteration, or repair of an improvement to the leased property by the lessee.

CAO(LLEGAL) APPROPRIATIONS AND REVENUE SOURCES: PUBLIC FACILITIES CORPORATIONS

HB 2071 amends provisions addressing the operation of a public facilities corporation and adds provisions addressing multifamily residential developments.

CDA(LLEGAL) ACCOUNTING: FINANCIAL REPORTS AND STATEMENTS

At Financial Reports, the citation has been updated to reflect HB 1.

CF(LLEGAL) PURCHASING AND ACQUISITION

At Contract with the Coordinating Board, HB 8 allows THECB to procure goods and services for the direct benefit of a college and enter into an interagency contract for the institution to reimburse THECB.

HB 4595 redesignated several statutes, resulting in citation changes.

Multiple revisions have been made to reflect statutory changes from HB 4553, including:

- At Automated Information System, the bill adds the definitions of state agency and local government from Government Code Chapter 2054 to Government Code Chapter 2157. This update applies the state agency requirements for the purchase of automated information systems found in Chapter 2157 to colleges.

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- At Commodity Items, the bill adds the definitions of state agency and local government from Government Code Chapter 2054 to Government Code Chapter 2157, which applies to colleges in this case.

CFE(LLEGAL)

PURCHASING AND ACQUISITION: VENDOR RELATIONS

SB 17 requires a college's board of trustees to ensure each unit of the college adopts policies and procedures addressing the discipline, including termination, of a contractor who violates the bill's prohibitions on Diversity, Equity, and Inclusion (DEI) offices or initiatives. The bill takes effect on January 1, 2024.

CFE(LOCAL)

PURCHASING AND ACQUISITION: VENDOR RELATIONS

This new recommended local policy addresses SB 17, which prohibits Diversity, Equity, and Inclusion Initiatives at community colleges, with limited exceptions. The language directs the college chief executive officer or designee to develop disciplinary procedures related to a vendor violating the provisions of the bill. The bill takes effect on January 1, 2024.

CG(LLEGAL)

SAFETY PROGRAM

HB 3 clarifies that a registered third party engaged by a college to conduct a Safety and Security Audit must follow the procedures developed by the Texas School Safety Center (TxSSC) in coordination with the commissioner of higher education.

CGC(LLEGAL)

SAFETY PROGRAM: EMERGENCY PLANS AND ALERTS

HB 3 clarifies that a college's Emergency Operations Plan (EOP) must address any additional requirements established by TxSSC in consultation with TEA and relevant local law enforcement agencies. The bill also sets a deadline for a college to respond to a TxSSC request for the college's EOP and details provisions if the deadline is not met.

CGC(LOCAL)

SAFETY PROGRAM: EMERGENCY PLANS AND ALERTS

Recommended revisions to this local policy address HB 3, which clarifies that a college's Emergency Operations Plan must address any additional requirements established by TxSSC in consultation with TEA and relevant local law enforcement agencies.

CGE(LLEGAL)

SAFETY PROGRAM: MEDICAL TREATMENT

HB 29 prohibits a college from imposing a mandate requiring a person to wear a face mask or other face covering to impede the spread of COVID-19. The prohibition does not apply to the college's health-care facility. The college also may not require a person to receive a COVID-19 vaccine.

CH(LLEGAL)

SITE MANAGEMENT

HB 3060 requires that a college that establishes Goals for recycling or the use of recycled materials to base them on the definitions and principles in Texas Health and Safety Code Chapter 361, Subchapter N.

HB 2012 amends provisions addressing the Display of the National Motto by a teacher or professor in college buildings.

CHA(LLEGAL)

SITE MANAGEMENT: SECURITY

HB 4595 redesignated several statutes, resulting in citation changes at Duty to Request and Render Aid and Neck Restraints.

At Decision of Certain Individuals, HB 1163 adds a reference to the new offense of boating while intoxicated with a child passenger.

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SB 1325 requires a college police officer who is Investigating Family Violence, Stalking, Harassment, or Terroristic Threats to advise any possible adult victim of all reasonable means to prevent further offenses and also provide the person available written information addressing campus and local resources for victims of those offenses.

CHF(LLEGAL) SITE MANAGEMENT: WEAPONS

At General Provisions, HB 1760 replaces the term educational institution in Penal Code Section 46.03 with postsecondary educational institution, clarifying the application of the provision to community colleges. The bill also amends the Section 46.03 prohibition on weapons at college activities to provide that the activity must be on the grounds or in a building owned by and under the control of the college, restricting the provision's application.

CJ(LLEGAL) TRANSPORTATION MANAGEMENT

At Student Travel, an HB 1 citation has been added.

CLA(LLEGAL) FACILITIES PLANNING: FACILITIES STANDARDS

At Review of Plans, an Administrative Code citation has been added.

CM(LLEGAL) FACILITIES CONSTRUCTION

HB 4595 redesignated several statutes, resulting in citation changes at Contract Prohibited.

HB 679 prohibits a college from requiring in a construction contract offer or solicitation that a person have a specified workers' compensation Experience Modifier. A solicitation, offer, contract, or agreement containing a required modifier is voidable.

At Unsigned Change Orders, HB 3485 permits vendors and subcontractors not to proceed with additional work under a public work contract in certain circumstances.

At Failure to Obtain Payment Bond, a citation was updated, and to reflect changes from HB 2518, a cross-reference to policy CAL was added.

Existing language addressing the applicability of Government Code Chapter 2272 to Construction Liability Claims has been added. HB 2965 prohibits the waiver of Chapter 2272.

CR(LLEGAL) TECHNOLOGY RESOURCES

HB 4553 amends provisions addressing DIR services, including provisions in Government Code Chapter 2054, such as those affecting Statewide Technology Centers.

CRA(LLEGAL) TECHNOLOGY RESOURCES: WEBSITE POSTINGS

HB 8 and HB 2920 redesignated a statute, resulting in a citation change.

HB 2626 added a new requirement that a college must post a campaign finance report filed with the college by a candidate, officeholder, or specific-purpose committee.

HB 3440 amended requirements related to posting notice and agendas for board meetings.

HB 1228 requires a college or its designee to publish the methods for a property owner to send certain tax communications electronically to the college or its designee. A tax official of an appraisal district in a county with a population of at least 120,000, or a college located wholly or primarily in that appraisal district, must comply with the bill's provisions beginning the 2024 tax year, and the remaining colleges and tax officials must comply the 2025 tax year.

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SB 1376 adds a requirement to post contact information for the liaison for veterans, military members, and their dependents.

HB 3273 requires the College District Assessor to post on the college's website a notice informing each owner of property located in the appraisal district that the estimated amount of taxes to be imposed on the owner's property by each taxing unit in which the property is located may be found in the comptroller's property tax database.

CS(LLEGAL) INFORMATION SECURITY

At Urgent Incident Report, as well as Monthly Incident Report, SB 271 amends provisions that address the notification a state agency must submit to DIR related to a breach of system security.

At Social Media Applications on College District Devices, SB 1893 prohibits certain social media applications and services on devices of a college, essentially codifying an earlier order issued by the governor.

SB 768 requires a college to send notification To the Attorney General of a breach as soon as practicable and not later than the 30th day after discovery, instead of the 60th day as in existing law.

CS(LOCAL) INFORMATION SECURITY

Recommended revisions to this local policy address SB 1893, which prohibits certain social media applications and services on devices of a college, essentially codifying an earlier order issued by the governor. The bill requires a college to adopt a policy prohibiting the installation or use of Covered Social Media Applications on a government-owned or -leased device, with an exception.

In addition, at Security Breach Notification, recommended revisions to this local policy address SB 271, which amends provisions that address the notification a state agency must submit to DIR related to a security incident, as defined by law.

CU(LLEGAL) RESEARCH

SB 1565 requires a community college board to establish a policy framework promoting Research Security while mitigating foreign espionage and interference risks as soon as practicable. The bill also requires the framework to designate a research security officer.

CU(LOCAL) RESEARCH

This new recommended local policy addresses SB 1565, which requires a community college board to establish a policy framework promoting Research Security while mitigating foreign espionage and interference risks. The bill also requires the board to designate a research security officer (RSO).

Because we received no response to our emails about your college's RSO, the college's chief executive officer was filled in for that position in this policy. If you decide on a different position for that role, you can make that change before presenting this local policy to your board.

DAA(LLEGAL) EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY

At Accommodations Based on Pregnancy, citations have been updated to reflect the codification of the provisions.

Effective January 1, 2024, SB 17 prohibits Diversity, Equity, and Inclusion Initiatives at colleges, with limited Exceptions.

At Hair Texture or Style, HB 567 prohibits colleges from adopting an employee dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race.

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DAA(LOCAL) EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY

This new recommended local policy language addresses SB 17, which prohibits Diversity, Equity, and Inclusion Initiatives for employees of a college, with limited exceptions. The bill takes effect on January 1, 2024.

We have retained your existing unique language but deleted a cross reference to a policy that no longer exists.

DBA(LLEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: CREDENTIALS AND RECORDS

HB 1161 permits a child abduction victim to be a Participant in the Address Confidentiality Program administered by the attorney general.

DC(LLEGAL) EMPLOYMENT PRACTICES

HB 4123 distinguishes between qualified district contractors and those who are not qualified for purposes of the criminal background check requirements applicable to Employees Working Under Contracts with School Districts or Charter Schools.

At Hiring Legal Permanent Resident for TCOLE-Licensed Position, SB 252 permits a college that appoints or hires a person to hold a position that requires licensing by TCOLE, such as a peace officer, to select a legal permanent resident for the position in certain circumstances.

SB 1376 amends the veteran's employment preference applicable to community colleges to rename it Military Employment Preference and expands the applicability of the preference.

DEC(LLEGAL) COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

HB 1486 applies Mental Health Leave provisions applicable to peace officers to telecommunicators.

At Line of Duty Illness or Injury Leave, HB 471 requires colleges to provide police officers and emergency medical services personnel a leave of absence for illness or injury related to the person's line of duty.

DEC(LOCAL) COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

Recommended revisions to this local policy address HB 1486, which applies existing mental health leave provisions applicable to peace officers to telecommunicators. The language alters existing Mental Health Leave language to now include full-time telecommunicators.

In addition, at Line of Duty Illness or Injury Leave, recommended revisions to this local policy address HB 471, which requires colleges to provide police officers and emergency medical services personnel a leave of absence for illness or injury related to the person's line of duty.

Because we received no response to our emails about your college's choices related to this section, this recommended policy has language that does not allow for an extension of leave for a line of duty illness or injury. If you want to see language to allow an extension of this leave, contact your policy consultant.

Additional recommended changes have been made to conform to TASB style.

DEC(EXHIBIT) COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

Our records indicate that you have an exhibit at this code that you may need to review and revise in light of the changes in this update. Please advise us:

- If this exhibit is obsolete and should be deleted from your localized policy manual; or

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- If you have revisions that you wish to submit for editorial and legal review and incorporation into your localized policy manual.

DGC(LEGAL) EMPLOYEE RIGHTS AND PRIVILEGES: EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES

At Academic Boycotts, HB 1517 prohibits a college from implementing certain academic boycotts of a foreign country.

DH(LEGAL) EMPLOYEE STANDARDS OF CONDUCT

At Hair Texture or Style, HB 567 prohibits colleges from adopting an employee dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race.

At Disqualification from Retirement Annuity for Conviction of Certain Felonies, HB 4520 adds the felony offense of sale, distribution, or display of harmful material to a minor to the list of qualifying felonies that render the offender ineligible for a TRS service retirement annuity upon conviction if the victim is a student.

SB 17 requires a college's board of trustees to ensure each unit of the college adopts policies and procedures addressing the discipline, including termination, of an employee who violates the bill's prohibitions on Diversity, Equity, and Inclusion Initiatives. The bill takes effect on January 1, 2024.

DH(LOCAL) EMPLOYEE STANDARDS OF CONDUCT

At Ethical Standards, the link has been updated, as well as the corresponding footnote.

DHB(LEGAL) EMPLOYEE STANDARDS OF CONDUCT: CHILD ABUSE AND NEGLECT REPORTING

At Contents of Report, HB 63 provides that a person reporting suspected child abuse or neglect must share the person's name, certain contact information, the person's profession, if applicable, facts that prompted the report, and the source of the information, in addition to the existing reporting requirements.

DI(LEGAL) EMPLOYEE WELFARE

HB 3858 permits a law enforcement agency, including a community college police department, that employs at least 20 peace officers to establish and maintain a Peace Officer Wellness Program.

At State Agency Liaison for Veterans, Military Members, and Their Dependents, SB 1376 requires a state agency's veteran's liaison to also serve military members and the veterans and military member's dependents. State agencies with at least 500 full-time equivalent positions must designate a liaison, while smaller agencies are permitted to do so.

DIAA(LEGAL) FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION: SEX AND SEXUAL VIOLENCE

Language has been edited to reflect recent changes to THECB rules regarding Compliance with Texas Education Code Chapter 51, Subchapters E-2 and E-3.

E(LEGAL) INSTRUCTION

The following changes have been made to this table of contents:

- EFBC now addresses High School Degrees;

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- EFBD has been added to address Degree Plans, which was previously covered at EFBC; and
- EJC has been added to address Academic Boycotts.

EBA(LLEGAL) ALTERNATE METHODS OF INSTRUCTION: DISTANCE EDUCATION

Language has been edited throughout this legal framework to reflect recent changes to THECB rules on distance education and the approval of distance education programs.

EBA(LOCAL) ALTERNATE METHODS OF INSTRUCTION: DISTANCE EDUCATION

Recommended revisions to this local policy were made to reflect changes in the Administrative Code.

EBB(LLEGAL) ALTERNATE METHODS OF INSTRUCTION: OFF CAMPUS INSTRUCTION

Formula Funding language applicable to an instructional program held at the Texarkana Airport has been added to reflect recent THECB rules.

In addition, changes were made to conform to TASB style.

ECC(LLEGAL) INSTRUCTIONAL ARRANGEMENTS: COURSE LOAD AND SCHEDULES

At Limitation on the Number of Dropped Courses, HB 8 prohibits a college from counting toward the drop limit a course a student dropped while enrolled in a bachelor's program the student already completed or a dual credit or dual enrollment course a student dropped before graduating from high school.

HB 4005 clarifies that a statute limiting the number of dropped courses absent good cause does not apply to students enrolled in a Competency-Based Baccalaureate Degree Program beginning the fall 2023 semester.

ECC(LOCAL) INSTRUCTIONAL ARRANGEMENTS: COURSE LOAD AND SCHEDULES

Recommended revisions to this local policy address HB 8, which prohibits a college from counting toward the drop limit a Course Dropped During a Bachelor's Program that a student ultimately earned or a Dual Credit or Dual Enrollment Course a student dropped before graduating from high school.

EFA(LLEGAL) CURRICULUM DESIGN: INSTRUCTIONAL PROGRAMS AND COURSES

At Course Report, HB 8 and SB 1887 postpone the deadline for a college's annual report on courses taken by students who transfer to a university or earn an associate degree from March 1 to May 1.

EFAA(LLEGAL) INSTRUCTIONAL PROGRAMS AND COURSES: ACADEMIC COURSES

HB 8 and SB 1887 permit THECB to approve a Core Curriculum of less than the 42 hours required under existing law for an associate degree program.

At American or Texas History, SB 427 requires a college that does not offer at least three semester credit hours or the equivalent in Texas history to the college's students to enter into an agreement with another institution of higher education to do so.

EFB(LLEGAL) CURRICULUM DESIGN: DEGREES AND CERTIFICATES

Definitions for Academic Associate Degree and Applied Associate Degree have been added based on recent THECB rule changes.

At Revisions and Modifications, additional changes were made based on recent THECB rule changes.

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EFBA(LLEGAL) DEGREES AND CERTIFICATES: ASSOCIATE DEGREES AND CERTIFICATES

At Definitions, multiple citations were edited based on recent THECB rule changes.

HB 8 and SB 1887 permit a college to award a Texas Direct Associate Degree, a program intended to facilitate the seamless transfer of credit from a two-year to a four-year institution.

HB 584 permits the Department of Information Resources (DIR) to enter into an agreement with a college to offer a THECB-approved state information technology credential.

EFBB(LLEGAL) DEGREES AND CERTIFICATES: BACCALAUREATE DEGREES

At Definitions, multiple citations were edited based on recent THECB rule changes.

HB 8, the comprehensive community college funding bill, updates provisions that address the existing Funding scheme to refer to a new funding scheme. This includes replacing provisions addressing the schedule for transferring appropriated funds to colleges with a reference to a payment schedule set by THECB in consultation with the college advisory committee.

EFBC(LLEGAL) DEGREES AND CERTIFICATES: HIGH SCHOOL DEGREES

All previous language at this code has been moved to EFBD to accommodate this new legal framework covering High School Degrees.

HB 8 and SB 2139 create the Opportunity High School Diploma Program to provide a means by which adult students enrolled in a college workforce education program may earn a high school diploma at the college through concurrent enrollment in a competency-based education program.

EFBD(LLEGAL) DEGREES AND CERTIFICATES: DEGREE PLANS

All previous language from EFBC on Degree Plans has been moved to this code to accommodate the new High School Degrees legal framework at EFBC.

EFCB(LLEGAL) SPECIAL PROGRAMS: ADULT EDUCATION AND LITERACY

HB 2032 expands the list of entities eligible to charter an adult education program to include colleges and increases the number of charters that may be granted to at most 10.

EGA(LLEGAL) ACADEMIC ACHIEVEMENT: GRADING AND CREDIT

Multiple changes have been made based on HB 8 and SB 1887, including:

- At Transfer of Core Curriculum, THECB may approve a core curriculum of less than the 42 hours required under existing law for an associate degree program.
- At Transfer Dispute Resolution, changes have been made to the process to address disputes regarding the transfer of lower-division course credit.

EJC(LLEGAL) MISCELLANEOUS INSTRUCTIONAL POLICIES: ACADEMIC BOYCOTTS

HB 1517 prohibits a college from implementing an academic boycott of a foreign country absent certain exceptions.

F(LLEGAL) STUDENTS

The following changes have been made to this table of contents:

- FAA now covers Pregnant and Parenting Students; and

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- FAB has been added and covers Service Animals, which was previously covered at FAA.

FA(LEGAL) EQUAL EDUCATIONAL OPPORTUNITY

At Hair Texture or Style, HB 567 prohibits colleges from adopting a student dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race.

Effective January 1, 2024, SB 17 prohibits Diversity, Equity, and Inclusion Initiatives at colleges, with limited Exceptions.

Additional changes were made to add a cross reference and to conform to TASB style.

FA(LOCAL) EQUAL EDUCATIONAL OPPORTUNITY

This new recommended local policy addresses SB 17, which prohibits Diversity, Equity, and Inclusion Initiatives for students of a college, with limited exceptions. The bill takes effect on January 1, 2024.

FAA(LEGAL) EQUAL EDUCATIONAL OPPORTUNITY: PREGNANT AND PARENTING STUDENTS

This policy code now covers Pregnant and Parenting Students. All previous language on Service Animals has been moved to FAB.

At Title IX, an existing federal regulation has been added.

At Protections for Pregnant and Parenting Students, SB 412 provides enrollment protections and required accommodations for pregnant and parenting students. The bill applies beginning in spring 2024.

Multiple revisions have been made to reflect statutory changes from HB 1361, including:

- At Parenting Student Liaison, each college is required to designate an employee to serve as a liaison for current and incoming students who are parents or guardians of minors; and
- At Report on Parenting Students, each college is required to report annually, by May 1, to THECB on students who are parents or guardians of minors.

FAA(LOCAL) EQUAL EDUCATIONAL OPPORTUNITY: PREGNANT AND PARENTING STUDENTS

This new recommended local policy addresses multiple bills, including:

- SB 412, which provides enrollment protections and required accommodations for pregnant and parenting students. The bill applies beginning Spring 2024;
- SB 459, which requires colleges to provide early registration for pregnant and parenting students if the opportunity is provided to another group of students; and
- HB 1361, which requires each college to designate an employee to serve as a liaison for current and incoming students who are parents or guardians of minors.

FAB(LEGAL) EQUAL EDUCATIONAL OPPORTUNITY: SERVICE ANIMALS

All previous language from FAA on Service Animals has been moved to this code to accommodate the new Pregnant and Parenting Students legal framework at FAA.

FD(LEGAL) TUITION AND FEES

Minor wording changes have been made due to HB 8, the comprehensive college finance bill.

Language has been updated at Adjusted Rates to reflect recent changes to the THECB rules.

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FD(EXHIBIT) TUITION AND FEES

SB 1859 repeals the Taps tuition voucher program.

FF(LLEGAL) STUDENT WELFARE

HB 1361 requires each college to designate an employee to serve as a liaison for current and incoming students who are parents or guardians of minors.

FFCA(LLEGAL) STUDENT SUPPORT SERVICES: STUDENT ASSISTANCE PROGRAMS/COUNSELING

SB 532 applies an existing requirement that universities provide entering students mental health information to community colleges.

FFDA(LLEGAL) FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION: SEX AND SEXUAL VIOLENCE

At the Note, a cross reference was added to the new legal framework on Pregnant and Parenting Students.

At Compliance, the language has been edited to conform with recent changes to the Administrative Code.

FFDA(LOCAL) FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION: SEX AND SEXUAL VIOLENCE

In the Note, a cross reference to FAA(LLEGAL), which now addresses Pregnant and Parenting Students, has been recommended.

FG(LLEGAL) STUDENT HOUSING

HB 567 provides that discrimination against a person based on a Hair Texture or Style commonly or historically associated with race is racial discrimination, a violation of the Texas Fair Housing Act.

FJ(LLEGAL) STUDENT RECORDS

HB 1161 permits a child abduction victim to be a Participant in the Address Confidentiality Program administered by the attorney general.

Also, from the 87th Legislative Session, SB 788 requires THECB, TEA, and TWC to develop model agreements for sharing data subject to FERPA between different entities.

FK(LLEGAL) STUDENT ACTIVITIES

SB 15 prohibits a college from permitting a student to participate on a team in intercollegiate athletic competition sponsored or authorized by the institution that is designated for the opposite biological sex. The institution is also prohibited from permitting a male student to compete in a mixed-sex competition in a position designated by rule or procedure for female students.

FLB(LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT CONDUCT

At Misuse of Technology, a reference at list item #6 to "emails and websites" is recommended to be broadened to "electronic means" to incorporate other forms of technology, such as mobile applications.

FLBA(LLEGAL) STUDENT CONDUCT: STUDENT DRESS

HB 567 prohibits colleges from adopting a student dress or grooming policy that discriminates against a Hair Texture or Style commonly or historically associated with race.

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FLBC(LLEGAL) STUDENT CONDUCT: PROHIBITED ORGANIZATIONS AND HAZING

SB 37 removes the requirement that a report of a hazing incident be in writing to avoid the commission of a Hazing Offense and provides that it may be filed with a peace officer or law enforcement agency.

GCA(LLEGAL) PUBLIC INFORMATION PROGRAM: ACCESS TO INFORMATION

HB 4615 expands the definition of Military Personnel Information to include a U.S. Department of Defense identification number.

Existing language regarding Electronic Campaign Report Data has been added.

Revisions have been made to reflect statutory changes from HB 3033, including:

- At Exception for Election Information, the bill amends the PIA exception applicable to information regarding litigation or settlement negotiations to provide that the exception does not apply if the information requested relates to a general or special election and the information is in the possession of a college that administers those elections; and
- At Law Enforcement Information, a college must promptly release basic information about an arrested person, an arrest, or a crime responsive to a PIA request unless the college seeks to withhold the information under an applicable PIA provision, regardless of whether the college requests an attorney general decision regarding other information in the request.

At Certain Crime Information, HB 30 provides that the exception to releasing certain PIA information held by law enforcement does not apply if a person, other than a peace officer, who is described by or depicted in the information, record, or notation is deceased or incapacitated, or if each person who is described or depicted consents to the release of the information.

GCB(LLEGAL) PUBLIC INFORMATION PROGRAM: REQUESTS FOR INFORMATION

Changes have been made throughout this legal framework due to HB 3033, which focuses on PIA.

GCB(LOCAL) PUBLIC INFORMATION PROGRAM: REQUESTS FOR INFORMATION

Recommended revisions to this local policy address HB 3033, which permits a college to designate up to 10 Nonbusiness Days each calendar year for the purpose of complying with the PIA.

GG(LLEGAL) RELATIONS WITH GOVERNMENTAL AGENCIES AND AUTHORITIES

HB 1707 requires colleges to treat Open-Enrollment Charter Schools the same as they would school districts in the enforcement of certain laws and local policies.

GGC(LLEGAL) RELATIONS WITH GOVERNMENTAL AGENCIES AND AUTHORITIES: STATE GOVERNMENTAL AUTHORITIES

At Notice to the State Regarding Contracts, the citation has been updated to reflect HB 1.

HB 2759 codifies the TexMesonet Hydrometeorology Network, which was created by the Texas Water Development Board after the 2015 Blanco River flood.

GH(LLEGAL) RELATIONS WITH SCHOOLS AND DISTRICTS

Multiple revisions have been made to reflect statutory changes from HB 8, including changes related to the FAST Program, Dual Credit Agreements, Tuition and State Funding, and Early College High Schools.

HB 2209 requires the commissioner of education to establish the Rural Pathway Excellence Partnership (R-PEP) program to incentivize and support rural college and career pathway partnerships that expand

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opportunities for underserved students to succeed in school and life while promoting economic development.

HB 4123 distinguishes between qualified district contractors and those that are not qualified for purposes of the requirements for Criminal Background Checks applicable to certain employees working under a contract or subcontract to provide services to a college.

GL(LLEGAL)

RELATIONS WITH BUSINESSES AND THE COMMUNITY

At Failure to Provide Disclosure, HB 1817 provides an opportunity for business entities that fail to timely submit a required disclosure of interested parties, referred to as a Form 1295, to cure the violation.

HB 1161 permits a child abduction victim to be a Participant in the Address Confidentiality Program administered by the attorney general.

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