

~~Board meetings are held to transact the business of the College District and are open to the public except when closed meetings are permitted by law. [See BDA] Citizens shall be allowed to address the Board by requesting a place on the agenda or during the portion of the meeting designated for communications not on the agenda as outlined below. The Board shall set reasonable restraints on the number, length, and frequency of presentations.~~

Limit on Participation

~~Audience~~Public participation at a Board meeting is limited to the public comment those individuals who are on the agenda and to that portion of the meeting designated for that purpose. communi-~~cations not on the agenda, as outlined below.~~ At all other times during a Board meeting~~meetings~~, the audience ~~shall~~will not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

Public Comment at Posted Meetings

At posted meetings, the Board will allot a portion of the meeting to hear persons who desire to make comments to the Board. Persons who wish to participate in this portion of the meeting will sign up with the presiding officer or designee before the meeting begins and will indicate the topic about which they wish to speak.

No presentation will~~not~~ exceed five minutes, except when a speaker uses a translator, in which case, the presentation cannot exceed ten minutes. The Board encourages, but does not require,~~d~~Delegations of more than five persons shallto appoint one person to present their views before the Board.

~~If the Board Chairman determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate policy for attempted resolution before bringing the matter to the Board.~~

Exhaustion of Administrative Remedies

~~Complaints and concerns for which other resolution channels are provided shall be directed through those channels:~~

- ~~1. Employee complaints — DGBA~~
- ~~2. Termination of employment — DM series~~
- ~~3. Student complaints — FLD~~
- ~~4. Student discipline and penalties — FMA~~
- ~~5. Student organizations — FKG~~
- ~~6. Public complaints — GB~~

Agenda Presentation

~~A citizen's request to place an item on the agenda in order to address the Board shall be made in writing to the College President's office at least seven days before the regular meeting. [See BD]~~

~~The request shall include the person's name, address, telephone number, and the subject matter to be presented. If a citizen's request has been scheduled on the agenda [see BD], the Board shall make whatever response or take whatever action it deems appropriate to handle the matter.~~

~~Communications Not on Agenda~~

~~The Board shall designate a portion of its regular monthly meeting to hear comments from individuals who have not requested a place on the agenda. Persons who wish to participate in this portion of the meeting shall sign up as they arrive, indicating the topic about which they wish to speak. The Board Chairman may set reasonable time limits on presentations.~~

Board's Response

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

Complaints and Concerns

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

1. Employee complaints — DGBA
2. Student complaints — FLD
3. Public complaints — GB

Staff Participation

College District staff may participate in presentations of pertinent material to the Board as requested or authorized by the College President.

Disruption

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

Purpose

The College District is committed to providing a fair, safe, and productive work environment where grievances are dealt with sensitively and expeditiously. The purpose of the College District's~~College's~~ grievance policy is to assist in resolving all workplace issues and problems. ~~The College District believes~~We believe the best way of maintaining employee job satisfaction and good working relationships is to follow a procedure for solving problems and grievances as they arise.

In most situations, employees should make every effort to attempt to resolve matters informally by meeting with the person or persons involved, or if that is not feasible, with the immediate supervisor of the person involved prior to accessing the formal complaint process. Exceptions may include cases involving allegations of unlawful harassment, whistleblower allegations, and other instances where it may be impractical to do so.

Freedom from Retaliation

The College District will not tolerate any form of retaliation against an employee who brings a complaint pursuant to this policy. [See DG]

Notice

College District employees and students are informed of this policy through a variety of meetings and publications, such as orientations, student handbook, and the human resources website.

Definitions

The complainant is the person filing the complaint.

The respondent is the person or entity that the complaint is filed against.

A Resolution Review Panel (RRP) is a group of College District administrators appointed to hear complaints. Each RRP is generally composed of three to five administrators.

The terms "complaint" and "grievance" have the same meaning and may be used interchangeably.

Complaint Types

A complaint or grievance may include:

1. Concerns about an employee's wages, hours, or conditions of work, including performance evaluations or reviews;
2. Violations of College District policy;
3. Specific allegations of unlawful discrimination or harassment based on the sex, race, color, religion, national origin, age, veteran's status, disability, genetic information, or any other legally protected classification [see DIAA and DIAB];
4. Specific allegations of unlawful discrimination or retaliation based on the exercise of legally protected rights;

5. Specific allegations of adverse personnel actions based on the employee's good faith report to an appropriate law enforcement authority of a violation of a law by the College Dis-trict or a College District employee, i.e., whistleblower complaints [see DG];
6. Complaints resulting from the termination of an at-will employee [see DDC];
7. Complaints arising from the recommendation for nonrenewal or termination of a contract employee [see DMAA and DMAB];
or
8. Complaints concerning the withdrawal of consent to remain on campus [see GDA]; or
9. Any other complaint brought by an employee against another employee, supervisor, manager, vendor, or the College Dis-trict.

**Information
Regarding Specific
Complaints**

For more information on complaints regarding:

1. Alleged discrimination/harassment/retaliation, including violations of Title IX or Section 504, see DAA.
2. Dismissal of term contract employees, see DMAA.
3. Nonrenewal of term contract employees, see DMAB.
4. A commissioned peace officer who is an employee of the College District, see CHA.
5. An employment preference for former foster children, see DC.
6. Alleged harassment, see DIAA and DIAB.
7. Alleged retaliation (whistleblower), see DG and DH. Whistleblower complaints must be initially filed within the time period specified by law, regardless of the time period specified herein. Additional time lines for the employee and the College District to respond as set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initial complaint.

Multiple Complaints

Where it is determined that two or more individual complaints are sufficiently similar in nature and remedy to permit resolution through one proceeding, such complaints may be consolidated at the discretion of the vice president of human resources.

Untimely Complaints

If a complaint form or appeal notice is not submitted on time, the complaint may be dismissed, with or without a hearing, and the complainant will be notified in writing. An employee may appeal the

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EMPLOYEE GRIEVANCES

DGBA
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determination of timeliness. The appeal ~~shall~~will be limited to the question of timeliness and not the underlying merits of the complaint.

Extensions of Time

Any time limits set by these procedures, other than the time line for the initial filing of the complaint, may be extended by the manager of HR/employee relations for extenuating and unforeseeable circumstances.

Recordkeeping / Confidentiality

Employee complaints are kept separately from the employee's personnel file in accordance with the College District's~~College's~~ records retention policy. Complaint records are confidential to the extent permitted by law. Limited disclosures may be necessary in order to conduct a thorough investigation. Additionally, information may be disclosed in response to a subpoena or as otherwise may be required by law.

Recording Meetings

Meetings held with the RRP are recorded by the College District. A complainant, respondent, or witness whose interview is recorded may request a copy of the recording of his or her interview. Release of records will be in compliance with the Texas Public Information Act.

Representative

The complainant may designate a representative to represent him or her at any level of the process by notifying the manager of HR/employee relations in writing. If necessary, the College District may reschedule any meetings to include the College District's~~College's~~ counsel. Each party will pay its own costs incurred in the course of the complaint process.

Neutral Third Party

Depending on the complexity of a matter or an unanticipated conflict of interest, a neutral third party may be designated to hear and/or investigate a complaint or review an appeal if deemed necessary by the vice president of human resources.

General Complaint Procedure

Detailed procedures may be obtained from the human resources department. The general complaint procedures are as follows.

Step 1

Generally, employees are expected to attempt to resolve matters informally by meeting with the person or persons involved, or if that is not feasible, with the immediate supervisor of the person involved. (Note: Attempting to resolve matters informally concerning complaints~~(Note: Complaints~~ involving any form of unlawful harassment, whistleblower allegations, and cases where it is impractical to do so ~~is~~are not required, ~~to attempt to resolve matters informally~~ and employees may proceed to Step 2.)

Step 2

If it is not possible to resolve a matter informally, a formal complaint may be submitted to the Human Resources Department by using the College District's~~College's~~ online complaint form~~Complaint~~

~~Form~~ or via hand-delivery during regular business hours.- Except in cases involving unlawful harassment, discrimination, or retaliation, the employee must submit his or her complaint within ten business days of the date the complainant knew or reasonably should have known of the action that caused the concern. -In cases involving unlawful harassment, discrimination, or retaliation, the employee must report the prohibited conduct as soon as possible after the alleged act or knowledge of the alleged act so that the College Dis-trict can take appropriate action at the earliest possible stage. -A delay in reporting may impair the College District's~~College's~~ ability to investigate, gather evidence, and/or take corrective action.

The [employee complaint form](#)¹ can be accessed on the College District's website.

If the complainant needs a reasonable accommodation in order to communicate his or her complaint, the individual may contact the Director of Human Resources for assistance.

The complaint ~~shall~~will describe all incident(s) at issue. Complaints ~~shall~~will identify any relevant dates or witnesses and provide sufficient factual detail to support the alleged violations.

Upon an initial review of the complaint, the Vice President of Human Resources ~~shall~~will determine whether the allegations, if proven, could constitute prohibited conduct as defined by this policy or applicable law. -If the allegations do not rise to the level of prohibited or unlawful conduct, the complaint will be dismissed. Otherwise, the complaint will be referred to the next step under this policy. Any appeal will be limited to a determination of whether the complaint falls within the purview of this policy.

Step 3

A meeting with the RRP will be scheduled to provide the complainant with the opportunity to present his or her concerns. -Barring unforeseeable circumstances or difficulty with scheduling, the meeting will be scheduled within ten business days of receipt of the complaint. After meeting with the complainant, members of the RRP will undertake an investigation appropriate to the circumstances to reach a determination of the complaint.

The respondent will also receive a copy of the complaint and be asked to provide a written response that will be shared with the RRP for review.

The College District ~~shall~~will make reasonable attempts to schedule conferences at a mutually agreeable time. -If the individual fails to appear at a scheduled conference without a compelling reason, the complaint will be considered withdrawn.

In most cases, the RRP will issue a written summary determination within ten business days of completing all meetings related to the complaint and recommend granting or denying each request for relief in the complaint. -As part of its determination, the RRP may also, but is not required to, recommend alternative relief. -The standard of review at this step will be by a preponderance of the evidence.

In some cases, including those involving allegations of unlawful harassment, discrimination, or retaliation, the RRP may require additional time in which to conduct an investigation and prepare a determination. -In such cases, the RRP ~~shall~~will notify the complainant and respondent in writing how much time reasonably will be needed to conclude the investigation and prepare a determination.

Step 3 for
Determinations
Related to Mid-
Contract
Termination

For those cases involving the recommended termination of a full-time contract employee during the term of the contract, and where the contract employee appeals the recommended termination, the meeting with the RRP will proceed as follows. -The RRP will ensure that the College District/respondent provides specific notice of the basis for the proposed termination to the complainant, if such notice has not been previously provided. -Before the meeting scheduled with the RRP, the College District/respondent and the complainant will provide to each other and the members of the RRP a list of witnesses they may present at the meeting, along with a general description of the nature of their testimonies and documents that they intend to use at the meeting with the RRP.

Both parties ~~shall~~will have the right to present witnesses and documentary evidence and to cross-examine witnesses presented by the other party subject to the guidelines imposed by the RRP. -The RRP will provide to both the College District/respondent and the complainant the procedures for the meeting including any time restraints placed on the parties' presentations, as well as when each party will be required to provide exhibits and a witness list to the other party and to the RRP, and any other procedures applicable to the meeting before the RRP. -The RRP ~~shall~~will make a record of the hearing, either by tape recording or by court reporter.- The strict rules of evidence ~~shall~~will not apply, although all evidence should be relevant. The College District/respondent has the burden of proof and will make its presentation first.

The College District ~~shall~~will make reasonable attempts to schedule RRP meetings at a mutually agreeable time. -If the individual fails to appear at a scheduled meeting, the College District may hold the meeting and issue a decision in the individual's absence.

Step 4

If either the College District/respondent or the complainant disagrees with the decision of the RRP, the College District/respondent

or the complainant may appeal the determination to the appropriate vice president (generally the vice president of the respondent party). The appeal must be submitted to the appropriate vice president (or executive vice president or designee as noted below) within ten business days of the date of the RRP's decision. The statement of appeal must:

1. Identify all points of disagreement with the determination;
2. Contain sufficient detail to clarify the basis of the appeal; and
3. Explain the reasons why the appeal should be granted. The standard of review at this step will be by a preponderance of the evidence.

If neither party files a timely appeal, the determination of the RRP becomes final and is non-appealable.

Note: For those complaints ~~that~~which involve the termination or non-renewal of a full-time contract, the appeal of the RRP's determination will be reviewed by the executive vice president or designee. The standard of review at this step will also be by a preponderance of the evidence.

Within ten business days of receipt of the appeal, the vice president (or executive vice president or designee as noted above) will issue a written decision affirming, affirming in part/denying in part, or reversing the RRP's determination.

The decision of the vice president or executive vice president is final and non-appealable for all types of complaints, except complaints regarding the recommendation for termination of a full-time contract employee.

For those complaints ~~that~~which involve the recommendation for termination of a full-time contract employee only, the decision of the executive vice president or designee may be appealed to the District President and Board.

Nothing in this policy precludes an employee who has exhausted the procedures in this policy from addressing the Board of Trustees at the next regular public meeting in accordance with the provision for hearing of citizens. -The Board is not required to take any action concerning a grievance but ~~shall~~will listen to the employee's concerns.

[See BDB]

Appeals to the District President and Board

Only complaints involving the termination of a full-time contract employee may be appealed to the District President and Board. -If the College District/respondent or the complainant disagrees with the

decision of the executive vice president or designee, either party may appeal to the Board by notifying the manager of HR/employee relations within ten business days of the receipt of the executive vice president or designee's decision.

Prior to placing the matter on the Board agenda, the District President will review the record. -If the District President reverses the termination decision of the executive vice president, the recommendation for termination of the full-time contract employee will be vacated, and the College District/respondent and the complainant will be notified in writing of the District President's findings and related actions regarding the matter. In this case, the matter will not proceed to presentation to the Board.

If the District President affirms the decision of the executive vice president or designee to terminate the full-time contract, the matter will be placed on the agenda for presentation to the Board. In such cases, the matter will be placed on the Board agenda after review by the District President, providing at least ten business days' advance written notice to the complainant.

The complainant will be notified in writing of the date, time, and place of the Board meeting at which the complainant will present his or her concerns to the Board. The notice will include all applicable procedures for the presentation. The presentation will take place in closed meeting unless the complainant requests that it be heard in public. The Board may place time limits on the presentation.

The Board will consider the complaint, the record created at the meeting before the RRP, and the oral presentations and may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting after the Board hears the matter. However, the Board is not required to take any action. If for any reason the Board does not take any action by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the last prior administrative decision.

¹ Employee Complaint Form: http://www.collin.edu/hr/complaints/Employee_Complaints.html

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Violations	Employees will comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as College District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCC and DM series]
Record Retention	An employee will comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA]
Safety Requirements	All employees will adhere to College District safety procedures and guidelines and will report unsafe conditions or practices to the appropriate supervisor.
Alcohol and Drugs	<p>A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, will be provided to all new employees and will be available on the College District human resources' website.</p> <p>Employees will not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on College District property or while engaged in College District-related activities during or outside of usual working hours:</p> <ol style="list-style-type: none">1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.2. Alcohol or any alcoholic beverage.3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.5. Any drug paraphernalia used for controlled substances as defined under Health and Safety Code Section 481.002. <p>An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.</p>
Exceptions	<p>It will not be considered a violation of this policy if the employee:</p> <ol style="list-style-type: none">1. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or

2. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

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

Notice

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

Reporting Violations of the Law

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

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

Weapons on Campus

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

Arrests, Indictments, Convictions, and Other Adjudications

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

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Moral Turpitude

Moral turpitude includes but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while ~~under the influence of alcohol~~ intoxicated, or disorderly conduct, ~~if any two or more acts are committed within any 12-month period~~; or
6. Acts constituting abuse under the Texas Family Code.

~~Smoke and Tobacco
and E-cigarettes
Free Workplace~~

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

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

~~An employee must not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities, unless authorized by the District President or designee.~~

~~"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:~~

1. ~~A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and~~
2. ~~A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.~~

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**Use of College
District Equipment at
an Off-Campus
Location**

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

**Fraternization /
Consensual
Relationships**

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

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

Definitions

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

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

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

Prohibited Conduct

Employees are prohibited from having a consensual relationship in the workplace that is not reported in accordance with this policy.

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This policy applies to all College District faculty, staff, and students. As used in this document, the terms “faculty, staff, and students” include individuals serving as interns or as volunteers, such as volunteer coaches.

Reporting
Responsibility

When a consensual relationship in the workplace exists, the individual in the position of authority must immediately (and no later than within five days of commencing such a relationship) notify his or her immediate supervisor of the relationship. Failure of the individual in the position of authority to report the consensual relationship in the workplace immediately may result in disciplinary action up to and including termination.

If a conflict of interest or the appearance of a conflict of interest exists as a result of the consensual relationship in the workplace, the individual reporting the relationship will cooperate with his or her supervisor in making all the necessary arrangements to resolve the conflict of interest. If the conflict of interest cannot be resolved by the supervisor, the supervisor will refer the issue to the Human Resources Department for further resolution, including the removal of the reporting relationship, the reassignment of the reporting employee, other resolution of the conflict of interest, and/or termination of employment. If a consensual relationship in the workplace does not result in a conflict of interest or the conflict of interest is resolved, the relationship will be allowed by the supervisor.

If an allowed consensual relationship in the workplace ends and as a result has a negative impact on either employee’s work, it is the employees’ responsibility to inform their supervisor(s) and to take appropriate steps to mitigate any conflicts at work. If employees are unable to resolve conflicts at work, the employees will be asked to mutually agree which employee will be reassigned or resign from the College District’s employment. If employees are unable to agree on that decision, the College District may elect to terminate the employment of one or both employees at the same time.

Immediate
Supervisor
Responsibility

A supervisor who is notified, or becomes aware, of a consensual relationship in the workplace will inform Human Resources. Human Resources will take steps to confirm that the consensual relationship in the workplace exists by meeting with the parties involved and advising that this type of relationship must conform to the guidelines of this policy. Human Resources will work with all parties to alter the conditions that create an actual or potential conflict of interest or the appearance of impropriety caused by the relationship. In most instances, providing alternative arrangements for either party will alter the conditions. In providing alternative arrangements, the College District must ensure no harm comes to the

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person in the relationship who holds less power or authority. These alternative arrangements must be documented, kept in the employee's personnel file, and reported to the vice president in the reporting line of the employee in the position of authority in the relationship.

Procedures for
Failure to
Cooperate

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

Procedure for
Grievances of
Disciplinary Actions

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

**Employee
Evaluations**

The College will routinely evaluate the performance of all College employees.

Purpose

The purpose of the employee performance evaluation will be to:

1. Raise the quality of instruction and educational service to the College's students and citizens of the community.
2. Maintain the standards of excellence within the College.
3. Foster an employee's professional growth and development.
4. Determine the employee's future employment with the College.

Evaluation of employees will be a cooperative and continuing process with formal appraisal following established procedures.

College administrators will evaluate every full-time employee on a job-related basis according to the terms of the evaluation instruments. The employee has the option to submit comments if, in the employee's opinion, additional information pertinent to the evaluation is needed. Comments are included in the employee's formal personnel record with the evaluation. Further appeal of an evaluation will be addressed through DGBA(LOCAL).

Definitions

The following words or phrases, for the purpose of this policy, are defined as follows:

1. Annual review period will be from September 1 to August 31.
2. Increase is an increase in salary based on meeting or exceeding performance standards, consistent with the increase for all College employees. This is generally processed annually, but is contingent upon approval of funding by the Board.
3. Performance indicator is a key accomplishment that is linked to the College's mission, core values, strategic plan, and goals.
4. Performance goal is a planned project or level of performance, the result of which is measured in terms of quality, quantity, and/or timeliness.

Stipulations

The following eligibility requirements will apply:

1. Individuals with less than three months of service, as of August 31, will not be eligible to receive a salary increase.
2. Individuals who have received a Level 2 performance warning during the annual review period will not be eligible for a salary increase.

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3. Individuals who receive an overall performance appraisal rating of “Does not meet expectations” will not be eligible for consideration for a salary increase or merit-based compensation.

**Full-Time Faculty
Evaluation**

Components of the evaluation for full-time teaching faculty will include:

1. Student Surveys of Instruction.
2. Class Visit Evaluation.
3. Self-evaluation.
4. Dean's Annual Evaluation of Faculty Performance.

In addition, multi-year contract applications will also include:

1. Council on Excellence Review of Multi-year Contract Applications.
2. Faculty Board Reports (for multi-year contract applications).

Detailed information regarding the faculty evaluation process is in the College's Faculty Handbook and on the Council on Excellence (COE) website.

**Associate Faculty
Evaluation**

An important element of the instructional program at the College is the associate faculty. In a continual effort to improve the quality of the instructional process, all associate faculty will be evaluated on a periodic basis by the dean, chair, or other assigned academic personnel. Associate faculty members are employed on a semester-to-semester basis, as need dictates, and renewal of that employment is based in part on past evaluations.

Components of the evaluation of associate faculty members will include student surveys of instruction and class visits.

**Evaluation of Staff
and Administrators**

~~Regular Annual~~ written supervisory evaluations of the College employees in staff, administrative, and leadership positions will also play a significant role in maintaining an excellent educational program. By promoting the growth and development of employees through acknowledging strengths and developing action plans for improving skills, the College continually strives to meet and exceed its standards for excellence.

Components of the evaluation for full-time staff and administrators include the following items, which are measured/evaluated in relationship to accomplishment of objectives outlined in the College-wide strategic plan:

1. Goals;

2. Achievements; and
3. Performance indicators, such as essential job functions and demonstration of core values.

**Recognition and
Merit Compensation**

Purpose

The College recognizes that some employees perform at an exemplary level by either doing significantly more than what is normally expected of the position by working on special projects of major importance in addition to assigned duties and responsibilities, or by performing their regular duties at a level that far exceeds expectations over a sustained period of time. The use of merit and bonus awards is a positive way to inspire excellence in performance and an appropriate way to reward those employees who contribute beyond expectations.

General Guidelines

Merit awards generally fall into two categories: non-recurring bonuses and other forms of recognition (such as days off, letters of commendation, plaques, etc.), which may be more appropriate in certain circumstances or for some employees.

Individual awards will not be construed as establishing automatic or mandatory increases for attainment of certain ratings on performance evaluations.

Types of Awards

*Non-Recurring
Bonus*

A non-recurring bonus is a lump sum or cash-equivalent award granted on a one-time basis that does not alter the current base salary of the employee. The use of bonuses is appropriate for special recognition of exceptional performance on a project, activity, or initiative of major importance to the department or to the College.

*Other Forms of
Recognition*

Other forms of recognition, such as days off, letters of commendation, plaques, etc., may also be used when appropriate to recognize performance that is deemed to be exemplary on a project, task, or initiative.

Conditions

Non-recurring bonuses and other forms of recognition are considered annually during the performance appraisal period. The total number of awards will be within the annual merit compensation budget.

Approval

Supporting documentation will be added to a written recommendation from the appropriate administrator with the rationale for the award. The recommendation will be forwarded for review/consideration up through the Leadership Team. Final approval rests with the District President, except in the case of a non-recurring bonus that exceeds five percent of an individual's annualized base salary. In that case, a non-recurring bonus must be submitted for consideration by the Board.

EMPLOYEE PERFORMANCE
EVALUATION

DLA
(LOCAL)

Effective Date The effective date for a non-recurring bonus or merit increase will be on the regular September payroll following the final level of approval.

Appeals Appeals will be directed through DGBA(LOCAL).

Alcohol

The use of intoxicating beverages ~~shall~~will be prohibited in classroom buildings; laboratories; auditoriums; library buildings; faculty and administrative offices; intercollegiate and intramural athletic facilities; and all other public campus areas. The College District President is authorized by the Board to permit the serving and consumption of alcohol at special fundraising functions for the College District, at specially designated events in College District facilities, and as a part of specifically defined and approved academic curricular programs/classes (e.g., culinary arts). With the prior consent of the Board, the provisions herein may be waived with respect to any specific affair that is sponsored by the institution and/or the College District Foundation. State law ~~shall~~will be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

Controlled Substances

When on College District property or while attending College District-sponsored activities on- or off-campus, a student ~~shall~~will not, or attempt to, possess, have under his or her control, manufacture, deliver, distribute, sell, purchase, use, or be under the influence of:

1. Alcohol.
2. Any controlled substance as defined by the Texas Controlled Substances Act.
3. Abusable volatile chemicals in violation of manufacturer's directions.
4. A dangerous drug, as defined by state or federal law.
5. Steroids.
6. Substances referred to as designer drugs.
7. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drugs.

In addition, a student ~~shall~~will not inappropriately or illegally use over-the-counter medications, prescription medications, inhalants, herb-al/natural euphoriant, and/or look-alike products or anything represented to be one of these substances.

Paraphernalia

A student ~~shall~~will not possess any pipe, instrument of contrivance, hypodermic syringe, needle, or any instrument adapted for the use of smoking, injecting, or ingesting any narcotic or hallucinatory drug.

Definition of Possession

Possession means actual care, custody, control, or management and includes the act of taking control or occupancy of property without regard to the ownership of the property. Possession is a voluntary act if the possessor knowingly obtains or receives the

item possessed or is aware of his or her control over the item for a sufficient time to permit the student to terminate his or her control. In addition, items in a car under the care, custody, control, or management of the student will be in the student's possession.

Exception

A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use ~~shall~~will not be considered to have violated this rule.

Violation

Students who violate this policy ~~shall~~will be subject to appropriate disciplinary action as defined in the College District's Student Code of Conduct (Code).

Notice

Disciplinary action may include referral to drug and alcohol counseling or rehabilitation programs or student assistance programs, suspension, expulsion, and referral to appropriate law enforcement officials for prosecution. Each student taking one or more classes for any type of academic credit, except for continuing education units, ~~shall~~will be given a copy of the College District's policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol; a description of the applicable legal sanctions under local, state, or federal law; and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol. [See FLBE(EXHIBIT)]

Tobacco and E-cigarettes

The College District prohibits the use of tobacco products and e-cigarettes on College District property, in College District vehicles, and at College District-related activities, unless authorized by the District President or designee.

"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:

1. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and
2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

~~The College District is a smoke- and tobacco-free institution. The use of any tobacco product or other electronic smoking device (including, but not limited to, electronic cigarettes or personal vapor-~~

~~izers) shall be strictly prohibited anywhere on College District property or in College District facilities. A student who violates this policy may be issued a citation by the College District Police Department and may face legal fines. Violators of this policy are also subject to disciplinary action as defined in the Code.~~

[For more information and smoking cessation assistance, see the College District's Student Handbook or contact the College District's counseling services.]

Drug-Testing

Student participation in certain academic and extracurricular programs may require drug-testing. The student may be tested upon beginning participation in the identified programs and/or a random basis. The requirements are defined and available for review prior to a student enrolling in the College District or participating in the affected programs and activities.

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FLC
(LOCAL)

Searches in General

~~Searches of students and their property shall be conducted in accordance with administrative procedures established by the College President or designee.~~

College District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and College District policy. Searches of students shall will be conducted in a reasonable and nondiscriminatory manner.

College District officials may initiate a search in accordance with law, including, for example, based on reasonable suspicion, voluntary consent, or pursuant to College District policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with College District policies and procedures [see FLB], students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on College District property.

Reasonable
Suspicion Searches

Searches should be reasonable at their inception and in scope. If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of College District policy and procedures, a College District official may conduct a search in accordance with law and College District regulations.

Suspicionless
Searches

For purposes of this policy, a suspicionless search is a search carried out based on lawful security procedures, such as metal detector searches or random drug testing.

Use of Trained Dogs

The College District reserves the right to use trained dogs to conduct screening for concealed prohibited items. Such procedures shall will be unannounced. The dogs shall will not be used with students; however, students may be asked to leave personal belongings in an area that will be screened. If a dog alerts to an item or an area, it may be searched by College District officials.

**College District
Property**

College District-provided technology, storage, and similar items are the property of the College District and are provided for student use as a matter of convenience. College District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in College District property. Students shall will be fully responsible for the security and contents of College District property assigned to them. Students shall will not place or keep in College District-provided technology, storage, or similar item, any article or material prohibited by law or College District policy and procedures. A student shall will be held responsible for

STUDENT RIGHTS AND RESPONSIBILITIES
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any prohibited item found in College District property provided to the student.

**Residence Hall
Rooms**

Searches of student residence hall rooms shall will be conducted in accordance with administrative procedures established by the District President or designee. The procedures shall will describe the situations for which a search may be conducted and distinguish searches by College District officials from law enforcement searches.

**Searches Conducted
by Law Enforcement**

Searches and interrogations shall will be conducted by College District police consistent with law and police department procedures.

Complaints

In this policy, the terms “complaint” and “grievance” ~~shall~~will have the same meaning. The student (grievant) making the complaint must be personally affected by the action. Student complaints that are unable to be resolved informally ~~shall~~will be resolved through the appropriate College District policy, as provided below:

1. Complaints alleging discrimination, harassment, and retaliation based on race, color, national origin, religion, or disability targeting students. [See FFDB]
2. Complaints alleging sex discrimination, sexual harassment, sexual assault, and retaliation. [See FFDA]
3. Complaints alleging a violation of the *Student Code of Conduct*. [See FM, FMA, and the current *Student Code of Conduct*]
4. Complaints concerning student disciplinary decisions. [See FMA and the current *Student Code of Conduct*]
5. Complaints concerning an employee of the College District who is not a commissioned peace officer. [See DGBA]
6. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CHA]
7. Complaints concerning the withdrawal of consent to remain on campus. [See GDA]
8. Appeals of academic suspension for a grade point average (GPA) below the required 2.0. [See the ~~*Maximizing Academic Progress Program (MAPP)*~~ section in the current student handbook]
9. Appeals regarding financial aid. [See the *Failure to Meet the Standards of Academic Progress – GPA and Percent Completion* section of the current student handbook]
10. Appeals regarding academic grades. [See FLDB and the *Freedom from Capricious Grading* section in the current student handbook]

Purpose	The purpose of this policy is to set forth complaint procedures and provide for the prompt and equitable resolution of any complaints by members of the public. For information about public participation in Board meetings, see BDB(LOCAL).
Procedure	<p>Whenever members of the public have concerns related to the College <u>District</u> that cannot be resolved informally, the formal process outlined in this policy will be followed so that issues can be addressed as soon as possible to allow resolution at the lowest possible administrative level.</p> <p>Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy will not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or a “mini-trial” at any level.</p>
Exceptions	Complaints for which other resolution procedures and policies are provided will be directed through those procedures and channels.
Consolidating Complaints	Complaints arising out of an event or a series of related events will be addressed in one complaint. An individual will not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
Untimely Filing	If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process.
Extension of Time	Any time limits set by these procedures, other than the time limits for filing the initial complaint, may be extended at the discretion of the District President or designee.
Freedom from Retaliation	Neither the Board nor any College District employee will unlawfully retaliate against any individual for bringing a concern or complaint.
Complaints	In this policy, the term “complaint” and “grievance” will have the same meaning.
<u>Other Complaint Processes</u>	Complaints This policy shall apply to all complaints from the public will be filed in accordance with this policy, except as required by the policies listed below. Some of these policies complaints regarding a commissioned peace officer who is an employee of the Col-

~~College District. [See CHA] The policy may~~ require appeals to be submitted in accordance with GB after the relevant complaint process:

1. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CHA]

2. Complaints concerning the withdrawal of consent to remain on campus. [See GDA]

Response

“Response” will mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the individual’s ~~email~~ address of record, or sent by U.S. Mail to the individual’s mailing address of record. Mailed responses will be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

“Days” will mean College District business days. In calculating time lines under this policy, a day a document is filed is “day zero.” The following day is “day one.”

Representative

The complainant may designate a representative to represent him or her at any level of the process by notifying the Chief Public Relations Officer in writing. If necessary, the College ~~District~~ may reschedule any meeting to include the College District’s~~College’s~~ counsel.

Costs Incurred

Each party will pay its own costs incurred in the course of the complaint.

Neutral Third Party

A neutral third party may be designated to hear a complaint at Level One or Level Two if deemed necessary by the Chief Public Relations Officer.

Recording Meetings

All meetings held with the complainant in accordance with this policy will be recorded by the College ~~District~~, and the recordings will become part of the complaint record. The complainant may request a copy of the recordings by submitting a written request to the Chief Public Relations Officer.

Complaint Forms

An individual will file a formal complaint using the College District’s~~College’s~~ online complaint form ~~Complaint Form~~¹ within ten business days of the date the complainant knew (or reasonably should have known) of the action that caused the complaint.

The complaint must provide sufficient detailed facts to support the allegations, otherwise it may be dismissed.

**Scheduling
Conferences**

The College District will make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to

appear at a scheduled conference without a compelling reason, the complaint will be considered withdrawn.

Level One

The appropriate administrator will investigate as necessary and schedule a conference with the individual within ten business days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

The administrator will provide the individual a written response within ten business days following the conference. The written response will set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any relevant documents or information.

Level Two

If the individual does not receive the relief requested at Level One or if the time for response has expired, he or she may submit an appeal at Level Two. The appeal notice must be submitted in writing to the Chief Public Relations Officer within ten business days of the date of the written Level One response or, if no response was received, within 15 business days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator will prepare and forward a record of the Level One complaint to the Level Two administrator, who will be designated by the Chief Public Relations Officer. The individual may request a copy of the Level One record.

The Level Two administrator will review the complaint within ten business days from receipt of the appeal. The hearing officer will determine if a conference is warranted, and if so, will schedule a conference with the complainant to discuss the complaint. However, there will be no express or implied right to a Level Two conference.

The Level Two administrator will reply in writing within ten business days from the date of receipt of the complaint, or if a conference is held, within ten business days from the date of meeting with the complainant. If a conference is held, the Level Two administrator may set reasonable time limits for the conference. Further, the individual may provide information to the hearing officer about any documents or information relied upon by the administration for the Level One decision.

The Level Two administrator will provide the individual a written response within ten business days following the conference. The written response will set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and

PUBLIC COMPLAINTS AND HEARINGS

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any other relevant documents or information as determined by the Level Two administrator. If additional investigation or information is required, the Level Two administrator may request such information or meet with individuals as necessary to clarify the record.

The ten business-day reply deadline may be extended if, due to the nature of the allegation or at the hearing officer's discretion, an investigation is appropriate. In these cases, the hearing officer will respond promptly, generally within 30 business days from the date of filing the complaint. If the reply deadline is extended, the complainant will be notified in writing.

The decision of the Level Two administrator is final and cannot be appealed.

Presentation to
Board

Although the decision of the Level Two administrator is final and may not be appealed, any individual may present a complaint processed under this policy to the Board during the public participation portion of a Board meeting regardless of the limitation in this policy. The Board is not required to take any action concerning this type of complaint but is required to listen if the complaint is presented at a public meeting. [See BDB]

¹ Complaint Form: http://www.collin.edu/hr/complaints/Public_Complaints.html

COMMUNITY USE OF COLLEGE DISTRICT FACILITIES
CONDUCT ON COLLEGE DISTRICT PREMISES

GDA
(LOCAL)

Withdrawal of
Consent to Remain
on Campus

In accordance with law, during a period of disruption, the District President or designee may notify a person, a group, or an organization that consent to remain on a College District campus or facility has been withdrawn for no longer than 14 days if there is reasonable cause to believe that the person, group, or organization willfully disrupted the orderly operation of the College District and that his or her presence on College District property will constitute a substantial and material threat to the orderly operation of the College District.

Hearing Procedures

A party from whom consent has been withdrawn may request a hearing on the withdrawal to be held in accordance with law.

Appeal

The person or a group or organization (through a representative member of the group or organization) may appeal the outcome of the hearing through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members.]

**Tobacco and
E-cigarettes**

~~The College District prohibits smoking and the use of tobacco products and e-cigarettes on College District property, in College District vehicles, and at College District-related activities.~~

The College District prohibits the use of tobacco products and e-cigarettes on College District property, in College District vehicles, and at College District-related activities, unless authorized by the District President or designee.

"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:

1. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and
2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.