

*Complete and submit this form, along with any supplemental documentation, to the Office of the President by 5:00pm on the seventh day prior to the Board meeting.*

**Date of Board Meeting:** June 21, 2022

**Subject:**

Consideration and approval of the addition, revision or deletion of (LOCAL) policies as recommended by TASB Community College Services and according to the Instruction Sheet for TASB Localized Policy Manual Update 43 for Wharton County Junior College.

**Recommendation:**

Consideration and approval of the addition, revision or deletion of (LOCAL) policies as recommended by TASB Community College Services and according to the Instruction Sheet for TASB Localized Policy Manual Update 43 for Wharton County Junior College.

**Background and Rationale:**

Update 43 to the Wharton County Junior College localized policy contains new or revised (LEGAL) policies citing current legal requirements and new or revised (LOCAL) policy recommendations. The Explanatory Notes Community College Localized Policy Manual Update 43 (document attached) contains a full listing of the (LEGAL) and (LOCAL) policies affected.

(LEGAL) policies reflect the ever-changing legal context for governance and management of the community college and are not adopted by the Board. (LEGAL) policies are revised by the TASB Legal staff attorneys and posted to the Wharton County Junior College Board Policy Manual, located on the WCJC website.

(LOCAL) policies reflect the practices of the college and the intentions of the Board, and may only be changed by Board action (adopt, revise, or repeal). Update 43 contains eight (LOCAL) policies for the Board to consider:

- **CIA (LOCAL):** EQUIPMENT AND SUPPLIES MANAGEMENT – RECORDS MANAGEMENT
- **CJ (LOCAL):** TRANSPORTATION MANAGEMENT
- **DGC (LOCAL):** EMPLOYEE RIGHTS AND PRIVILEGES - EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES
- **DHA (LOCAL):** EMPLOYEE STANDARDS OF CONDUCT - SEARCHES AND ALCOHOL/DRUG TESTING
- **DHB (LOCAL):** EMPLOYEE STANDARDS OF CONDUCT - CHILD ABUSE AND NEGLECT REPORTING
- **DHC (LOCAL):** EMPLOYEE STANDARDS OF CONDUCT - EMPLOYEE SOLICITATIONS
- **ECC (LOCAL):** INSTRUCTIONAL ARRANGEMENTS - COURSE LOAD AND SCHEDULES
- **EDA (LOCAL):** INSTRUCTIONAL RESOURCES - INSTRUCTIONAL MATERIALS



These eight (LOCAL) policies have been reviewed by administration and are submitted to the Board for consideration and possible approval.

**Estimated Cost and Budgetary Support:**

The cost of the Community College Localized Update 43 packet/service is **\$1,567.00** plus Update 43 Printing/Shipping 280 pages @ .14 each (**\$39.20**), for a total cost of **\$1,606.20**.

**Strategic Priority Alignment:**

☐ Student Success

☐ Community Impact

☐ Resource Optimization

☒ Institutional Excellence

**Resource Person(s):**

Betty McCrohan, President

Kay Shoppa, Legislative Assistant to the President

**Signatures:**



Originator

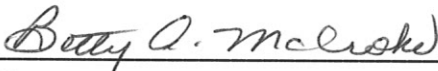
6/3/22

Date

\_\_\_\_\_  
Cabinet-Level Supervisor

\_\_\_\_\_  
Date

**President's Approval:**



President

6-6-22

Date

# **Explanatory Notes**

## **Community College Localized Policy Manual Update 43**

### **Wharton County Junior College**

#### **ATTN(NOTE)**

#### **GENERAL INFORMATION ABOUT THIS UPDATE**

Changes at Update 43 are based on legislation from the 87th Regular Legislative Session and changes from federal and state rulemaking authorities.

References to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 87th Regular Legislative Session. All referenced bills have already gone into effect unless otherwise noted.

#### **CAD(LEGAL)**

#### **APPROPRIATIONS AND REVENUE SOURCES: BOND ISSUES**

This legally referenced policy has been updated to include:

- Existing state statutes on Limitation to General Obligation Bonds and Authority to Contract for Services; and
- Existing federal statutes at Federal Securities Law.

In addition, Administrative Code language at Attorney General Review and Approval has been clarified.

#### **CAIA(LEGAL)**

#### **AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS**

SJR 35 proposed a constitutional amendment to permit the legislature to create an ad valorem tax exemption for the residence homestead of a qualified surviving spouse of a member of the U.S. armed services who is killed or fatally injured in the line of duty. Because the amendment was approved, SB 611 implements this change.

#### **CDDA(LEGAL)**

#### **PAYROLL PROCEDURES: SALARY DEDUCTIONS**

This legally referenced policy has been updated to include existing state statutes on Credit Unions and Employee Membership Organizations.

#### **CH(LEGAL)**

#### **SITE MANAGEMENT**

This legally referenced policy has been updated to reflect recent Administrative Code amendments addressing Human Trafficking Signs at Cosmetology Facilities. A college district that does not post signage as required may be fined \$200 per violation per day.

#### **CIA(LEGAL)**

#### **EQUIPMENT AND SUPPLIES MANAGEMENT: RECORDS MANAGEMENT**

This legally referenced policy has been revised to include existing language at Records Management Program, Permanent Records, Microfilm, and Records That May Be Destroyed. The policy has also been updated to reflect recently amended Administrative Code provisions addressing Electronic Records Management and Electronic Records Destruction.

The language added at Records Management Program includes the requirement that the college district submit its records management policy and any amendments to that policy to the Texas State Library and Archives Commission (TSLAC). TSLAC stated that the submission of a local policy based on TASB model policy CIA(LOCAL) satisfies the submission requirement.

Additional changes are for clarity and to adhere to TASB style.

# Explanatory Notes

## Community College Localized Policy Manual Update 43

### Wharton County Junior College

#### **CIA(LOCAL)**

#### **EQUIPMENT AND SUPPLIES MANAGEMENT: RECORDS MANAGEMENT**

Recommended revisions to this local policy update a citation and address recently revised Administrative Code provisions related to the management of Electronic Records, including language detailing requirements for procedures.

As described above, TSLAC stated that the submission of a local policy based on the TASB model policy CIA(LOCAL) satisfies the requirement to submit the college district's records management policy and any amendments to that policy.

#### **CJ(LEGAL)**

#### **TRANSPORTATION MANAGEMENT**

This legally referenced policy has been updated to reflect recent Administrative Code amendments addressing Human Trafficking Signs in buses and at bus stops and rest areas. A college district that does not post signage as required by law may be fined \$200 per violation per day.

Additional amendments add clarity and conform to TASB style.

#### **CJ(LOCAL)**

#### **TRANSPORTATION MANAGEMENT**

Recommended revisions to this local policy clarify that the existing language in this policy relates to Student Travel.

#### **CKE(LEGAL)**

#### **INSURANCE AND ANNUITIES MANAGEMENT: WORKERS' COMPENSATION**

At Ombudsman Program and at First Responder Liaison, provisions have been updated to reflect Administrative Code revisions addressing notice requirements.

Additional clarifying language has also been added.

#### **CM(LEGAL)**

#### **FACILITIES CONSTRUCTION**

HB 692 amends the authority of a college district to withhold Retainage under a public works contract.

#### **CS(LEGAL)**

#### **INFORMATION SECURITY**

This legally referenced policy has been updated to reflect recent amendments to the Administrative Code and federal regulations, including the addition of:

- Expanded responsibilities for the Information Security Officer;
- A new section on Risk and Authorization Management Program for Cloud Computing Services; and
- Expanded Elements of the Financial Information Security Program.

#### **D(LEGAL)**

#### **PERSONNEL**

This table of contents has been revised to accommodate a new policy on Employee Solicitations:

- DHA has been added and includes content on Searches and Alcohol/Drug Testing;
- The subtitle for DHB is now Child Abuse and Neglect Reporting; and
- The subtitle for DHC is now Employee Solicitations.

## Explanatory Notes

### Community College Localized Policy Manual Update 43

#### Wharton County Junior College

##### **DC(LEGAL)                      EMPLOYMENT PRACTICES**

At Report, this legally referenced policy has been updated to include revised Administrative Code language.

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

SJR 27 proposed a constitutional amendment to prohibit a college district from placing limits to Religious Services in Texas. The amendment was approved by voters at the November election.

##### **DGC(LOCAL)                      EMPLOYEE RIGHTS AND PRIVILEGES: EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES**

All previous content in this policy describing Employee Solicitation has been moved to the new standalone policy at DHC on Employee Solicitations. References to DHC have been added to this policy where appropriate.

##### **DHA(LEGAL)                      EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING**

All previous content from DHB has been moved to this policy without changes to accommodate the new Employee Solicitations policy at DHC.

##### **DHA(LOCAL)                      EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING**

All previous content from DHB has been moved to this policy without changes to accommodate the new Employee Solicitations policy at DHC.

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

To accommodate the new Employee Solicitations policy at DHC:

- This policy has been renamed, and all previous content from this policy has been moved without changes to DHA; and
- All previous content from DHC has been moved to this policy without changes.

##### **DHB(LOCAL)                      EMPLOYEE STANDARDS OF CONDUCT: CHILD ABUSE AND NEGLECT REPORTING**

To accommodate the new Employee Solicitations policy at DHC:

- This policy has been renamed, and all previous content from this policy has been moved to DHA; and
- All previous content from DHC has been moved to this policy.

In addition, HB 3379 requires a person to report child abuse and neglect if the person has reasonable cause, instead of cause, to believe that child abuse or neglect has occurred or may occur. In response, at Reporting, references to "cause" are recommended to be revised to "reasonable cause."

##### **DHC(LEGAL)                      EMPLOYEE STANDARDS OF CONDUCT: EMPLOYEE SOLICITATIONS**

Language on Charitable Raffles has been included in this new Employee Solicitations policy.

# Explanatory Notes

## Community College Localized Policy Manual Update 43

### Wharton County Junior College

#### **DHC(LOCAL)                      EMPLOYEE STANDARDS OF CONDUCT: EMPLOYEE SOLICITATIONS**

All previous content from this policy has been moved to DHB.

All content describing Employee Solicitation has been moved from DGC to accommodate this new standalone policy on Employee Solicitations and has been expanded. The parameters for solicitation and conduct issues that may arise from improper solicitation are now more effectively detailed in this policy.

The additional recommended language is similar to language on Student Solicitations from FI.

The position approving Employee Solicitation has been auto filled with the same position from DGC. If you would like a different position to grant approval, please contact your policy consultant.

#### **EBB(LEGAL)                      ALTERNATE METHODS OF INSTRUCTION: OFF CAMPUS INSTRUCTION**

This legally referenced policy has been updated to include revised Administrative Code citations on Regional Councils.

#### **ECC(LEGAL)                      INSTRUCTIONAL ARRANGEMENTS: COURSE LOAD AND SCHEDULES**

At Good Cause, this legally referenced policy has been updated to reflect amendments to Administrative Code requirements related to dropping courses after certain disasters.

#### **ECC(LOCAL)                      INSTRUCTIONAL ARRANGEMENTS: COURSE LOAD AND SCHEDULES**

Recommended revisions to this local policy incorporate references to updated Administrative Code language that addresses factors a college district must consider when determining if a disaster significantly affects the students' ability to participate in coursework for purposes of allowing students to drop courses due to the disaster.

#### **EDA(LEGAL)                      INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS**

HB 1027 expands upon existing requirements that college districts publish Course Material Information each semester, including all costs and itemization of fees. These requirements will be effective starting in fall 2022.

Additional changes were made for clarity and to adhere to TASB style.

#### **EDA(LOCAL)                      INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS**

Recommended revisions to this local policy incorporate references to course materials, reflecting the terminology found in HB 1027.

#### **EFA(LEGAL)                      CURRICULUM DESIGN: INSTRUCTIONAL PROGRAMS AND COURSES**

HB 1027 expands upon existing requirements that college districts publish a Course Schedule each semester and includes a deadline for publication. These requirements will be effective starting in fall 2022.

#### **EFBB(LEGAL)                      DEGREES AND CERTIFICATES: BACCALAUREATE DEGREES**

This legally referenced policy has been updated for clarification and to reflect recent amendments to the Administrative Code regarding baccalaureate degree programs provided by Navarro College and Limitations on baccalaureate degree programs.

#### **F(LEGAL)                          STUDENTS**

The title of policy FI has been changed to clarify that it applies to Student Solicitations.

## Explanatory Notes

### Community College Localized Policy Manual Update 43

#### **Wharton County Junior College**

Because this is a nonsubstantive change, FI(LEGAL) and FI(LOCAL) were not issued. Both policies will be updated on Policy Online™. If you wish, you can print these policies with the new title from Policy Online.

#### **FC(LEGAL)                      ATTENDANCE**

This legally referenced policy has been revised to include recent amendments to Administrative Code provisions related to absences due to required military service.

#### **FLA(LEGAL)                      STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES**

SJR 27 proposed a constitutional amendment to prohibit a college district from placing limits to Religious Services in Texas. The amendment was approved by voters at the November election.

#### **GCA(LEGAL)                      PUBLIC INFORMATION PROGRAM: ACCESS TO INFORMATION**

HB 1027 states that any agreement relating to course material fees or charges, entered into as of fall 2022, is considered public information under the PIA.

#### **GD(LEGAL)                      COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES**

SJR 27 proposed a constitutional amendment to prohibit a college district from placing limits to Religious Services in Texas. The amendment was approved by voters at the November election.

#### **GH(LEGAL)                      RELATIONS WITH SCHOOLS AND DISTRICTS**

This legally referenced policy has been updated to reflect amendments to Administrative Code provisions addressing Dual Credit Agreements.

Additional changes were made to adhere to TASB style.