



**Wharton County  
Junior College**

**Proposed Agenda Item  
Board of Trustees Meeting**

Complete this form and submit it to the Office of the President by 5:00 pm on the eleventh day before the following Tuesday meeting of the Board of Trustees. If this form does not provide enough space, you may use an expanded version *as long as you follow the format specified below*.

Date of Board Meeting: July 20, 2021

Date of This Proposal: June 23, 2021

**SUBJECT (item as it will appear on agenda):**

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 41 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 41 for Wharton County Junior College.

**BACKGROUND/RATIONALE:**

Update 41 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 41 (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 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 41 contains seven (LOCAL) policies for the Board to consider:

- **BBE (LOCAL):** BOARD MEMBERS – AUTHORITY
- **CHE (LOCAL):** SITE MANAGEMENT: MAIL AND DELIVERY
- **DEC (LOCAL):** COMPENSATION AND BENEFITS: LEAVES AND ABSENCES
- **DLB (LOCAL):** EMPLOYEE PERFORMANCE: SUSPENSION
- **DMAA (LOCAL):** TERM CONTRACTS: TERMINATION MID-CONTRACT
- **DMAB (LOCAL):** TERM CONTRACTS: NONRENEWAL; and
- **ECC (LOCAL):** INSTRUCTIONAL ARRANGEMENTS: COURSE LOAD AND SCHEDULES



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

**Estimated Cost and Budgetary Support (how will this be paid for?):** \$1,227.00

This is the cost for the Community College Localized Update 41 packet/service (\$1,192.00) plus Update 41 Printing/Shipping 250 pages @ .14 each (\$35.00), for a total cost of \$1,227.00.

**RESOURCE PERSON(S) [name(s) and title(s)]:**

Betty McCrohan, President

Kay Shoppa, Legislative Assistant to the President

**SIGNATURES:**

Betty A. McCrohan  
Originator

7-14-21  
Date

Betty A. McCrohan  
Cabinet-Level Supervisor

7-14-21  
Date

**PRESIDENT'S APPROVAL:**

Betty A. McCrohan

7-14-21

# Explanatory Notes

## Community College Localized Policy Manual Update 41

### Wharton County Junior College

#### **ATTN(NOTE)                      GENERAL INFORMATION ABOUT THIS UPDATE**

Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 86th Regular Legislative Session. All referenced bills have already gone into effect unless otherwise noted.

#### **A25(INDEX)                      CROSS-INDEX**

All references to suspension have been replaced with the newly created policy on the topic, DLB.

#### **AFA(LLEGAL)                      INSTITUTIONAL EFFECTIVENESS: PERFORMANCE AND INSTITUTION REPORTS**

This legally referenced policy has been amended at Cost of Attendance to include a link to the [Free Application for Federal Student Aid \(FAFSA\)](#) website for ease of reference. An existing federal requirement that college districts with four-year degree programs provide certain information to enrolled and prospective students has also been added at Dissemination of Institutional Information.

#### **BBB(LLEGAL)                      BOARD MEMBERS: ELECTIONS**

Provisions addressing the deadline to provide Notice to Candidates regarding the filing period have been updated in this legally referenced policy to conform with statute. Additionally, an expired statute referencing the composition of the Blinn College board of trustees was removed from the policy.

#### **BBD(LLEGAL)                      BOARD MEMBERS: ORIENTATION AND TRAINING**

A note providing a link to the Texas Department of Information Resources' (DIR) list of certified programs and compliance reporting requirements for Cybersecurity Training has been added to this legally referenced policy.

#### **BBF(LLOCAL)                      BOARD MEMBERS: ETHICS**

Recommended revisions to this local policy are to provide college-specific standards from the Association of Community College Trustees' model ethics code, Guide to Ethical Governance. Many of the revisions address concepts found in the prior version, but those provisions are significantly reworded and reorganized. However, the following provisions have been retained with little revision:

- At Service, the requirement to attend board meetings, language on bringing about desired changes through legal and ethical procedures, and the statement on sexual discrimination and harassment, as required by the Texas Appropriations Act and the Coordinating Board; and
- At Roles, the concepts of delegation of administrative matters to the chief executive officer and support of college district administrative staff.

#### **CAAB(LLEGAL)                      STATE AND FEDERAL REVENUE SOURCES: FEDERAL**

This legally referenced policy has been amended to include new U.S. Department of Defense regulations implementing the Office of Management and Budget's (OMB) guidelines related to grants and awards.

#### **CAK(LLEGAL)                      APPROPRIATIONS AND REVENUE SOURCES: INVESTMENTS**

Margin notes in this legally referenced policy have been updated to clarify existing Investment Training requirements for the college district's board of trustees and investment officer and reporting requirements for the investment officer. Additional amendments are to conform with statute.

# Explanatory Notes

## Community College Localized Policy Manual Update 41

### Wharton County Junior College

#### **CDC(LEGAL)                      ACCOUNTING: AUDITS**

This legally referenced policy has been updated with a link to the 2020 fiscal year Texas Higher Education Coordinating Board publication [Budget Requirements and Annual Financial Reporting Requirements for Texas Public Community Colleges](#).

#### **CFG(LEGAL)                      PURCHASING AND ACQUISITION: REAL PROPERTY AND IMPROVEMENTS**

The provision at Initial Report has been removed from this legally referenced policy due to the expiration of the statute.

#### **CH(LEGAL)                      SITE MANAGEMENT**

A citation in this legally referenced policy has been updated to reflect recent Administrative Code changes related to Pools.

#### **CHE(LOCAL)                      SITE MANAGEMENT: MAIL AND DELIVERY**

A new version of this policy that includes a section on Distribution of Mail to On-Campus Residents is now available.

Please contact your policy consultant if you have on-campus residents and are interested in reviewing the new version.

#### **CR(LEGAL)                      TECHNOLOGY RESOURCES**

This legally referenced policy has been revised to reflect the repeal of DIR rules on Interagency Contracts for Information Resources Technologies.

In addition, this legally referenced policy has been updated to reflect recent amendments to Federal Aviation Administration (FAA) regulations, including:

- Updated exceptions to the registration, airman certification, and operation requirements for a civil Small Unmanned Aircraft System (additional information is available on [Flying Over Humans and at Night](#)), effective April 21, 2021; and
- The repeal of provisions on Model Aircraft.

#### **CRA(LEGAL)                      TECHNOLOGY RESOURCES: WEBSITE POSTINGS**

This legally referenced policy has been revised to reflect the repeal of a duplicative Administrative Code provision addressing the posting of work-study employment opportunities.

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

This table of contents has been revised to change the subtitle at DLB to Suspension.

#### **DAA(LEGAL)                      EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY**

This legally referenced policy has been revised to include an existing federal statute prohibiting employment discrimination based on Bankruptcy.

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

This legally referenced policy has been revised with an existing federal statute regarding the Drug and Alcohol Clearinghouse Pre-Employment Inquiry. Additional amendments are to conform with statute.

# Explanatory Notes

## Community College Localized Policy Manual Update 41

### Wharton County Junior College

#### **DEC(LOCAL)                      COMPENSATION AND BENEFITS: LEAVES AND ABSENCES**

Recommended revisions to this policy have been made for clarity and to remove some administrative details, such as provisions on recording leave, that are not required to be in board policy but are instead addressed in the college district's regulations or the employee handbook. To support the removal of these administrative details, a new paragraph at Leave Administration directs the chief executive officer or designee to develop administrative regulations to implement the policy.

Other changes include:

- Consolidating cross-references to related policies in a note at the beginning of the policy;
- Adding a definition of Academic Year to provide context for references to the term elsewhere in the policy;
- Relocating provisions on concurrent use of leave and provisions on order of use addressing use of compensatory time to the sections addressing each type of leave;
- Streamlining of Family and Medical Leave provisions;
- Adding a clear statement as to whether the college district permits Paid Leave Offset in conjunction with workers' compensation benefits; and
- Revising terminology from "reimbursement" to "payment" for unused leave.

#### **DECB(LLEGAL)                      LEAVES AND ABSENCES: MILITARY LEAVE**

This legally referenced policy has been revised to reflect amendments to a federal statute addressing Reemployment following service in the National Oceanic and Atmospheric Administration (NOAA) commissioned officer corps. Additional amendments are to conform with statute.

#### **DHB(LLEGAL)                      EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING**

This legally referenced policy has been revised to include existing federal requirements addressing queries of the Drug and Alcohol Clearinghouse and the prohibition on certain driver's performance of safety-sensitive functions based on those results. The requirement to report employee drug and alcohol use, test results, and other relevant information to the clearinghouse has also been added at Reports—Federal.

#### **DK(LLEGAL)                      PROFESSIONAL DEVELOPMENT**

A note providing a link to DIR's list of certified programs and compliance reporting requirements for Cybersecurity Training has been added to this legally referenced policy.

#### **DLB(LOCAL)                      EMPLOYEE PERFORMANCE: SUSPENSION**

This new local policy is recommended for inclusion in the college district's policy manual to address the suspension of at-will and term contract employees. Suspension with Pay language from DMAA has been moved to this policy.

#### **DMAA(LOCAL)                      TERM CONTRACTS: TERMINATION MID-CONTRACT**

Recommended revisions to this local policy are to clarify Appeals by employees, including Faculty Members, regarding issues related to mid-contract termination decisions.

The reference to Suspension with Pay has been moved to the new DLB policy.

# Explanatory Notes

## Community College Localized Policy Manual Update 41

### Wharton County Junior College

#### **DMAB(LOCAL)                      TERM CONTRACTS: NONRENEWAL**

Recommended revisions to this local policy are to clarify Appeals by employees, including Faculty Members, regarding issues related to the nonrenewal of their contracts.

#### **EBA(LEGAL)                      ALTERNATE METHODS OF INSTRUCTION: DISTANCE EDUCATION**

This legally referenced policy has been revised to reflect amended federal Definitions of Distance Education and Correspondence Courses. Existing Administrative Code provisions addressing the State Authorization Reciprocity Agreement (SARA) have also been added to the policy.

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

Recommended revisions to this local policy are to convert the Course Load values to fill-ins for ease of editing. Please review all the Course Load values to ensure they accurately reflect current college district requirements.

#### **EFAC(LEGAL)                      INSTRUCTIONAL PROGRAMS AND COURSES: DEVELOPMENTAL EDUCATION**

This legally referenced policy has been revised to reflect an amendment to the Administrative Code requiring all students enrolled in developmental education who are not otherwise exempt to be enrolled in the Corequisite Model beginning with the 2021–22 academic year.

#### **EI(LEGAL)                      TESTING PROGRAMS**

Amendments to the Administrative Code addressing the transition from the Texas Success Initiative Assessment (TSIA) to the TSIA, Version 2 (TSIA2) have been added to this legally referenced policy at Assessment Instruments.

#### **FEB(LEGAL)                      FINANCING EDUCATION: WORK STUDY**

In response to the repeal of a duplicative Administrative Code provision, this legally referenced policy has been revised to reflect an existing Administrative Code provision addressing the List of Work-Study Employment Opportunities. A new Administrative Code provision addressing the Transfer of funds between the Texas College Work-Study Program and the Work-Study Student Mentorship Program and an existing provision addressing fund transfers between the Texas Educational Opportunity Grant and Texas College Work-Study Programs have also been added.

#### **GG(LEGAL)                      RELATIONS WITH GOVERNMENTAL AGENCIES AND AUTHORITIES**

A note providing a link to DIR's list of certified programs and compliance reporting requirements for Cybersecurity Training for Contractors has been added to this legally referenced policy.

#### **GGC(LEGAL)                      RELATIONS WITH GOVERNMENTAL AGENCIES AND AUTHORITIES: STATE GOVERNMENTAL AUTHORITIES**

This legally referenced policy has been updated to reflect new and amended reporting requirements from the General Appropriations Act at Notice to the State Regarding Contracts.

#### **GL(LEGAL)                      RELATIONS WITH BUSINESSES AND THE COMMUNITY**

This legally referenced policy has been updated to include statutory language and a citation to new Administrative Code provisions addressing the Skills Development Fund.