Update 40 contains (LOCAL) policies that require board action before we can incorporate Update 40 into your college district's Policy On Line manual.

Please notify Community College Services of your policy adoption by completing the electronic Notify TASB of Policy Adoption form\* in myTASB. As an alternative option, you may complete, scan, and submit this form via email to polsupport@tasb.org.

# Update 40

# 232501 Southwest Texas Junior College

Previo	us Updates
Ц	I confirm that all updates prior to Update 40 have been adopted. (Visit Local Manual Updates <sup>†</sup> to see updates pending adoption.)
Update	<b>40</b> Adoption Date:
Status	(please check one):
	Adopted as presented by TASB—place online immediately
	Adopted with further changes, described below

#### **Policy Changes**

Value Nama

If you wish to make changes to policies issued in Update 40, submit those changes with your adoption notification. If you wish to make changes to policies not issued in Update 40, please email those changes directly to your policy consultant, Scott Rizzo.

Changes will be processed as a Local District Update. Your policy consultant may contact you about policy changes if necessary.

If you have questions, please call your policy consultant, Scott Rizzo, at 800-580-1488.\* Notify TASB of Policy Adoption: <a href="https://www.tasb.org/apps/PolicyAdmin/">https://www.tasb.org/apps/PolicyAdmin/</a>
† Local Manual Updates: <a href="https://www.tasb.org/apps/policyUpdates/index.aspx">https://www.tasb.org/apps/policyUpdates/index.aspx</a>

# **TASB Community College Services**

# Policy On Line® Adoption Notification For



# Localized Policy Manual Update 40

#### Southwest Texas Junior College

**Remember:** You can download a PDF of your college district's update packet, annotated copies of the (LOCAL) policies, editable (LOCAL) text, and more on <u>myTASB</u>¹ under Policy Service Resource Library → Local Manual Updates. Need help? Please call 800-580-1488 or email <u>colleges@tasb.org</u>.

#### **Overview**

Update 40 to your localized policy manual contains new or revised (LEGAL) policies citing current legal requirements and new or revised (LOCAL) policy recommendations. See the Explanatory Notes for a full listing of the (LEGAL) and (LOCAL) policies affected.

The Update 40 packet contains:

- Instructions providing specific information on which policies have been revised, added, or deleted at this update.
- Explanatory Notes summarizing and pointing out changes occurring within each policy.
- Updated policies reflecting new or replacement materials included in this update.

# (LEGAL) vs. (LOCAL) Policies: Remember the Difference

(LEGAL) policies:

- Reflect the ever-changing legal context for governance and management of the community college
- Should inform local decision making
- Should NOT be adopted, only reviewed

#### (LOCAL) policies:

- Require close attention by both the administration and the board
- Must reflect the practices of the college and the intentions of the board
- May only be changed by board action (adopt, revise, or repeal)

#### How to Place Policy Changes on the Agenda for Board Action

TASB provides a <u>sample Board meeting agenda</u> to advise employees and the public of the issues to be addressed, while providing flexibility as to how the meeting is conducted. Community colleges that use the TASB model, including those that use BoardBook, should address Update 40 on the agenda as "Policy Update 40" with two sub-items, one to address the (LEGAL) policies and one to address the (LOCAL) policies.

#### (LEGAL) policies sub-item:

TASB recommends that the board review, but not adopt, the (LEGAL) policies issued by TASB as part of the update. Review of the (LEGAL) policies may result in discussion about the issues addressed by the revisions. The (LEGAL) policies should, at a minimum, be addressed on the agenda posting as "(LEGAL) policies." If the board may discuss certain issues addressed by the updated (LEGAL) policies, particularly if those issues are of interest to the public, then, for purposes of discussion, the relevant policy codes, titles, and subtitles should be listed under the sub-item.

#### (LOCAL) policies sub-item:

Board action on the (LOCAL) policies included in Update 40 must occur within a properly posted, open meeting of the board.

- The (LOCAL) policies should be addressed on the agenda posting as the sub-item "(LOCAL) policies."
- You may use the "(LOCAL) Policy Action List" provided online in Local Manual Updates
  and include the list under the sub-item, or you may compile a list of (LOCAL) policy
  codes, titles, and subtitles from the Instruction Sheet and Explanatory Notes, below.
- A suggested motion for board action on the (LOCAL) policies included in Update 40:
   "I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Community College Services and according to the Instruction Sheet for TASB Localized Policy Manual Update 40 [with the following changes:]"

## **How to Notify Community College Services of Board Action**

Notify Community College Services of the board's action on Update 40 by completing the electronic "Notify TASB of Policy Adoption" form in myTASB or by using the Update 40 Adoption Notification Form, enclosed, so that the college's newly adopted polices can be placed in Policy On Line. If your board adopts changes to the (LOCAL) policies contained in this packet, please notify your policy consultant so that Community College Services can update its records before placing your revised policy in Policy On Line. To help ensure consistency throughout your manual, use the Board Policy Manual Style Guide.<sup>2</sup>

## **How to Keep Minutes**

The board's action on Localized Update 40 must be reflected in board minutes. Your minutes should include:



- The list of proposed (LOCAL) policy actions, such as the Instruction Sheet—annotated to reflect any changes made by the board
- The Explanatory Notes for the update (filed as an attachment to the minutes)
- Copies of new, replaced, or rescinded (LOCAL) policies

#### **How to Maintain Your Historical Record**

To construct a separate historical record of the manual, you must track the history of individual (LOCAL) policies. You should maintain a permanent historical record of every (LOCAL) policy adopted, revised, or rescinded by the board. At a minimum, this record should include the following key pieces of information:

- Policy code
- Date of board action
- Text of policy

For more guidance on maintaining this record, please refer to the <u>Community College Administrator's Guide to Policy Management.</u><sup>3</sup>

#### **How to Keep Your Administrative Regulations Current**

Inspect your administrative procedures and documents—including EXHIBITS, REGULATIONS, handbooks, and guides—that may be affected by Update 40 policy changes.

If you must make changes to the REGULATIONS or EXHIBITS contained in your board policy manual, please notify your policy consultant.

#### Questions

Questions about the content of this update may be addressed to your assigned policy consultant, Scott Rizzo, at 800-580-1488.

## **Disclaimer and Copyright**

PLEASE NOTE: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

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<sup>&</sup>lt;sup>2</sup> Board Policy Manual Style Guide: <a href="https://www.tasb.org/services/community-college-services/documents/cc-board-policy-manual-style-quide.pdf">https://www.tasb.org/services/community-college-services/documents/cc-board-policy-manual-style-quide.pdf</a>



<sup>1</sup> myTASB portal requiring password: <a href="https://www.tasb.org/apps/CA1/Home/UserApps">https://www.tasb.org/apps/CA1/Home/UserApps</a>

<sup>3</sup> Community College Administrator's Guide to Policy Management: https://www.tasb.org/Services/Community-College-Services/documents/cc\_admin\_guide\_to\_policy.aspx



# Instruction Sheet Community College Localized Policy Manual Update 40

# **Southwest Texas Junior College**

Code	Туре	Action To Be Taken	Note
ATTN	(NOTE)	No policy enclosed	See explanatory note
A25	(INDEX)	Replace cross-index	Revised cross-index
BBBB	(LEGAL)	Replace policy	Revised policy
BBE	(LOCAL)	Replace policy	Revised policy
BDB	(LEGAL)	Replace policy	Revised policy
BE	(LOCAL)	Replace policy	Revised policy
CAAB	(LEGAL)	Replace policy	Revised policy
CAI	(LEGAL)	Replace policy	Revised policy
CC	(LEGAL)	Replace policy	Revised policy
CDA	(LEGAL)	Replace policy	Revised policy
CGE	(LEGAL)	Replace policy	Revised policy
CHE	(LEGAL)	Replace policy	Revised policy
CIA	(LEGAL)	Replace policy	Revised policy
CKE	(LEGAL)	Replace policy	Revised policy
CRA	(LEGAL)	Replace policy	Revised policy
CS	(LEGAL)	Replace policy	Revised policy
DAA	(LEGAL)	Replace policy	Revised policy
DEA	(LOCAL)	No policy enclosed	See explanatory note
DHC	(LOCAL)	Replace policy	Revised policy
EFB	(LEGAL)	Replace policy	Revised policy
EFB	(LOCAL)	Replace policy	Revised policy
EI	(LEGAL)	Replace policy	Revised policy
FAA	(LEGAL)	Replace policy	Revised policy
FEA	(LEGAL)	Replace policy	Revised policy
FEB	(LEGAL)	Replace policy	Revised policy

#### **Explanatory Notes**

#### Community College Localized Policy Manual Update 40

#### **Southwest Texas 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

The cross-index has been updated to incorporate recommended course sequences at EFB and the mentorship program at FEB.

#### BBBB(LEGAL) ELECTIONS: ETHICS

A statutory citation has been updated in this policy due to Administrative Code renumbering.

#### BBE(LOCAL) BOARD MEMBERS: AUTHORITY

Recommended revisions to this policy include:

- When Transacting Business, board members must discuss all proposals presented to the board and reach decisions, which can include dissenting votes;
- · Board members have Limitations in relation to requesting records and Requests for Reports; and
- Board members must adhere to the college district's security controls for Confidentiality reasons.

#### BDB(LEGAL) BOARD MEETINGS: PUBLIC PARTICIPATION

A citation to a recent Attorney General opinion has been added addressing Reasonable Rules for conducting a public comment period.

#### BE(LOCAL) POLICY AND BYLAW DEVELOPMENT

A revision to this local policy clarifies that a college district's legally referenced policies are not adopted by the board. Also, the Official Policy Manual is the sole responsibility of the chief executive officer of the college district and cannot be designated to another employee.

#### CAAB(LEGAL) STATE AND FEDERAL REVENUE SOURCES: FEDERAL

This legally referenced policy has been updated to reflect recent U.S. Office of Management and Budget (OMB) amendments to its guidance for grants and agreements.

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

This policy was updated in response to SB 2, effective January 1, 2021, which requires an officer or employee designated by the college district to submit the college district's Tax Rate Calculation forms to the county assessor-collector for each applicable county.

#### CC(LEGAL) ANNUAL OPERATING BUDGET

Effective January 1, 2021, SB 2 requires a college district's governing body to include the forms used by the college district in the appendix to its budget.

#### CDA(LEGAL) ACCOUNTING: FINANCIAL REPORTS AND STATEMENTS

This legally referenced policy has been updated at Form and Availability and Posting to reflect recent changes to Administrative Code rules related to the Annual Local Debt Report.

#### **Explanatory Notes**

# Community College Localized Policy Manual Update 40

#### **Southwest Texas Junior College**

#### CGE(LEGAL) SAFETY PROGRAM: MEDICAL TREATMENT

This legally referenced policy has been updated to reflect recent Administrative Code changes related to the Administration of Epinephrine. The administration of epinephrine is also addressed in the FAQ What Do Colleges Need to Know About Epinephrine Auto-Injectors?, available on TASB College eLaw.

A model local policy is available for this code. If the college district is considering adopting a policy addressing the administration of epinephrine, please contact the college district's policy consultant to request the model.

#### CHE(LEGAL) SITE MANAGEMENT: MAIL AND DELIVERY

This legally referenced policy has been updated at Political Advertising to reflect the renumbering of the Administrative Code provision. Additional changes were made to align more closely with the Administrative Code.

# CIA(LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: RECORDS MANAGEMENT

In the Note, the cross references to additional records retention provisions have been replaced with a global reference to policies containing retention provisions found in specific laws.

# CKE(LEGAL) INSURANCE AND ANNUITIES MANAGEMENT: WORKERS' COMPENSATION

A paragraph at Leaves of Absence that described a court decision related to employees who violate absence policies has been replaced with a reference to related provisions in policy DEC.

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

Beginning the 2021–22 academic year, SB 25 requires college districts to develop at least one recommended course sequence for each undergraduate certificate or degree program they offer.

#### CS(LEGAL) INFORMATION SECURITY

This legally referenced policy has been updated to include additional statutory information addressing the Biennial Information Security Plan. Additionally, citations were updated throughout.

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

This legally referenced policy has been updated to include the U.S. Supreme Court decision in *Bostock v. Clayton County, Georgia* that states Title VII prohibits discrimination based on sexual orientation and gender identity.

#### DEA(LOCAL) COMPENSATION AND BENEFITS: SALARIES AND WAGES

A new version of this policy that includes a section on Premium Pay During Disasters is now available.

Please contact your policy consultant if you are interested in this version. Note that, in most circumstances, the language would need to be adopted before the emergency occurs to qualify for FEMA reimbursement.

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

Revisions throughout this policy reflect Education Code requirements that a college district must develop procedures governing the reporting of child abuse and neglect as required by the Family Code.

#### **Explanatory Notes**

#### Community College Localized Policy Manual Update 40

#### **Southwest Texas Junior College**

#### EFB(LEGAL) CURRICULUM DESIGN: DEGREES AND CERTIFICATES

Beginning the 2021–22 academic year, SB 25 requires college districts to develop at least one Recommended Course Sequence for each undergraduate certificate or degree program they offer.

#### EFB(LOCAL) CURRICULUM DESIGN: DEGREES AND CERTIFICATES

Revisions were added to comply with provisions in SB 25 that require college districts to develop at least one recommended course sequence for each undergraduate degree or certificate program beginning with the 2021–22 academic year.

#### EI(LEGAL) TESTING PROGRAMS

The TSI Assessment Time Periods section has been removed from this policy to align more closely with the Administrative Code.

#### FAA(LEGAL) EQUAL EDUCATIONAL OPPORTUNITY: SERVICE ANIMALS

The U.S. Department of Housing and Urban Development provided new guidance related to a Fair Housing Act Assistance Animal. The new guidance prohibits housing providers from reassessing requests granted before this guidance was issued.

#### FEA(LEGAL) FINANCING EDUCATION: FINANCIAL AID AND SCHOLARSHIPS

This policy has been revised at Contents of Disclosures to reflect recent changes to the Administrative Code clarifying that student debt letters are not required to include private loan information.

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

This legally referenced policy has been updated in response to recent amendments to the Administrative Code that incorporate an existing Mentorship Program into provisions addressing the Texas College Work-Study Program.

**Please Note:** This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

#### **CROSS-INDEX**

	standard of conduct DH suspensions DMAA tenure DMB
- A -	transfer DJ
	vacations DEC
	work load DJ administrative rules and regulations BH
absences	admissions FB
personnel DEC student FC	adult education program EFAB, EFCB
academic achievement EG	ad valorem taxes CAI
academic achievement report GH	advertising GE
academic freedom and responsibilities DGC	agents, solicitors, collectors CFE
academic course load	AIDS DBB, DI, FFAC alcohol use DH, FLBE , GDA
personnel DJ	Americans with Disabilities Act (ADA) DIAB, FFDB, GA
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accident prevention CGB	employment procedures DAA
accidents	medical examinations DBB
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accounting reporting and statements CDA	employee grievances and appeals DGBA
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accreditation GK	student complaints and appeals FLD
activities, student	application for position DC
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fees FD funds management FKB	asbestos CGA
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sponsors, clubs FKC	assignment of wages CDDA
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development opportunities DK	awards and scholarships FEA
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evaluation DLA	
expense reimbursement DEE	- B -
filling vacancies DC	_
health examinations DBB	
hiring DC job descriptions DDA	baccalaureate degrees EFBB
nonrenewal DMAB	bank depository CB
outside employment DBF	benefits DEB
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recruitment DC	notice required BD
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eligibility BBA	compensation BFB
ethics BBF	contract BFB
liability CKB	dismissal BFC
number BBB	duties BFA
technology use BBI	employment BF
orientation BBD	evaluation BFE
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reimbursement of expenses BBG	nonrenewal BFC
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resignation BBC	qualifications BFA
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authority, exercise of BA, BBE	civic organizations GL
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liability CKB	board members BBF
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maintenance CHB	travel reimbursement DEE
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	compensatory time DEA
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- C -	against peace officers CHA
<b>-</b>	personnel complaints, grievances DGBA public complaints GB
	student complaints GB
	conditions of employment
cafeteria plan deductions CDDA	physical examination DAA, DBB
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on premises, public GDA	visitors GDA
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student FLB	distribution of professional organization material DGD
conflict of interest	donations CAM
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	dress and personal grooming
personnel DBD	personnel DH
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contracts	personnel complaints DGBA
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term contracts DCA	term contracts DMA, DMAA
conveyance of property CAL	duty schedule DJ
cooperative purchasing agreements CF	
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correspondence courses EBA	<u>_</u>
credit by examination EGAA	- E -
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·	elections
development EF adult education EFCB	campaign funds BBBA
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custodian of records CIA, GCA	candidate eligibility BBA
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	electronic communication CR
	eligibility for admission, student FB
- D -	emergency and first aid CGE
- ب	emergency drills CGC
	emergency illness CGE
	emergency plans and procedures CGC
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associate degrees and certificates EFBA	employee
baccalaureate degrees EFBB	assignment and transfer of personnel DJ
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demonstrations and strikes by students FLA	compensation and benefits DEA
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health requirements FFAA	fiscal year CC
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EpiPen CGE, DI, FFAB	fraternities FKC
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	community GB personnel DGBA
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filling employment vacancies DC final examinations EGAB	health portability insurance (HIPAA) CKD
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-1-	janitorial services CHB job descriptions chancellor/college president BFA jury duty DEC
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construction CM	learning disabilities EFCA leasing CAL
facility expansion project CLA safety CGA	leaves and absences DEC
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institutional responsibility AD	liability, board members CKB
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instructional program EFA series	litigation expenses CKB
special programs EFC adult education EFCB	loitering GDA
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instructional resources EDA, EDAA	M
instructor	- M -
assignment DJ professional development DK	
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continuation coverage CKD deductions from salary CDDA	transportation maintenance CJA
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health CKD	medical insurance CKD
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term life CKD	board of education BD budget CC
unemployment CKF	meetings
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staff meetings DJ	salary deductions CDDA
merit system DEA	penalties, student discipline FM
military leave DEC, DECB	pensions DF
military science EFA, EGA	performance bonds CM
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- N -	proof required for employment DBB
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- 0 -	professional leaves and absences DEC
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- P -	positions DD professional leaves and absences DEC
- P -	positions DD professional leaves and absences DEC professional organizations DGA
·	positions DD professional leaves and absences DEC professional organizations DGA promotion DLC
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parking controls CHC pay grade changes DEA	positions DD professional leaves and absences DEC professional organizations DGA promotion DLC qualifications and duties DDA recruitment DC
parking controls CHC pay grade changes DEA pay periods DEA	positions DD professional leaves and absences DEC professional organizations DGA promotion DLC qualifications and duties DDA
parking controls CHC pay grade changes DEA pay periods DEA payment procedures	positions DD professional leaves and absences DEC professional organizations DGA promotion DLC qualifications and duties DDA recruitment DC re-employment DC resignation DMD responsibilities DDA
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	activities FK
- S -	admission requirements FB
-3-	alcohol use FLBE
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-1-	vehicles owned by college district CJ
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liavei expenses bbb, bll	

none

- U -

unauthorized person on district property GDA unemployment insurance CKF unions, staff membership in DGA United States Department of Education GGD universities GI use and dissemination of test results EI, FJ use and possession of alcohol and drugs FLBE use of district facilities GD

trespassing GDA trustees (See board of trustees) tuition FD

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