

Explanatory Notes

Community College Localized Policy Manual Update 38

Southwest Texas Junior College

ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Select changes at Update 38 are based on legislation from the 86th Regular Legislative Session.

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.

AFA(LLEGAL)

INSTITUTIONAL EFFECTIVENESS: PERFORMANCE AND INSTITUTION REPORTS

This legally referenced policy has been revised to reflect recently amended federal regulations addressing the Dissemination of Institutional Information, including the types of information a college district must make available to enrolled and prospective students.

BB(LLEGAL)

BOARD MEMBERS

SB 2 requires a college district to post on its website the name and official contact information of each board member.

BBB(LLEGAL)

BOARD MEMBERS: ELECTIONS

At Certificate of Election, HB 2640 removes the requirement that the presiding officer of a canvassing authority prepare and deliver a report of the precinct results to the secretary of state.

C(LLEGAL)

BUSINESS AND SUPPORT SERVICES

Changes to this table of contents include:

- The subtitle for CAIA is now Exemptions and Payments;
- The subtitle for CAIB is now Economic Development; and
- CAIC and CAID have been added.

CAI(LLEGAL)

APPROPRIATIONS AND REVENUE SOURCES: AD VALOREM TAXES

All content on Tax Exemptions and Tax Payments has been moved from this policy to CAIA. All content on Reinvestment Zones has been moved from this policy to CAIB.

SB 2 is a property tax reform bill. Changes to this policy related to SB 2 include:

- All references to "effective tax rate" have been changed to "no-new-revenue tax rate". All references to "rollback tax rate" have been changed to "voter-approval tax rate".
- The contents and manner of distribution of the Notice have been amended.
- The board has a new deadline for the adoption of the Tax Rate.
- At Tax Rate Exceeding the Voter-Approval or No-New-Revenue Tax Rate, the bill provides specific rules as to when and how the college district must hold a public hearing on the proposed tax rate. The bill specifies the notice for the public meeting at which the board adopts a Tax Rate Below the Voter-Approval or No-New-Revenue Tax Rate.
- At Tax Rate Below the Voter-Approval or No-New-Revenue Tax Rate, there are fewer requirements related to a public hearing on the proposed tax rate.
- At Failure to Timely Adopt a Tax Rate, the bill specifies the tax rate if the board fails to timely adopt the rate.

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- At Election to Repeal Increase, if the tax rate exceeds the voter approval tax rate, an election must be held for this purpose. Requirements for that election are described in this section.
- At Dissemination of Tax Information, the college district must post the specified contact and financial information online.
- The designated college district official or employee must incorporate certain information into the chief appraiser's Property Tax Database.

CAIA(LLEGAL)

AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

All previous content from this policy has been moved to CAIC. This policy now contains content on Tax Exemptions and Tax Payments, which has been moved from CAI.

HB 492 implements HJR 34, which amended the Texas Constitution to allow the legislature to provide a temporary tax Exemption for Property Damaged by a Disaster for a portion of the value of the damaged property. The bill also repealed an existing statute providing the option for reappraisal of qualified property in a disaster area.

CAIA(LOCAL)

AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

As part of a policy reorganization, the policy has been renamed. All previous content from this policy has been moved to CAIC.

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

CAIB(LLEGAL)

AD VALOREM TAXES: ECONOMIC DEVELOPMENT

All previous content from this policy has been moved to CAID. This policy now contains content on Reinvestment Zones, which has been moved from CAI.

CAIC(LLEGAL)

AD VALOREM TAXES: SELECTION AND DUTIES OF CHIEF TAX OFFICIALS

All previous content at CAIA has been moved to this policy.

CAIC(LOCAL)

AD VALOREM TAXES: SELECTION AND DUTIES OF CHIEF TAX OFFICIALS

All previous content from CAIA has been moved to this policy as part of a policy reorganization.

CAID(LLEGAL)

AD VALOREM TAXES: APPRAISAL DISTRICT

All previous content at CAIB has been moved to this policy.

SB 2 lowers the number of years that must pass before an individual who was compensated for Involvement with Past Appraisals may be eligible to serve on the appraisal district board. At Appraisal District Employment Restriction, SB 2 prohibits an officer or employee of a participating taxing district from being employed by an appraisal district. The bill also addresses when a taxing unit may bring a Challenge Before the Appraisal Review Board.

Additional changes to this policy reflect revisions to statutory citations.

CB(LLEGAL)

DEPOSITORY OF FUNDS

This legally referenced policy has been revised to reference current statutes and rules addressing a college district's ability to invest funds by depositing precious metals in the Texas Bullion Depository.

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CC(LLEGAL) ANNUAL OPERATING BUDGET

At Posting of Budget Information Online, SB 2 requires a college district to post on its website certain past and current budget information.

CDC(LLEGAL) ACCOUNTING: AUDITS

At Publication, SB 2 requires a college district to post on its website the most recent financial audit.

CHA(LLEGAL) SITE MANAGEMENT: SECURITY

A requirement that each college district peace officer complete Trauma-Informed Investigation Training has been added to this legally referenced policy.

A citation to a recently amended Administrative Code rule addressing Private Security has also been added.

CR(LLEGAL) TECHNOLOGY RESOURCES

This legally referenced policy has been revised to reflect provisions from the FAA Reauthorization Act of 2018 related to the Recreational Use of drones. The Federal Aviation Administration (FAA) has not published rules specific to these provisions. The laws addressing drones are complex. The college district should consult local counsel on compliance with this law.

CRA(LLEGAL) TECHNOLOGY RESOURCES: WEBSITE POSTINGS

In addition to existing law, several revisions have been made at Required Internet Postings to reflect statutory changes from the 86th Regular Legislative Session:

- SB 2 requires a college district to post online tax rates, estimated interest and fund balance, debt obligation information, a required public hearing on a tax rate increase, contact information for both the college district and the board, the internal audit plan, and the annual report.
- HB 1735 requires a college district to post a web page dedicated solely to the policy on sexual harassment, sexual assault, dating violence, and stalking. In addition, a college district must post online a report concerning the reports of sexual harassment, sexual assault, dating violence, and stalking by the college district.
- HB 3808 requires a college district to post online a list of work-study employment opportunities accessible through a clearly identifiable link that appears in a prominent place on the financial aid page.

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

Recommended revisions to this local policy address the SB 18 requirements related to Requests to host speakers in college district facilities. The bill requires the college district to develop a student expression policy, approved by the college district's governing body, no later than August 1, 2020.

Provisions addressing Employee Solicitation have also been added to this policy.

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

At State Law, HB 1735 addresses policies, training, reporting, and discipline regarding sexual harassment, sexual assault, dating violence, and stalking at college districts. The bill imposes additional policy requirements for college districts that must be adopted by August 1, 2020.

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

Recommended revisions to this local policy address the HB 1735 and Administrative Code requirement to develop a policy addressing sexual harassment, assault, dating violence, and stalking by August 1, 2020.

EBA(LEGAL) ALTERNATE METHODS OF INSTRUCTION: DISTANCE EDUCATION

This legally referenced policy has been revised to add existing federal regulations, amended to be effective July 1, 2020, addressing distance education offered Out-of-State.

EFA(LEGAL) CURRICULUM DESIGN: INSTRUCTIONAL PROGRAMS AND COURSES

At Course Report, SB 25 and SB 502 require each college district to report to the Coordinating Board and the legislature on courses taken by students who transferred to a four-year institution or earned an associate degree at the college during the prior academic year. The first report must be submitted by March 1, 2021.

EFAA(LEGAL) INSTRUCTIONAL PROGRAMS AND COURSES: ACADEMIC COURSES

Changes to this legally referenced policy remove Administrative Code rules related to the version of the Texas Core Curriculum that applies to students who first enrolled at a college district prior to fall 2014. The policy retains a general reference to the removed rules at Applicability for the limited number of students to whom the prior core curriculum still applies.

EFB(LEGAL) CURRICULUM DESIGN: DEGREES AND CERTIFICATES

HB 3601 permits the Coordinating Board to approve a college district to offer a degree in coordination with the Texas Military Department that uses Alternative Methods of Program Mastery for Military Members. This provision applies to degree plans offered for enrollment for the 2020–21 academic year.

EFBC(LEGAL) DEGREES AND CERTIFICATES: DEGREE PLANS

This legally referenced policy reflects revisions to Administrative Code rules addressing the filing of degree plans by students.

EG(LEGAL) ACADEMIC ACHIEVEMENT

A cross reference to provisions found in policy FJ addressing transcript notations for students ineligible to reenroll was added to this policy.

EI(LEGAL) TESTING PROGRAMS

HB 1891 exempts a student from the TSI assessment based on the student's score on a High School Equivalency Examination. This exemption applies to students entering college starting in fall 2020.

FEB(LEGAL) FINANCING EDUCATION: WORK STUDY

HB 3808 amends the Texas College Work-Study Program institutional eligibility provisions that apply beginning with the summer 2020 term.

Additional changes to the policy reflect minor revisions to how the program is referenced in Administrative Code rules.

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FF(LLEGAL) STUDENT WELFARE

HB 3808 requires college districts to designate at least one employee to serve as a Support Services Liaison for current or incoming students.

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

At State Law, HB 1735 addresses policies, training, reporting, and discipline regarding sexual harassment, sexual assault, dating violence, and stalking for college districts. The bill imposes additional policy requirements for college districts that must be adopted by August 1, 2020.

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

Recommended revisions to this local policy address the HB 1735 and Administrative Code requirement to develop a policy addressing sexual harassment, assault, dating violence, and stalking by August 1, 2020.

FI(LOCAL) SOLICITATIONS

Revisions to this policy are recommended for consistency with policy style. An additional revision was made at Permitted Solicitation to update a cross reference.

FJ(LLEGAL) STUDENT RECORDS

A new Administrative Code rule addressing Transcript Notation of Ineligibility to Reenroll has been added to this legally referenced policy.

FLA(LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

Recommended revisions to this local policy address the SB 18 requirements related to Requests to host speakers in college district facilities. The bill requires the college district to develop a student expression policy, approved by the college district's governing body, no later than August 1, 2020.

Additional changes were made for clarity.

FLB(LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT CONDUCT

Information regarding Drugs and Alcohol and associated paraphernalia has been consolidated at policy FLBE. As a result, the detail at this policy has been replaced with a cross reference.

FLBE(LOCAL) STUDENT CONDUCT: ALCOHOL AND DRUG USE

Prohibited behaviors regarding Alcohol, Controlled Substances, and Paraphernalia, including those formerly in policy FLB, have been added to this policy.

At Exceptions, HB 1325 authorizes the use, possession, and transport of hemp on college district property. HB 1518 prohibits a college district from adopting or enforcing an order, regulation, rule, ordinance, or policy governing the possession, distribution, and sale of Dextromethorphan, a cough suppressant. Additionally, the exceptions for medications prescribed for a student or the student's child have been expanded.

FM(LLEGAL) DISCIPLINE AND PENALTIES

HB 1735 and new Administrative Code rules provide the disciplinary process requirements for Sexual Harassment, Sexual Assault, Dating Violence, and Stalking Allegations. The bill and rules also update the

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relevant definitions. Additionally, a new Administrative Code provision addressing the Continuation of Disciplinary Process was added to the policy.

GC(LLEGAL) PUBLIC INFORMATION PROGRAM

SB 2 requires a college district to post on its website the mailing address, email address, and telephone number of the college district.

GH(LLEGAL) RELATIONS WITH SCHOOLS AND DISTRICTS

At Eligible Courses, this legally referenced policy has been revised to reflect recent Administrative Code amendments permitting a dual credit program to lead to the completion of a Program of Study Curriculum. At Tuition and State Funding, recent Administrative Code amendments permit a college district to claim state funding for students earning credit in a field of study curriculum.

Additional changes to this policy reflect nonsubstantive revisions to statutory citations.