

Update 36 contains (LOCAL) policies that require board action before we can incorporate Update 36 into your college district's Policy On Line manual.

Please notify Travis Damron 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 pol-support@tasb.org.

232501 Southwest Texas Junior College

Your Name: _____

Your Email: _____

Previous Updates

- I confirm that all updates prior to Update 36 have been adopted. (Visit Local Manual Updates† to see updates pending adoption.)

Update 36 Adoption Date: _____

Status (please check one):

- Adopted as presented by TASB—place online immediately
- Adopted with further changes, described below

Policy Changes

If you wish to make changes to policies issued in Update 36, submit those changes with your adoption notification. If you wish to make changes to policies not issued in Update 36, please email those changes directly to your policy consultant, Kelly Grab.

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 Travis Damron at 800-580-7529.

* Notify TASB of Policy Adoption: <https://www.tasb.org/apps/PolicyAdmin/>

† Local Manual Updates: <https://www.tasb.org/apps/policyUpdates/index.aspx>

Update 36

Policy On Line®
Adoption Notification Form

TASB Community College Services



Localized Policy Manual Update 36

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 [myTASB¹](#) under Policy Service Resource Library → Local Manual Updates. Need help? Please call 800-580-1488 or email colleges@tasb.org.

Overview

Update 36 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 36 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 college district
- Should inform local decision making
- Should NOT be adopted, but only reviewed

(LOCAL) policies:

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

If your board adopts changes to the (LOCAL) policies contained in this packet, please notify your policy consultant.

How to Place Policy Changes on the Agenda for Board Action

TASB provides a [sample Board meeting agenda](#) 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 36 on the agenda as “Policy Update 36” 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 36 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 36:
“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 36 [with the following changes:]”

How to Notify Community College Services of Board Action

Notify Community College Services of the board’s action on Update 36 using the Update 36 Adoption Notification Form, enclosed, so Community College Services records remain accurate. **Notify your policy consultant of any changes made by the board so that Community College Services records correctly reflect your manual.**

How to Keep Minutes

The board’s action on Localized Update 36 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 Community College Administrator's Guide to Policy Management.²

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 36 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, Kelly Grab, 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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¹ myTASB portal requiring password: <https://www.tasb.org/apps/CA1/Home/UserApps>

² 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 36

Southwest Texas Junior College

Code	Type	Action To Be Taken	Note
ATTN	(NOTE)	No policy enclosed	See explanatory note
AB	(LOCAL)	Replace policy	Revised policy
BA	(LOCAL)	Replace policy	Revised policy
CIB	(LOCAL)	Replace policy	Revised policy
CR	(LEGAL)	Replace policy	Revised policy
CT	(LEGAL)	Replace policy	Revised policy
CU	(LEGAL)	Replace policy	Revised policy
DGBA	(LOCAL)	Replace policy	Revised policy
DMC	(LOCAL)	Replace policy	Revised policy
EFBA	(LEGAL)	Replace policy	Revised policy
EFCB	(LEGAL)	Replace policy	Revised policy
FLC	(LOCAL)	Replace policy	Revised policy
FLD	(LOCAL)	Replace policy	Revised policy
GB	(LOCAL)	Replace policy	Revised policy
GDA	(LOCAL)	Replace policy	Revised policy

Explanatory Notes

Community College Localized Policy Manual Update 36

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ATTN(NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

The following explanatory notes are intended to be read in conjunction with the annotated policies.

AB(LOCAL) COLLEGE DISTRICT NAME AND DEFINITIONS

Please review this policy to confirm that it reflects the college district's legal name. If you have revisions that you wish to submit, please contact your policy consultant for assistance with updating this policy.

Additionally, a nonsubstantive change to the policy template may appear tracked, even though the text remains the same. This change has been made at no charge.

BA(LOCAL) BOARD LEGAL STATUS

Please review this policy to confirm that it reflects the college district's legal name. If you have revisions that you wish to submit, please contact your policy consultant for assistance with updating this policy.

Additionally, a nonsubstantive change to the policy template may appear tracked, even though the text remains the same. This change has been made at no charge.

CIB(LOCAL) EQUIPMENT AND SUPPLIES MANAGEMENT: DISPOSAL OF PROPERTY

Recommended revisions to this policy are to clarify the methods by which the college district may dispose of unnecessary college district property that has value. The chief executive officer or designee may dispose of the property for fair market value or through a method expressly authorized by law. Alternatively, the chief executive officer or designee may propose a different method of disposal by the board after the board applies the gift of public funds test described by Texas Municipal League Intergovernmental Risk Pool, 74 S.W.3d 377 (Tex. 2002) and Texas Attorney General Opinion Number GA-76 (2003).

CR(LLEGAL) TECHNOLOGY RESOURCES

Statutory citations have been updated in this legally referenced policy to reflect an Administrative Code amendment.

CT(LLEGAL) INTELLECTUAL PROPERTY

Several revisions have been made throughout this legally referenced policy addressing intellectual property, including:

- A citation to a newly added section to the U.S. Copyright Law that extends most federal copyright protections to pre-1972 music recordings;
- The full list of infringing actions at Copyright Infringement;
- A prohibition on the Circumvention of Technological Measures; and
- The requirement for college districts to submit an Intellectual Property Policy to the Coordinating Board to receive state research funds.

CU(LLEGAL) RESEARCH

This legally referenced policy has been revised to clarify the Institutional Review Board Common Rule for research involving human subjects.

Explanatory Notes
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DGBA(LOCAL) PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE GRIEVANCES

Recommended revisions to this policy at Other Complaint Processes are to clarify complaint processes concerning the withdrawal of consent to remain on campus, described in GDA further below.

DMC(LOCAL) TERMINATION OF EMPLOYMENT: REDUCTION IN FORCE

Revisions to this policy are recommended for consistency with policy style.

EFBA(LEGAL) DEGREES AND CERTIFICATES: ASSOCIATE DEGREES AND CERTIFICATES

Statutory citations have been updated in this legally referenced policy.

EFCB(LEGAL) SPECIAL PROGRAMS: ADULT EDUCATION AND LITERACY

This legally referenced policy has been revised to reflect recent amendments to Administrative Code Definitions pertaining to adult education and literacy programs.

FLC(LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES: INTERROGATIONS AND SEARCHES

Provisions addressing the college district's authority to conduct searches of students and their belongings are recommended for inclusion in the college district's policy manual.

FLD(LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT COMPLAINTS

Recommended revisions to this policy at Other Complaint Processes are to clarify complaint processes concerning the withdrawal of consent to remain on campus, described in GDA further below.

GB(LOCAL) PUBLIC COMPLAINTS AND HEARINGS

Recommended revisions to this policy at Other Complaint Processes are to clarify complaint processes concerning the withdrawal of consent to remain on campus, described in GDA further below.

GDA(LOCAL) COMMUNITY USE OF COLLEGE DISTRICT FACILITIES: CONDUCT ON COLLEGE DISTRICT PREMISES

Provisions addressing the Withdrawal of Consent to Remain on Campus are recommended for inclusion in the college district's policy manual.