



Localized Policy Manual Update 45

232501 Southwest Texas Junior College

Update 45 contains local policies that require board action and adoption notification before we can incorporate the revisions into your college's Policy Online® manual. Please review the [user's guide](#)¹ for steps related to accessing updates and informing TASB when your board has adopted policies from an update.

What should I do to prepare for board adoption?

- Download and save the numbered update resource material from [Policy Online](#).
- Present the local policies to your board for adoption.
- Following board action, notify Community College Services of adoption so we can incorporate the adopted policies into your college's Policy Online manual.

How do I notify Community College Services that the board has adopted the update?

- Log onto [Policy Online](#), go to Local Manual Updates, then click the "Notify TASB of Board Action" button.
- Fill out and submit all actions taken with each policy and the date each action was taken.
- If the adoption is complex in nature, reach out to your policy contact directly. See Questions below for information regarding contact information.

Questions?

- If you have questions regarding [Policy Online](#), contact pol-support@tasb.org.
- If you have questions regarding policy text, contact your [college's assigned policy consultant](#).²

¹ Community College Policy Tutorials: <https://www.tasb.org/services/community-college-services/training/community-college-policy-tutorials.aspx>

² Contact a Community College Services Consultant: <https://www.tasb.org/services/community-college-services/contact-us/policy-consultants-by-college.aspx>

How to Place Policy Changes on the Agenda for Board Action

TASB provides a [sample board meeting agenda](#)² 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 Board-Book, should address Update 45 on the agenda as “Policy Update 45” 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 45 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 45:

“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 45 [with the following changes:]”

How to Notify Community College Services of Board Action

Notify Community College Services of the board’s action on Update 45 by reviewing the user’s guide section on [Notify TASB of board action](#),³ then log into your [Policy Online](#) site with your email and password, access this numbered update and click the “Notify TASB of Board Action” button.

If your board adopts changes to any local policies contained in this packet, choose the “Accept with Changes” option next to each policy that applies and at-

attach a copy of the policy at the bottom of that screen. To help ensure consistency throughout your manual, use the [Board Policy Manual Style Guide](#).⁴

How to Keep Minutes

The board's action on Localized Update 45 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](#).⁵

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 45 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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¹ Community College Policy Tutorials: <https://www.tasb.org/services/community-college-services/training/community-college-policy-tutorials.aspx>

² Sample board meeting agenda: <https://www.tasb.org/services/community-college-services/resources/tasb-college-elaw/documents/oma-sample-regular-agenda.docx>

³ User's Guide – Notify TASB of board action: <https://www.tasb.org/services/policy-service/resources/policy-online-user-s-guide.aspx#Notify%20TASB%20of%20Board%20Action>

⁴ Board Policy Manual Style Guide: <https://www.tasb.org/services/community-college-services/documents/cc-board-policy-manual-style-guide.pdf>

⁵ 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 45

Southwest Texas Junior College

| Code | Type | Action To Be Taken | Note |
|------|---------|---------------------------|---------------------------|
| ATTN | (NOTE) | No policy enclosed | See explanatory note |
| AFA | (LEGAL) | Replace policy | Revised policy |
| BCG | (LOCAL) | ADD policy | See explanatory note |
| BI | (LEGAL) | Replace policy | Revised policy |
| CDB | (LOCAL) | ADD policy | See explanatory note |
| CDC | (LEGAL) | Replace policy | Revised policy |
| CF | (LEGAL) | Replace policy | Revised policy |
| CH | (LEGAL) | Replace policy | Revised policy |
| CI | (LEGAL) | Replace policy | Revised policy |
| CI | (LOCAL) | Replace policy | Revised policy |
| CKD | (LEGAL) | Replace policy | Revised policy |
| CT | (LOCAL) | Replace policy | Revised policy |
| D | (LEGAL) | Replace table of contents | Revised table of contents |
| DAA | (LEGAL) | Replace policy | Revised policy |
| DBA | (LEGAL) | Replace policy | Revised policy |
| DEA | (LEGAL) | Replace policy | Revised policy |
| DEA | (LOCAL) | Replace policy | Revised policy |
| DEAA | (LOCAL) | ADD policy | See explanatory note |
| DEAB | (LEGAL) | ADD policy | See explanatory note |
| DEAB | (LOCAL) | ADD policy | See explanatory note |
| DEB | (LOCAL) | Replace policy | Revised policy |
| DG | (LEGAL) | Replace policy | Revised policy |
| DH | (LOCAL) | Replace policy | Revised policy |
| EFA | (LOCAL) | Replace policy | Revised policy |
| EFB | (LEGAL) | Replace policy | Revised policy |
| EFBA | (LEGAL) | Replace policy | Revised policy |
| EFBB | (LEGAL) | Replace policy | Revised policy |
| EGC | (LEGAL) | Replace policy | Revised policy |
| EI | (LEGAL) | Replace policy | Revised policy |
| EJA | (LOCAL) | Replace policy | Revised policy |
| FD | (LEGAL) | Replace policy | Revised policy |
| FD | (LOCAL) | Replace policy | Revised policy |
| FEA | (LEGAL) | Replace policy | Revised policy |
| FEB | (LEGAL) | Replace policy | Revised policy |

Instruction Sheet
Community College Localized Policy Manual Update 45

Southwest Texas Junior College

| Code | Type | Action To Be Taken | Note |
|-------------|-------------|---------------------------|----------------|
| FFAA | (LEGAL) | Replace policy | Revised policy |
| FG | (LEGAL) | Replace policy | Revised policy |
| FI | (LEGAL) | Replace policy | Revised policy |
| FJ | (LEGAL) | Replace policy | Revised policy |
| FK | (LEGAL) | Replace policy | Revised policy |
| FLD | (LEGAL) | Replace policy | Revised policy |
| GCA | (LEGAL) | Replace policy | Revised policy |
| GCC | (LEGAL) | Replace policy | Revised policy |
| GE | (LEGAL) | Replace policy | Revised policy |
| GL | (LEGAL) | Replace policy | Revised policy |

Explanatory Notes

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ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Changes at Update 45 incorporate clarification of existing materials and new materials arising from changes to federal statutes and rules issued by the Texas Higher Education Coordinating Board and other state and federal agencies.

AFA(LLEGAL)

INSTITUTIONAL EFFECTIVENESS: PERFORMANCE AND INSTITUTION REPORTS

Language at Required Information has been updated to reflect an amended federal regulation, effective July 1, 2023, addressing the availability of information related to a prison education program.

Existing federal regulation language has been added describing the required Notice to Enrolled Students of the availability of certain college information and the Disclosure Through Internet or Intranet Websites of that information to current and prospective students and employees.

In addition, the related definition of Prospective Employee has been added.

BCG(LOCAL)

BOARD INTERNAL ORGANIZATION: BOARD EVALUATION

This model policy has been included at your request.

BI(LLEGAL)

REPORTS

A reference in this index of college district reports to a financial report has been updated to reflect the current name of the report. The deadline for the annual security report has also been added.

In addition, the list has been expanded to reference reports addressing fees related to qualifying purchasing contracts, changes to course sequences, baccalaureate degrees, completion and transfer-out rates, tuition rates adjusted for excessive and repeat courses, and fire safety.

CDB(LOCAL)

ACCOUNTING: INVENTORIES

This recommended new local policy includes financial reporting requirements and guidance from the state Budget Requirements and Annual Financial Reporting Requirements for Texas Public Community Colleges and the Governmental Accounting Standards Board (GASB) Implementation Guide regarding the Capitalization Threshold for individual and group assets. The GASB guidance regarding group assets applies to reporting periods beginning after June 15, 2023.

If the college's capitalization threshold or the individual authorized to determine the capitalization threshold for a group of assets differs from that included in the policy, please contact your policy consultant.

CDC(LLEGAL)

ACCOUNTING: AUDITS

The link to the Texas Higher Education Coordinating Board publication *Budget Requirements and Annual Financial Reporting Requirements for Texas Public Community Colleges* has been updated to the 2022 fiscal year version.

CF(LLEGAL)

PURCHASING AND ACQUISITION

At Automated Information System, a citation has been updated to reflect the recent repeal and replacement of the relevant Administrative Code provision.

CH(LLEGAL)

SITE MANAGEMENT

At Pools, a citation has been updated to reflect the recent repeal and replacement of the relevant Administrative Code provisions.

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CI(LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT

The link to the [Memorandum of Understanding between the Texas Department of Public Safety and the Texas Higher Education Coordinating Board](#) has been updated to reflect its new location on the Coordinating Board's website.

CI(LOCAL) EQUIPMENT AND SUPPLIES MANAGEMENT

The content in this policy has not been changed. This policy has been added to the update for technical reasons related to our recent upgrade to Policy Online®. You will not be charged for this policy.

Because this policy does not contain substantive changes, unless the college initiates its own changes, it should not be adopted by the board. When your board has adopted Update 45 and you make your submission in Policy Online, if you have any of those policies on your list, choose "Accept as Recommended" for each one. The issue date for these policies will change, so when you make your submission, if you want the original adoption date added to these policies, enter it into the proper field in Policy Online. Use the [Policy Online User Guide](#) for more specific directions on how to submit numbered updates.

CKD(LEGAL) INSURANCE AND ANNUITIES MANAGEMENT: HEALTH AND LIFE INSURANCE

An Exception to the ability to exempt a group health plan from requirements to provide parity in mental health and substance use disorder benefits under the Health Insurance Portability and Accountability Act has been added to reflect a recently amended federal statute. Any existing election expiring on or after June 27, 2023, may not be renewed.

CT(LOCAL) INTELLECTUAL PROPERTY

Revisions are recommended throughout this local policy to better clarify the circumstances under which the college's intellectual property may be used. Other recommended revisions clarify College District Ownership and Employee Ownership of intellectual property created by employees and the limitations on the Use of Copyrighted Works.

Additional recommended changes have been made to conform to TASB style.

D(LEGAL) PERSONNEL

This table of contents has been revised to reflect the reorganization of the DEA series:

- DEA has been renamed Compensation Plan.
- DEAA has been created to address Incentives and Stipends.
- DEAB has been created to address Wage and Hour Laws.

DAA(LEGAL) EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY

Language on Accommodations Based on Pregnancy has been added to reflect the new federal Pregnant Workers Fairness Act, which is effective June 27, 2023.

DBA(LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: CREDENTIALS AND RECORDS

Language at Participant in Address Confidentiality Program has been added to reflect the recently repealed and replaced Administrative Code provisions addressing the college's responsibilities related to participants in the program.

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DEA(LEGAL) COMPENSATION AND BENEFITS: COMPENSATION PLAN

To accommodate the reorganization of the DEA series, all content addressing the Fair Labor Standards Act, an Employee with Multiple Appointments, and the Payday Law Exemption has been moved to DEAB.

In addition, existing Government Code provisions have been added at Teacher Retirement System (TRS) Contributions for New Hires and TRS Surcharge for Rehired Retirees.

DEA(LOCAL) COMPENSATION AND BENEFITS: COMPENSATION PLAN

To accommodate the reorganization of the DEA series:

- All content from the previous Stipend section has been moved to DEAA; and
- All content from the previous sections on Classification of Positions, Workweek Defined, and Compensatory Time has been moved to DEAB.

An Annualized Salary section has been recommended as a best practice, which addresses the payment of salaried employees over a 12-month period. If the language in this section does not match your preferred practice, please contact your policy consultant.

In addition, at Pay Increases, recommended language addresses pay increases that occur as part of the annual budget. Language has been recommended to clarify that the college president or chancellor may designate an individual to grant mid-year pay increases to Noncontract Employees.

As a reminder, we have a version of this policy that includes a section on Premium Pay During Disasters. If you are interested in that version, please contact your policy consultant. Note that, to apply to work during a disaster, the language must be adopted before the emergency begins.

DEAA(LOCAL) COMPENSATION PLAN: INCENTIVES AND STIPENDS

To accommodate the reorganization of the DEA series, a Stipend section from DEA has been moved to this new policy with minimal changes consistent with TASB style.

DEAB(LEGAL) COMPENSATION PLAN: WAGE AND HOUR LAWS

Previous content from DEA on Wage and Hour Laws has been moved, without changes, to this new policy to accommodate the reorganization of the DEA series.

DEAB(LOCAL) COMPENSATION PLAN: WAGE AND HOUR LAWS

To accommodate the reorganization of the DEA series, previous content from DEA, including Classification of Positions, Workweek Defined, and Compensatory Time, has been moved to this new policy with minimal changes consistent with TASB style.

DEB(LOCAL) COMPENSATION AND BENEFITS: FRINGE BENEFITS

The content in this policy has not been changed. This policy has been added to the update for technical reasons related to our recent upgrade to Policy Online®. You will not be charged for this policy.

Because this policy does not contain substantive changes, unless the college initiates its own changes, it should not be adopted by the board. When your board has adopted Update 45 and you make your submission in Policy Online, if you have any of those policies on your list, choose "Accept as Recommended" for each one. The issue date for these policies will change, so when you make your submission, if you want the original adoption date added to these policies, enter it into the proper field in Policy Online. Use the [Policy Online User Guide](#) for more specific directions on how to submit numbered updates.

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DG(LEGAL) EMPLOYEE RIGHTS AND PRIVILEGES

New language at Breaks for Nursing Mothers has been added to reflect the recent repeal and replacement of the federal statute with the PUMP for Nursing Mothers Act. Federal law now requires accommodations for all, not just nonexempt, employees to express breast milk like existing state law, though certain other parameters differ.

An additional change has been made to conform to TASB style.

DH(LOCAL) EMPLOYEE STANDARDS OF CONDUCT

Recommended revisions to this local policy have been made to clarify employee rules related to Alcohol and Drugs, including use, control, transmittal, sale, and associated Paraphernalia.

Additional recommended changes have been made to conform to TASB style. As a reminder, we have a version of this policy that provides for a limited waiver of the alcohol provisions. If you are interested in that version, please contact your policy consultant.

EFA(LOCAL) CURRICULUM DESIGN: INSTRUCTIONAL PROGRAMS AND COURSES

The content in this policy has not been changed. This policy has been added to the update for technical reasons related to our recent upgrade to Policy Online®. You will not be charged for this policy.

Because this policy does not contain substantive changes, unless the college initiates its own changes, it should not be adopted by the board. When your board has adopted Update 45 and you make your submission in Policy Online, if you have any of those policies on your list, choose "Accept as Recommended" for each one. The issue date for these policies will change, so when you make your submission, if you want the original adoption date added to these policies, enter it into the proper field in Policy Online. Use the [Policy Online User Guide](#) for more specific directions on how to submit numbered updates.

EFB(LEGAL) CURRICULUM DESIGN: DEGREES AND CERTIFICATES

Language has been added to reflect new Coordinating Board rules on Program Planning and Program Approval and related Definitions.

The rules apply to programs for which the college submits a required planning notification on or after June 1, 2023. For proposed programs that are not subject to the planning notification requirements, the rules apply to programs submitted on or after September 1, 2023.

In addition, at Program Phase-Out, language has been added to reflect new Administrative Code requirements to close a program on or after September 1, 2023.

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

Language has been added to reflect new Coordinating Board rules addressing the Approval Process for a new or revised academic associate degree program and the Program Phase-Out and the Approval Process for developing an Academic Certificate program. Related Definitions have been added, and Multidisciplinary Studies Associate Degree program provisions have been revised.

With the exception of the embedded associate degree provisions that are already in effect, the associate degree program provisions and the definitions apply to programs for which the college submits a required planning notification on or after June 1, 2023. For proposed programs that are not subject to the planning notification requirements, the rules apply to programs submitted on or after September 1, 2023. The academic certificate provisions apply to a certificate submitted for approval on or after September 1, 2023.

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EFBB(LLEGAL) DEGREES AND CERTIFICATES: BACCALAUREATE DEGREES

Language has been added to reflect new Coordinating Board rules addressing the Approval Process for a new or revised baccalaureate degree program and the Program Phase-Out process.

The rules apply to programs for which the college submits a required planning notification on or after June 1, 2023. For proposed programs that are not subject to the planning notification requirements, the rules apply to programs submitted on or after September 1, 2023.

EGC(LLEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

Existing federal regulations have been added related to reporting the completion and transfer-out rates of Student Athletes.

Additional changes were made to update a citation, add a cross reference, and conform to TASB style.

EI(LLEGAL) TESTING PROGRAMS

Language has been added to reflect recently amended Coordinating Board rules related to the ACT scores that qualify students for a TSI assessment exemption.

EJA(LOCAL) MISCELLANEOUS INSTRUCTIONAL POLICIES: OTHER INSTRUCTIONAL INITIATIVES

The content in this policy has not been changed. This policy has been added to the update for technical reasons related to our recent upgrade to Policy Online®. You will not be charged for this policy.

Because this policy does not contain substantive changes, unless the college initiates its own changes, it should not be adopted by the board. When your board has adopted Update 45 and you make your submission in Policy Online, if you have any of those policies on your list, choose "Accept as Recommended" for each one. The issue date for these policies will change, so when you make your submission, if you want the original adoption date added to these policies, enter it into the proper field in Policy Online. Use the [Policy Online User Guide](#) for more specific directions on how to submit numbered updates.

FD(LLEGAL) TUITION AND FEES

Existing Education Code and Administrative Code language has been added to provide clarity on Adjusted Rates for tuition based on excessive hours or repeated courses.

FD(LOCAL) TUITION AND FEES

Recommended revisions to this local policy have been added addressing the board's decision whether to charge a higher tuition rate for Excessive Hours or Repeated Courses taken by a student.

FEA(LLEGAL) FINANCING EDUCATION: FINANCIAL AID AND SCHOLARSHIPS

Language has been added to reflect Administrative Code rules on the Texas Application for State Financial Aid (TASFA), which are effective May 19, 2022.

In addition, at Timely Distribution of Funds, revisions have been made based on recent Administrative Code changes related to work-study programs.

FEB(LLEGAL) FINANCING EDUCATION: WORK STUDY

Language on the distribution of work-study Funds has been replaced to reflect recent changes to the Administrative Code.

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In addition, language at Mentorship Program Funds has been removed to reflect the recent repeal of the Coordinating Board rule.

FFAA(LLEGAL) WELLNESS AND HEALTH SERVICES: IMMUNIZATIONS

At Varicella Vaccine, the link to the [history of varicella form](#) has been updated to the new location on the Department of State Health Services website.

FG(LLEGAL) STUDENT HOUSING

At Fire Safety, existing federal regulations have been added addressing the Annual Report to provide clarity on the requirements related to the publication and distribution of the report. Existing federal regulations have also been added addressing the Submission of Fire Statistics.

FI(LLEGAL) STUDENT SOLICITATIONS

Existing statutory language has been added to provide clarity on Time and Frequency Restrictions related to Charitable Raffles.

FJ(LLEGAL) STUDENT RECORDS

Language at Participant in Address Confidentiality Program has been added to reflect the recently repealed and replaced Administrative Code provisions addressing the college's responsibilities related to participants in the program.

FK(LLEGAL) STUDENT ACTIVITIES

At Athletic Program Participation Rates and Financial Support Data, existing federal regulations have been added to provide clarity to the reporting requirements.

In addition, a cross reference has been added at Completion or Transfer-Out Rates for Student Athletes to the detailed information added at EGC.

FLD(LLEGAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT COMPLAINTS

The link to the [Texas Higher Education Coordinating Board](#) website has been updated to the new location.

GCA(LLEGAL) PUBLIC INFORMATION PROGRAM: ACCESS TO INFORMATION

At Participant in Address Confidentiality Program, new cross references to policies addressing the college's responsibilities related to participants in the program have been added.

GCC(LLEGAL) PUBLIC INFORMATION PROGRAM: ANNUAL SECURITY REPORT

At Annual Security Report, existing federal regulations have been added to provide clarity on the requirements related to the publication and distribution of the report. Existing federal regulations have also been added addressing the Submission of statistics on Reported Crimes.

GE(LLEGAL) ADVERTISING AND FUNDRAISING

Existing statutory language has been added to provide clarity on Time and Frequency Restrictions related to Charitable Raffles.

Additional changes have been made to conform to TASB style.

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GL(LEGAL)

RELATIONS WITH BUSINESSES AND THE COMMUNITY

Language at Participant in Address Confidentiality Program has been added to reflect the recently repealed and replaced Administrative Code provisions addressing the college's responsibilities related to participants in the program.

