

Board Authority

The Board has final authority to determine and interpret the policies that govern the College District and, within the limits imposed by other legal authorities, has complete and full control of the College District.

**Transacting
Business**

Official Board action ~~shall~~will be taken only in meetings that comply with the Open Meetings Act. When a proposal is presented to the Board, the Board will hold a discussion and reach a decision. The affirmative vote of a majority of all Board members ~~shall~~will be required to transact business. [See BD] Although there may be dissenting votes, which are a matter of public record, each~~Each~~ action of the Board supported by the majority is binding on the whole Board.

**Individual Authority
for Committing the
Board**

Board members as individuals ~~shall~~will not exercise authority over the College District, its property, or its employees. Except for appropriate duties and functions of the Board President, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BCAB]

**Individual Access to
Information**

An individual Board member, acting in ~~the member's his or her~~ official capacity, ~~shall~~will have the right to seek information pertaining to College District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information ~~Act, Chapter of the Government Code.~~ [See GCA]

Limitations

If a Board member is not acting in the member's official capacity, the Board member has no greater right to College District records than a member of the public.

An individual member ~~shall~~will not have access to confidential student records unless the member is acting in ~~the member's his or her~~ official capacity and has a legitimate educational interest in the records in accordance with policies FJ(LEGAL) and (LOCAL).

Requests for
Records

Individual members ~~shall~~will seek access to records or request copies of records from the ~~DistrictCollege~~ President or other designated custodian of records. When a custodian of records other than the ~~DistrictCollege~~ President provides access to records or copies of records to individual Board members, the provider ~~shall~~will inform the ~~DistrictCollege~~ President of the records provided.

A Board member who is denied access to a record under this policy may ask the Board to determine whether the record should be provided or may request it as a member of the public. [See GCA]

Requests for Reports	<p><u>No individual Board member will direct or require College District employees to prepare reports derived from an analysis of information in existing College District records or to create a new record compiled from information in existing College District records.</u></p> <p>Directives to the <u>DistrictCollege</u> President or other College District staff regarding the preparation of reports that will, in the opinion of the <u>DistrictCollege</u> President, require excessive staff time or expense shall<u>will</u> be authorized by action of the Board.</p>
Confidentiality	<p>At the time Board members are provided access to confidential records or to reports compiled from such records, the <u>DistrictCollege</u> President or other College District employee shall<u>will</u> advise them of their responsibility to comply with confidentiality requirements <u>and the College District's information security controls.</u></p>
Referring Complaints	<p>If employees, students, or citizens bring a concern or complaint to an individual Board member, the Board member<u>he or she shall</u>will refer them to the <u>DistrictCollege</u> President or designee, who shall<u>will</u> proceed according to appropriate Board policy. [See DGBA, FLD, and GB]</p> <p>When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.</p>
Staff Authority	<p>Except as authorized by these policies, no employee or agent shall<u>will</u> have the authority to bind the College District contractually.</p>

Within the context of current law, the College District will be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Organization

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the College District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

At each policy code, the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.

Terms

The terms “Trustee” and “Board member” are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

[See AB for College District name terminology]

Harmony with Law

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, will be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity will not affect other provisions or applications of policy that can be given effect without the invalid provision or application. To this end, the provisions of this policy manual are declared to be severable.

Policy Development

Policies and policy amendments may be initiated by the District President, Board members, College District personnel, students, or community citizens but generally will be recommended for the Board’s consideration by the District President.

Adoption and Amendment

Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have had advance written notice of the proposed change and that it has been placed on the agenda for such meeting.

Local policies will become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

Legally referenced policies are not adopted by the Board.

Official Policy Manual

The Board will designate one copy of the local policy manual as the official policy manual of the College District. The official copy will be kept in the District President’s office, and the District President ~~or designee~~ will be responsible for its accuracy and integrity

and will maintain a historical record of the College District's policy manual.

TASB Localized
Updates

After Board review of legally referenced policies and adoption of local policies, the new material will be incorporated into the official policy manual and into the online policy site maintained by the College District. If discrepancies occur between different copies of the policies, the version contained in the official policy manual will be regarded as authoritative.

Perfunctory Changes

The District President or designee may approve perfunctory or insignificant changes to any portion of a (LOCAL) policy, so long as such change does not alter the purpose, intent, or application of the policy. Perfunctory changes will be limited to changes made to correct spelling or grammatical errors, and to update titles, names, or other contact information for individuals or departments assigned to carry out the responsibilities of a particular policy.

Reporting

Any person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a responsibility under state law to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.

A professional who has cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child has an additional legal obligation to submit a written or oral report within 48 hours of learning of the facts giving rise to the suspicion of abuse or neglect. A "professional" is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

A person is required to make a report if the person has cause to believe that an adult was a victim of abuse or neglect as a child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

Making a Report

Reports may be made to any of the following:

1. A state or local law enforcement agency;
2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the Texas Abuse Hotline Website;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

An individual does not fulfill the person's responsibilities under the law by only reporting suspicion of abuse or neglect to the District President or another College District staff member. The College District will not require an employee to first report the employee's suspicion to a College District or campus administrator.

EMPLOYEE STANDARDS OF CONDUCT
CHILD ABUSE AND NEGLECT REPORTING

DHC
(LOCAL)

Confidentiality In accordance with state law, the identity of a person making a report of suspected child abuse or neglect will be kept confidential and disclosed only in accordance with the rules of the investigating agency.

Immunity A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

Failure to Report By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report; and
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

Responsibilities Regarding Investigations In accordance with law, College District officials will be prohibited from:

1. Denying an investigator's request to interview a child on campus in connection with an investigation of child abuse or neglect;
2. Requiring a parent or College District employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

College District personnel will cooperate fully and without parental consent with an investigation of reported child abuse or neglect.

Adverse Employment Action Prohibited The College District prohibits any adverse employment action, including termination or discrimination, against any employee who in good faith reports child abuse or neglect or participates in a related investigation.

Training The College District will provide training to employees as required by law. Training will address reporting requirements and techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children.

ⁱ Texas Abuse Hotline Website: <https://www.txabusehotline.org>

NEW POLICY

The Board will approve the degrees and certificates to be awarded by the College District. The degrees and certificates offered by the College District and the associated recommended course sequences ~~developed~~ approved by the College District administration will be described in the College District catalog and on the College District website.