

The College District will adhere to established principles and guidelines in the selection of employees. All hiring and employment practices will be in accordance with the College District's affirmative employment plan and focused on the employment of outstanding applicants with the requisite knowledge, skills, and abilities to meet the demands of the position and to help the College District achieve its strategic goals. The College District human resources office is responsible for establishing employment procedures and for ensuring that the guidelines and procedures are followed through monitoring and providing staff support throughout the process. The Board may establish special procedures and criteria for hiring the District President.

New, including rehired, full-time employees will be placed on probationary employment status for a period of 90 days following the date of full-time employment. Employees in a new employee probationary status may be dismissed at any time during the probationary period for any reason and without the right to appeal.

The following general guidelines apply to the selection of College District employees:

1. All Board-approved and budgeted full-time positions opened externally will be advertised for a minimum of ten working days. Positions opened only on an internal basis will be advertised for a minimum of five working days. (Subject to the exception noted in item 7, below.) For the purpose of applying for positions, any employee on the College District's payroll on the date a position is posted is considered an internal applicant.
2. All applicants for employment will complete the application furnished by the College District. It is the responsibility of the applicant to furnish accurate information and credentials. Any falsification of either information or credentials is cause for dismissal or denial to employ at any time.
3. Individuals who are retired from the Teachers' Retirement System of Texas (TRS) after September 1, 2005, are generally not eligible to be employed by the College District in a TRS-eligible position due to the pension surcharge. [See TAC Title 34.3.31.D, Rule 31.41]
4. Search committees will be used for regular, full-time faculty positions. Search committees may be used for full-time administrative positions but will not generally be used for other types of positions. Search committees will review and follow the procedures outlined in the College District's search committee guidelines.

5. Regardless of the method used in the selection of personnel, it is the primary responsibility of the hiring supervisor, with review and oversight by all College District leaders in the approval path, to ensure a fair and impartial evaluation of all applicants for the position.
6. Employment for full-time positions is valid only upon completion of all personnel papers, submission of all required documentation of credentials/qualifications, and approval of the appropriate Leadership Team member, a cabinet member, and the District President.
7. An individual offered employment in a Board-approved and budgeted full-time position may begin employment upon approval by the District President. Information of new full-time employees, employee promotions, changes, retirements, and separations will be provided in a personnel report that is included as an information item in Board meeting agendas. Board members may also access specific information of employees through an employee dashboard provided as part of the administrative systems of the College District. A personnel report will be presented to the Board as a part of the consent agenda that provides background information on new full-time employees, promotions, and exits.
8. The District President may, based upon need, employ personnel on a full-time temporary basis without advertising for the position.
9. In no event will an employee be assigned to a position for which the employee is not qualified as determined by the College District, using the job description for a particular position.
10. The College District human resources office, in conjunction with appropriate administrators, will maintain records of positions that are security sensitive.
11. The advertisement, application, and search committee provisions of this policy are not applicable when a position is filled by a lateral transfer, which is a reassignment of an employee between positions on the same salary schedule level, or by a transfer to a position at a lower level on the salary schedule.

Criminal History Checks

The criminal history record of applicants selected to fill designated security-sensitive positions within the College District will be checked through the Crime Records Division of the Texas Department of Public Safety and through other designated resources, when appropriate.

Security-sensitive positions are identified in the job postings and in the College District's position description.

Section 51.215 of the Texas Education Code entitles an institution of higher education to obtain criminal history record information for positions identified by the institution as security sensitive, i.e., those responsible for handling currency or those having access to the College District's computer network, drugs/chemicals, or a master key.

The chief human resources officer, director of human resources/employment and professional development, and designated human resources personnel are the College District's authorized agents to obtain the criminal history information. All information obtained is considered privileged and confidential and may not be released or disclosed to any person or agency except by court order.

Unauthorized release of conviction information constitutes official misconduct, is a violation of Texas law, and subjects the individual to Texas Public Information Act penalties.

The College District may deny employment to an applicant for a security-sensitive position who fails to provide a complete set of fingerprints upon request. Further, the College District may deny employment to an applicant for a security-sensitive position who fails to submit to, or authorize, a criminal background check. Should the criminal background check on an applicant for employment reveal a criminal history, the following will be considered before extending an offer of employment:

- Nature of the crime;
- When the crime was committed; and
- The relevance of the crime to the position being sought by the applicant.

PERSONNEL POSITIONS

DD
(LOCAL)

The Board delegates to the District President authority to employ administrative personnel, faculty, and other full-time personnel for Board-approved budgeted positions. A personnel report will be ~~pre-
sented-provided~~ to the Board ~~as a part of the consent agenda as
an information item or through specific information that is accessi-
ble in the administrative systems of the College District that pro-
vides background information~~ on new full-time employees, em-
ployee promotions, changes, retirements, and separations and
exits. [See DC(LOCAL)]

The District President or designee will employ part-time personnel based on recommendation of the appropriate administrator and based on need.

The job descriptions and qualifications for all positions will be approved by the human resources office prior to posting a vacant position. Job descriptions will be maintained by the human resources office. Except in cases where unusual circumstances exist, all employees will be classified as one of the following.

**Contract
Employment**

An employee in a duly authorized and funded full-time faculty position will be considered a full-time faculty member with a full-time faculty contract.

The District President will be employed with a full-time administrative contract.

**Noncontract
Employment**

Staff and
Administrative
Employees

Full-time employees paid on the staff and administrative salary schedules are considered noncontractual personnel and are hired on an at-will basis. All noncontractual employees are hired based upon need and may be released at any time for any reason or for no reason at the sole discretion of the College District.

Temporary Salaried
Employees

Full-time employees hired based on a short-term need are considered temporary full-time employees and may be released at any time for any reason or for no reason at the sole discretion of the College District without the right to appeal.

Temporary Grant-
Funded Employees

Full-time employees, employed in positions that are funded by federal or other special funding, have a term of employment equal to the term of the temporary assignment or until the loss of one or more funding sources, whichever occurs first. Such employees may be released at any time for any reason or for no reason at the sole discretion of the College District. The College District may continue to employ an individual after the loss of a funding source at a reduced compensation rate, where the reduction is proportionate to the loss of funding.

PERSONNEL POSITIONS

DD
(LOCAL)

Employee with
Supplemental
Assignments

Supplemental duties may from time to time be assigned to full-time employees. No property right to continued employment exists in such supplemental duties, and such assignments may be terminated for any reason or for no reason, at the sole discretion of the College District.

Noncontract
Employees Without
Benefits

Noncontract employees whose assigned workload (hours worked per week) and compensation rate do not meet the state's criteria for eligibility for the state-provided benefits package are considered part-time without benefits and may be released at any time for any reason or for no reason at the sole discretion of the College District without the right to appeal.

**Definition of
Probationary
Employee**

The term "probationary employee" will refer to new and rehired, both contract and noncontract full-time employees in the first 90 days of full-time employment with the College District. Employees in a new employee probationary status may be dismissed at any time during the probationary period for any reason or no reason at the sole discretion of the College District and without the right to appeal.

COMPENSATION AND BENEFITS
~~SALARIES AND WAGES~~ COMPENSATION PLAN

DEA
(LOCAL)

Philosophy	The College is committed to maintaining a faculty, administrator, and staff compensation plan that is competitive with peer institutions within the state. <u>[See also DEAA]</u>
Objectives	The objectives of the College's compensation program are to:
Internal Equity	1. Establish pay relationships between jobs that are fair and equitable when compared to other jobs in the College;
External Competitiveness	2. Provide salary levels that are competitive and/or comparable with peer colleges and organizations in order to attract and retain well-qualified employees;
Continuity and Flexibility	3. Accommodate new jobs and changes in existing jobs, as well as adjust to changes in economic conditions and the job market; and
Effective Administration	4. Establish clearly defined policies, procedures, and guidelines for salary budgeting and administration and ensure a clear understanding among all employees of the College about how the compensation program works.
Pay Plan and Framework	The staff and administrative pay plan establishes compensation based on an analysis of the job-related duties of a position, including factors such as decision-making responsibilities. The compensation schedule is reviewed every two years and adjusted periodically to reflect market changes. Employees have no guarantee that the College will adjust their pay under the compensation schedule.
Administration	The District President or designee will administer and maintain compensation in accordance with this policy and the related procedures and guidelines for the College's compensation plan.
Designated Workweek	The designated College workweek will be from 12:01 a.m. Sunday through 12:00 midnight on Saturday.
Annualized Salary Exempt / Nonexempt	The District President or designee will determine the classification of positions or shall pay all salaried employees as "exempt" or "non-exempt" for purposes over 12 months in equal monthly or semi-monthly installments, regardless of the number of payment of overtime in compliance with months employed during the Fair Labor Standards Act (FLSA). Exempt academic year. Salaried employees are compensated on a salary basis for their employment period and are not entitled to overtime compensation.
Compensatory Time	Nonexempt employees are compensated on an hourly basis for all hours worked each week and are compensated for overtime hired during the academic year shall be paid in accordance with federal

COMPENSATION AND BENEFITS
~~SALARIES AND WAGES~~ COMPENSATION PLAN

DEA
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~~and state administrative payroll procedures regulations and the College's compensation plan.~~

~~Nonexempt employees are not permitted to work beyond their scheduled work hours unless authorized in writing, in advance, by the appropriate supervisor. Nonexempt employees may be subject to disciplinary action for working overtime or beyond the approved schedule without advanced written approval. In the case of an emergency or where campus safety is involved, a verbal directive is appropriate authorization. The verbal approval should be documented with a follow-up e-mail from the supervisor to the employee.~~

~~A nonexempt employee is compensated through compensatory time off or direct pay for the additional hours worked beyond 40 in a workweek at a rate of time and one-half the employee's normal pay rate. Employees may not earn and take compensatory time within the same workweek. Adjusted schedules are documented by the employee and approved in advance by the appropriate supervisor.~~

**Pay During
Emergency Closing**

Pay to employees during an emergency closure, as declared by a federal, state, or local official, or as approved by the Board, for which the workdays are not scheduled to be made up at a later date, must be authorized in advance either through delegated emergency authority granted to the District President by the Board of Trustees or by a vote of the Board. In any event, the authorization must reflect the public purpose served by the expenditure.

**Gifts, Grants, and
Donations for Salary
Supplements**

The College will not accept gifts, grants, donations, or other consideration designated for use as salary supplements.

~~Emoluments~~

~~As part of the benefits package for key administrators, compensation-related emoluments are provided as follows:~~

- ~~• A stipend, as outlined below, is provided to cover the cost of transportation-related expenses such as mileage, insurance, maintenance, toll, and parking fees.~~
 - ~~• \$1000 per month for the executive vice president and senior vice presidents~~
 - ~~• \$500 per month for vice presidents~~
 - ~~• \$250 per month for the faculty council president during his or her tenure in the position~~
 - ~~• Other administrators with College-wide responsibilities that require substantive local travel among campuses may also receive a stipend, not to exceed \$500 per~~

COMPENSATION AND BENEFITS
~~SALARIES AND WAGES~~ COMPENSATION PLAN

DEA
(LOCAL)

~~month, when the District President determines it is in the best interests of the College.~~

- ~~• A stipend in the amount of \$75 per month is provided for administrators who require smart phones to perform their jobs.~~
- ~~• A stipend in the amount of \$40 per month or a College-owned cell phone is provided for staff who are required to be regularly "on call," but their job does not require a smart phone. Such staff who are in nonexempt positions must comply with all College timekeeping policies.~~

~~Emoluments are considered annually by the Board as a part of the budget review and approval process. All emoluments are listed in the annual budget of the College and reported to state agencies as required by law.~~

TRANSFER OF EXISTING LANGUAGE TO NEW POLICY (with one revision)

Emoluments

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- A stipend, as outlined below, is provided to cover the cost of transportation-related expenses such as mileage, insurance, maintenance, toll, and parking fees.
 - \$1000 per month for the executive vice president and senior vice presidents.
 - \$500 per month for vice presidents.
 - \$250 per month for the faculty council president during his or her tenure in the position.
 - Other administrators with College-wide responsibilities that require substantive local travel among campuses may also receive a stipend, not to exceed \$500 per month, when the District President determines it is in the best interests of the College.
- A stipend in the amount of \$75 per month is provided for ~~ad-~~ministrators-employees who require smart phones to perform their jobs.
- A stipend in the amount of \$40 per month or a College-owned cell phone is provided for staff who are required to be regularly “on call,” but their job does not require a smart phone. Such staff who are in nonexempt positions must comply with all College timekeeping policies.

Emoluments are considered annually by the Board as a part of the budget review and approval process. All emoluments are listed in the annual budget of the College and reported to state agencies as required by law.

TRANSFER OF EXISTING LANGUAGE TO NEW POLICY (with no revisions)

Designated Workweek

The designated College workweek will be from 12:01 a.m. Sunday through 12:00 midnight on Saturday.

Exempt / Nonexempt

The District President or designee will determine the classification of positions or employees as “exempt” or “nonexempt” for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

Exempt employees are compensated on a salary basis for their employment period and are not entitled to overtime compensation.

Compensatory Time

Nonexempt employees are compensated on an hourly basis for all hours worked each week and are compensated for overtime in accordance with federal and state regulations and the College’s compensation plan.

Nonexempt employees are not permitted to work beyond their scheduled work hours unless authorized in writing, in advance, by the appropriate supervisor. Nonexempt employees may be subject to disciplinary action for working overtime or beyond the approved schedule without advanced written approval. In the case of an emergency or where campus safety is involved, a verbal directive is appropriate authorization. The verbal approval should be documented with a follow-up e-mail from the supervisor to the employee.

A nonexempt employee is compensated through compensatory time off or direct pay for the additional hours worked beyond 40 in a workweek at a rate of time and one-half the employee’s normal pay rate. Employees may not earn and take compensatory time within the same workweek. Adjusted schedules are documented by the employee and approved in advance by the appropriate supervisor.

DELETIONS TRANSFERRED TO NEW POLICY DLB(LOCAL)

Grounds for Dismissal

Any full-time faculty member may be dismissed for good cause before the completion of the term fixed in his or her contract.

Notice

Before any faculty member is dismissed for good cause, the faculty member will be given reasonable notice in writing of the proposed action and the grounds for the action set out in sufficient detail to fairly enable him or her to show any error that may exist.

Hearing

If, upon written notification, the faculty member desires to be heard and to contest the proposed recommendation for dismissal, he or she must file a formal complaint pursuant to DGBA(LOCAL).

~~Administrative Leave~~

~~The District President may place any employee on paid administrative leave at his or her discretion either:~~

- ~~1. Pending the investigation of a complaint or allegation of wrongdoing against the employee; or~~
- ~~2. When the District President determines such placement is in the best interest of the College and/or the employee.~~

~~The District President may suspend an employee without pay after evidence of, or finding of, gross misconduct or after a hearing has been requested by the faculty member and the scheduled hearing has been postponed at the request of the faculty member. In this case, the effective date of the suspension without pay will be from the date on which the hearing was scheduled.~~

~~If a finding of gross misconduct is ultimately overturned by the Board, then the unpaid suspension will be reversed and suspended salary will be paid to the employee retroactive to the date the employee was placed on unpaid suspension.~~

Grounds for Disciplinary Action / Dismissal

College employees may be dismissed or subject to disciplinary action during the term of the contract or period of work for the following reasons:

1. Unsatisfactory performance.
2. Insubordination, which includes, but is not limited to, failure to carry out lawful directives and requirements of the employee's supervisor, failure to follow policies and procedures of the College, or repeated neglect of duties.

3. Physical or mental condition that results in the employee's inability to perform the assigned essential job functions, with or without a reasonable accommodation.
4. Conduct involving moral turpitude, which includes, but is not limited to, the conviction of a felony, abusive use of alcohol, and/or illegal drugs while performing the assignment.
5. Absence for three working days without notifying the immediate supervisor and without approved justification.
6. Falsifying information or documents in connection with a request for a leave of absence or providing a false reason for a leave of absence.
7. Falsification of pertinent information regarding the employee's application for employment, regardless of when the falsification is discovered.
8. Excessive absences or tardiness.
9. Theft, physical violence, and disruption of working conditions.
10. Violation of the College's code of ethics, core values, and standards of conduct.
11. Failure to report arrest(s) or conviction(s) occurring during the employee's term of employment.
12. Inappropriate or unauthorized use of College equipment, property, and resources.
13. Violation of College policy, local law, state law, or federal law.
14. Good cause, as recommended by the District President and approved by the Board.

Disciplinary Action

An employee's supervisor will use the College's formal disciplinary procedures to initiate and process disciplinary actions.

Note: This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting students. For legally referenced material relating to this subject matter, see FA(LEGAL). For discrimination, harassment, and retaliation targeting employees based on race, color, national origin, religion, age, or disability, see DIAB.

Statement of Nondiscrimination

The College District prohibits discrimination, including harassment, against any student on the basis of race, color, national origin, disability, religion, age, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

Discrimination

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, national origin, disability, religion, age, or on any other basis prohibited by law, that adversely affects the student.

Prohibited Harassment

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Retaliation

The College District prohibits retaliation by a student or College District employee against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.

Examples

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claims

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation

regarding discrimination or harassment will be subject to appropriate disciplinary action.

Prohibited Conduct

In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Reporting Procedures

Student Report

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a responsible employee.

Employee Report

Any College District employee who suspects and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct will immediately notify the appropriate College District official listed in this policy and will take any other steps required by this policy.

Exceptions

A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person will not be required to disclose a report of prohibited conduct without the student’s consent.

A person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source will not be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student’s identity without the student’s consent, unless the person is disclosing information as required for inclusion in the College District’s annual security report under the Clery Act. [See GCC]

Responsible Employee

For purposes of this policy, a “responsible employee” is an employee:

1. Who has the authority to remedy prohibited conduct.
2. Who has been given the duty of reporting incidents of prohibited conduct.
3. Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct.

The College District designates the following persons as responsible employees: any instructor, any administrator, or any College District official defined below.

Definition of College District Officials

For the purposes of this policy, College District officials are the ADA/Section 504 coordinator, Title IX coordinators and Deputy coordinators, designated leadership team members, and the District President.

ADA / Section 504 Coordinator

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The College District designates the following persons to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

ADA / Section 504 Coordinator for Students

Name: Terrence Brennan
Position: District Dean of Students
Address: 3452 Spur 399, McKinney, TX 75069
Telephone: (972) 881-5734

ADA / Section 504 Coordinator for Employees

Name: Dr. Jennifer DuPlessis
Position: Chief Human Resources Officer
Address: 3452 Spur 399, McKinney, TX 75069
Telephone: (972) 985-3702

Other Anti-discrimination Laws

The District President or designee will serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.

Complaints Involving Academic Adjustments or Accommodations for Students

Complaints over the denial of or a decision pertaining to academic adjustments or accommodations for students must be submitted by a student to the College District's ACCESS office within fifteen (15) college district business days of the date of the denial or decision by the ACCESS office.

The executive vice president or designee will adopt procedures for the informal and formal resolution of such complaints. The procedures will be posted on the College District's website.

The procedures will include an ACCESS Appeals Board and a method for which faculty may challenge an academic adjustment or accommodation decision if they believe the adjustment or accommodation could result in a fundamental alteration. For purposes of this policy, a fundamental alteration is a change to a program, service, or activity that significantly changes the essential nature of the program, service, or activity (i.e. course design or degree requirements).

Faculty will consult directly with the associate dean of counseling and ACCESS or through applicable procedures for complaints involving a fundamental alteration.

The procedures will also include multiple levels of appeals up to the vice president of student and enrollment services or designee. The decision of the vice president of student and enrollment services or designee is final and non-appealable for all complaints involving the denial of or a decision pertaining to academic adjustments or accommodations for students.

Alternative Reporting Procedures

A student will not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinators, may be directed to the District President.

A report against the District President may be made directly to the Board. If a report is made directly to the Board, the Board will appoint an appropriate person to conduct an investigation.

Timely Reporting

Reports of prohibited conduct will be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.

Investigation of the Report

The College District may request, but will not require, a written report. If a report is made orally, the College District official will reduce the report to written form.

Initial Assessment

Upon receipt or notice of a report, the College District official will determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official will immediately authorize or undertake an investigation, except as provided below at Criminal Investigation.

If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the College District official will refer the complaint for consideration under the appropriate policy.

Interim Action

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College District will promptly take interim action calculated to address prohibited conduct prior to the completion of the College District's investigation.

College District Investigation	<p>The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator will have received appropriate training regarding the issues related to the complaint and the relevant College District's policy and procedures.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District will confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District will proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District will promptly resume its investigation.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College District to delay its investigation, the investigation should be completed within 60 College District business days from the date of the report; however, the investigator will take additional time if necessary to complete a thorough investigation.</p> <p>The investigator will prepare a written report of the investigation. The report will be filed with the College District official overseeing the investigation.</p>
<i>Notification of the Outcome</i>	<p>The College District will provide written notice of the outcome, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the victim and the person against whom the complaint is filed.</p>
College District Action Prohibited Conduct	<p>If the results of an investigation indicate that prohibited conduct occurred, the College District will promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College District policy and procedures [see FM and FMA].</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the College District community, counseling for the victim and the student who engaged in prohibited conduct, follow-up in-</p>

quiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the College District's policy against discrimination and harassment.

Improper Conduct

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.

Confidentiality

To the greatest extent possible, the College District will respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members] A party will be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.

Records Retention

Retention of records will be in accordance with the College District's records retention procedures. [See CIA]

Access to Policy, Procedures, and Related Materials

Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, will be distributed annually to College District employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials will also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures will be readily available at the College District's administrative offices and will be distributed to a student who makes a report.