

NEW POLICY

Capitalization Threshold

The capitalization threshold for purposes of classifying individual capital assets shall be \$5,000 or more.

The District President or designee shall determine the capitalization threshold for a group of assets, the individual cost of which does not exceed the capitalization threshold above but for which the cost in the aggregate is significant.

**Intellectual Property
Rights**

Unless herein stated otherwise, ownership to all copyrights, trademarks, patents, and other intellectual property rights belonging to the College District will remain with, or be assigned in writing from the person or entity to, the College District at all times. Except as provided by law, College District policy, or written authorization from the District President or designee, use of College District intellectual property will be limited to College District-related purposes.

Students

Unless herein stated otherwise, a student will retain all rights to work created as part of instruction or using College District technology resources.

Definitions

“Incidental Use” is defined as minor utilization of resources commonly encountered in the course of an employee’s daily job. This includes, but is not limited to an individual’s office, office computer, telephone, and library resources.

“Scholarly Works” are defined as works that are created to further scholarly or artistic activity for which no compensation is granted by Collin College. These include but are not limited to manuscripts, scholarly articles, documentaries, websites, monographs, works of art, and other research-based productions.

“Educational Materials” are defined as teaching or course materials that are not works for hire, such as class notes, curriculum guides, and laboratory notebooks.

“College District Time” is defined as time an employee spends conducting work that contributes to the course and scope of employment as defined in the assigned job description.

Employees

*College District
Ownership*

As an agent of the College District, an employee, including a student employee, will not have rights to a work or invention he or she creates, authors, or invents on College District time or using College District technology resources or College District intellectual property with the exception of scholarly works produced with incidental use of college resources or educational materials. The agent will assign his or her rights in writing to the works or invention to the College District. The College District will own any work, work product, or invention created or invented by a College District employee in the course and scope of his or her employment or if substantially produced using College District equipment, including the right to obtain copyrights and patents. The College District will have a royalty free, perpetual, non-exclusive, transferrable right from the employee to use, copy, display, or distribute the scholarly works or educational materials for education purposes.

*Employee
Ownership*

A College District employee will own any work, work product, or invention created or invented outside the College District employee’s

course and scope of his or her employment, produced on his or her own time, away from his or her job, with personal equipment and materials, and with incidental use of college resources, including the right to obtain patents or copyrights.

Permission

~~If not in the course and scope of his or her employment, a College District employee may apply to the~~ The District President or designee ~~to~~ will have the authority to permit use of College District materials and equipment in ~~his or her~~ the employee's creative projects, provided the employee agrees ~~either~~ in writing to grant to the College District a non-exclusive, non-transferable, perpetual, royalty-free, College District-wide license to use the work, or permits the College District to be listed as co-author or co-inventor if the College District contribution to the work is substantial. Unless stated herein otherwise, College District materials do not include student work, all rights to which are retained by the student.

Disclosure of
Intellectual Property

College District personnel endeavoring to produce intellectual property of commercial value will disclose planned projects by completing the Request for Determination of Intellectual Property Rights Form available through Human Resources. College District employees will not disclose the planned projects to third parties until a response from the College District to the request is issued.

Works for Hire
Independent
Contractors

The College District may hire an independent contractor for specially commissioned work(s) under a written works-made-for-hire agreement that provides that the College District will own the work product and intellectual property to the work product created under the agreement, as permitted by intellectual property law. Independent contractors will comply with intellectual property law in all works commissioned.

Return of
Intellectual Property

Upon the termination of any person's association with the College District, all permission to possess, receive, or modify the College District's intellectual property will also immediately terminate. All such persons will return to the College District all intellectual property, including but not limited to any copies, no matter how kept or stored, and whether directly or indirectly possessed by such person. All electronic copies will be permanently deleted or electronically destroyed.

Copyright
Use of Copyrighted
Works

Unless the proposed use of a copyrighted work is an exception under the "fair use" guidelines maintained by the District President or designee, the College District will require an employee or student to obtain a license or permission from the copyright holder before copying, modifying, displaying, performing, distributing, or otherwise employing the copyright holder's work for instructional, curricular, or extracurricular purposes. This policy does not apply to any work sufficiently documented to be in the public domain.

Technology Use

~~All persons are prohibited from using~~ Use of College District technology in violation of any law, including copyright law, will be prohibited. Only appropriately licensed images, applications, programs, or other software may be used with College District technology resources. ~~No person will use the~~ The College District's technology resources will not be used to post, publicize, or duplicate information in violation of copyright law. ~~The Board will direct the~~ District President or designee ~~to~~ will employ all reasonable measures to prevent the use of College District technology resources in violation of the law. ~~All persons~~ Any person using College District technology resources in violation of law will lose user privileges in addition to other sanctions. [See BBI and CR]

~~Electronic Media~~

~~Unless a license or permission is obtained, electronic media in the classroom~~ Performances and Displays

~~The performance and display of copyrighted material, including motion pictures and other audiovisual, dramatic works, must be used in musical performances, or other audio and visual works, may only occur for education purposes and in accordance with the following:~~

1. As a regular part of instruction and directly related to the course of curriculum;
2. During face-to-face teaching activities as defined by law;
3. When viewed in a classroom or designated place of instruction; and
4. With a lawfully made copy or via an authorized account.

Designated Agent

The College District will designate an agent to receive notification of alleged online copyright infringement and will notify the U.S. Copyright Office of the designated agent's identity. The College District will include on its website information on how to contact the College District's designated agent and a copy of the College District's copyright policy. Upon notification, the College District's designated agent will take all actions necessary to remedy any violation. The College District will provide the designated agent appropriate training and resources necessary to protect the College District.

If a content owner reasonably believes that the College District's technology resources have been used to infringe upon a copyright, the owner may notify the designated agent.

Use of College District Trademark

The College District protects all College District and campus trademarks, including names, logos, mascots, and symbols, from unauthorized use.

College District-related Use

The College District may grant permission to students, student organizations, parent organizations, and other College District-affiliated college-support organizations to use, without charge, College District and campus trademarks to promote a group of students, an activity or event, a campus, or the College District, if the use is in furtherance of College District-related business or activity and such use does not damage or tarnish the College District's trademarks. The District President or designee, in his or her sole discretion, will determine what constitutes use in furtherance of College District-related business or activity and is authorized to revoke permission if the use is improper or does not conform to administrative procedures/guidelines or international, federal, and state laws.

Public Use

Members of the ~~general~~-public, outside organizations, vendors, manufacturers, wholesalers, distributors, and retailers will not use College District trademarks without ~~the~~-written ~~permission-of~~authorization from the District President or designee. Any production of merchandise or other goods with College District trademarks for sale or distribution must be pursuant to a trademark licensing agreement and may be subject to the payment of royalties.

Any individual, organization, or business that uses College District or campus trademarks without appropriate authorization will be subject to legal action.

Classroom lectures and classroom materials, including but not limited to recordings, faculty-produced lecture notes, and supplemental materials, are covered by this Intellectual Property policy and are not available for distribution to the general public or for non-Collin College academic purposes.

NEW POLICY – language moved from EJ (Local)

Faculty/Student Collaborative Research Requests

From time to time the College District receives requests for authorization to conduct research that is expected to involve human subjects and to utilize limited College District facilities, personnel, students, data, and/or other resources. This policy will govern the approval of the College District with respect to all research requests, including those that may require the use of college resources, to ensure that college resources are expended for the benefit of the college and the general public.

All research involving human subjects to be conducted at the College District must be reviewed and approved through the procedures of the Institutional Review Board (IRB) to protect the rights and safety of persons participating in research in accordance with board policy. Any approval granted by the College District to support a research request with college resources is made conditionally upon approval by the IRB. Priority for the use of Collin College resources will generally be given to requests originating from students, faculty members, or staff members of Collin College.

This policy will apply to any request to conduct research at or through any campus, center, or facility of the College District that involves:

1. Student Participation;
2. Faculty/Staff participation;
3. Use of College District facilities; or
4. The compiling or processing of data from College District sources or utilizing College District services.

Purpose of the Research Request Review Committee

The District President or designee will implement a Research Request Review Committee. The Research Request Review Committee is charged with evaluating research proposals according to the approval criteria defined in this policy with particular attention being paid to the impact such proposals may have upon the operations of the College District and to the potential benefit that may accrue to the College District by allocating college district resources to support the proposal.

Composition of the Research Proposal Review Committee

The composition of the Research Request Review Committee shall include two representatives from the Institutional Research Office, two administrators from Student and Enrollment Services, two faculty members and one academic administrator.

NEW POLICY – language moved from EJ (Local)

Approval Criteria

Criteria used to make a determination of whether the College District will support a request will include, among other things:

1. The feasibility of the research in terms of the availability of data and other resources;
2. The appropriateness of the research;
3. Potential disruption to College District and/or college activities; and
4. The extent to which the College District will benefit from the research.

Notification Procedures

Notification of approval or disapproval of college support for a research request will be made to the individual proposing the project by the Vice President of Academic Affairs. Proposals approved for College District support will be directed to the IRB for its consideration along with written notification indicating that the proposal is approved to be supported with college resources.

Role of the Institutional Review Board (IRB)

It is within the role and scope of faculty and student collaborative research at the College District to use human subjects from time to time in carrying out activities contributing to the advancement of knowledge.

Safeguarding the rights and welfare of human subjects in such research, development, and related activities is of prime concern to the College District and, therefore, it is the policy of this institution to review these research studies through an institutional review board the IRB under the leadership of an appointed compliance officer. The purpose of the IRB is to minimize the risks of injury to human subjects and to ensure maximum protection for their rights and welfare of subjects. Operating guidelines of the IRB shall be consistent with the Belmont Report regarding ethical principles and guidelines for research involving human subjects, published in 1979 by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research 2018 Requirements of the Revised Common Rule (Part 46 of Title 45 of the Code of Federal Regulations).

Review Process

Proposals with Certifications in which human subjects are involved shall be referred to the IRB by the Compliance Officer for initial and continuing review. Proposals approved by the IRB and by the College District's leadership team shall be submitted to the Department of Health and Human Services in accordance with Part 46 of Title 45 of the Code of Federal Regulations.

Other Requests

Requests for research studies that are not a result of faculty/student collaboration (e.g. external dissertations, nonprofit

NEW POLICY – language moved from EJ (Local)

~~organization studies, national surveys, and the like) shall be forwarded to the appropriate member of the College District's leadership team for review, evaluation, and/or possible delegation to the IRB.~~

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Insurance Benefits	The rules and regulations of the Employees Retirement System Benefits (ERS) of Texas, the Group Benefits Program, and the Affordable Care Act (ACA) will be followed in providing basic group life, accident, health, and dental insurance coverage for all active full-time employees.
ACA Summary	The ACA is federal legislation passed in 2010. The employer-mandate provisions of the ACA became effective in 2015. The ACA rules are complex and multi-faceted, and impact both employers and individual employees.
Employee Impact	The ACA requires most Americans to have medical insurance by January 1, 2014, and attempts to ensure that Americans have access to medical insurance they can afford, whether they get it from an employer, directly from an insurance company, or from an insurance company offering coverage through a government-sponsored exchange (i.e., a state exchange or, in states that don't have their own exchanges, like Texas, the Healthcare.gov website).
Employer Impact	In general, the ACA requires that any employer that has 50 or more full-time equivalent employees offer to at least 95 percent of its full-time employees and their dependents up to age 26 medical insurance coverage meeting certain minimum standards. Employers that do not offer such coverage must pay a monetary penalty each year to the federal government, known as the "shared responsibility payment." The ACA's definition of a full-time employee is an employee whose actual average monthly hours of service are 130 or more.
Measurement Periods	The Standard Measurement Period is the "look back" period during which the College District must measure the hours of service of its ongoing employees in order to determine who qualifies as full-time under the ACA. Ongoing employees are those who joined the College District before the beginning of the Standard Measurement Period, so that they are employed for all 12 months of the Standard Measurement Period. The College District has selected the period of July 1 of each year through June 30 of the following year as the 12-month period for its Standard Measurement Period.
<i>Standard Measurement Period</i>	
<i>Standard Administrative Period</i>	The Standard Administrative Period is the period after the end of the Standard Measurement Period during which the College District must evaluate each ongoing employee's work record to determine whether he or she averaged 130 hours or more of service per month during the Standard Measurement Period. During the Standard Administrative Period, the College District will make an offer of health insurance coverage to those ongoing employees determined to be full-time based on their hours worked during the immediately preceding Standard Measurement Period. The College District has selected July 1 through August 31 of each year as the

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two-month Standard Administrative Period, which coincides with the College District's existing open enrollment period.

Standard Stability Period

The Standard Stability Period is the period during which ongoing employees who were determined to be full-time based on their hours worked during the Standard Measurement Period must continue to be treated as full-time and therefore eligible for coverage during the Standard Stability Period, regardless of their actual hours worked. [See Rehired Employees, below, for employees treated as having been terminated and rehired] The College District's Standard Stability Period coincides with the plan year of its medical plan and is the 12-month period from September 1 of each year through August 31 of the next year.

New Employees

The ACA does not permit an employer to wait until a new employee has completed a Standard Measurement Period to determine whether the employee is full-time. Thus, procedures are required to determine the full-time status of new employees under the ACA. These rules are similar to, but separate from, the rules for determining the full-time status of ongoing employees.

Full-Time

A new employee who, at commencement of employment, is reasonably expected to be full-time (i.e., averaging 30 or more hours per week), and who is not a seasonal employee, must be considered full-time for purposes of the ACA, beginning on his or her employment commencement date. (Note that for purposes of determining whether a new employee is full-time based on work expectation, the standard is 30 or more hours per week, not 130 per month.)

Once a new full-time employee has been employed for an entire Standard Measurement Period, the employee becomes an ongoing employee, and his or her status as full-time for purposes of the ACA is governed by the provisions of this policy regarding ongoing employees.

Non-Full-Time

A new employee who is hired as a part-time, seasonal, or variable-hour (i.e., who may reasonably be expected to sometimes work 30 or more hours per week and sometimes less) employee is not initially considered full-time, but his or her hours of service must be tracked during an Initial Measurement Period, as follows:

- New employees who are part-time, seasonal, or variable hour (hereinafter, "new non-full-time employees") are tested for ACA full-time status based on an Initial Measurement Period that begins on the first day of the first month following their hire date and ends a year later. Immediately following the end of a new non-full-time employees' Initial Measurement Period, there is a one-calendar-month Initial Administrative Period

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during which the new non-full-time employees' status as full-time or part-time is determined and during which any new non-full-time employees who are determined to have averaged 130 or more hours per month are offered coverage.

- A new non-full-time employee who averages 130 hours or more of service per month during his or her Initial Measurement Period and who is therefore determined to be full-time under the ACA will continue to be full-time for purposes of the ACA during his or her 12-month Initial Stability Period, which is the 12-month period immediately following his or her Initial Administrative Period, regardless of his or her actual hours of service during the Initial Stability Period. [See Rehired Employees, below, for employees treated as having been terminated and rehired]

Note that unless a new non-full-time employee is hired in June (other than June 1st) or on July 1st, his or her Initial Measurement Period will partially overlap his or her first Standard Measurement Period. A new non-full-time employee who does not average 130 hours or more of service per month during his or her Initial Measurement Period, but who does average 130 hours or more of service per month during the Standard Measurement Period that starts during his or her Initial Measurement Period, will be considered full-time under the ACA during the Standard Stability Period following such Standard Measurement Period, even though the first months of such Standard Measurement Period would otherwise include the last months of the employee's Initial Stability Period. In such a case, the employee's Initial Stability Period is effectively cut short.

Change of Status to Full-Time

If a new employee who is a non-full-time employee experiences a change in employment status before the end of his or her Initial Measurement Period, such that if the employee had begun employment in that new status, he or she would reasonably have been expected to be full-time under the 30-hour week standard [see New Employees – Full-Time, above], the employee will be considered full-time, and thus eligible for the College District's medical insurance plan, beginning on the first day of the calendar month after the change in employment status to full-time.

Rehired Employees

An employee who is terminated and rehired will be treated as a new employee upon rehire only if he or she was not credited with an hour of service with the College District for a period of at least 13 consecutive weeks immediately preceding the date of rehire. For purposes of applying this rule, whether an employee has an hour of service is determined after application of the rules for special unpaid leave. [See Rules for Special Unpaid Leave, below]

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Definition of Hours or Service	Under the ACA, “hours of service” is a term that generally includes actual hours worked, determined from payroll records, and hours for which the employee is paid, but does not work, such as paid vacation, holiday, illness, or disability.
Rules for Special Unpaid Leave	Under a special ACA rule, adjunct faculty members must be treated as having 2.25 hours for each contact hour, plus their hours performing other required duties, such as attendance at meetings.
Employee / Retiree Benefits Reserve Fund	The College District’s Employee/Retiree’s Benefits Reserve Fund is established with the general intent to provide funding toward employee/retiree health insurance in the event of a reduction or elimination of state funding that would lower the benefit to less than 100 percent funded for employee-only coverage, and less than 50 percent funding for eligible-dependent coverage. Should the state impose a reduction in health insurance funding, the District President will present a plan to the Board for utilizing the fund to help off-set the cost of health insurance formerly paid by the state for benefits-eligible employees and retirees of the College District.
Tax-Sheltered Annuity	Tax-sheltered annuities are available to all benefits-eligible employees.
Supplemental Retirement Account	<p>Full-time, benefits-eligible employees may elect to participate in a College District-sponsored supplemental tax-sheltered retirement plan that includes a dollar-for-dollar match of an employee’s contributions to an individual tax-sheltered retirement account (up to a maximum of three percentage match of the employee’s full-time salary <u>that is approved as a line item in the budget by the Board each year</u>).</p> <p>Employer contributions are subject to budget availability.</p> <p>Contributions to a State of Texas sponsored retirement plan (e.g., the Teacher Retirement System or the Optional Retirement Plan) do not qualify for the employer match. [See the plan document for the “Collin Invests” Enhanced Retirement Savings Plan for requirements and terms]</p>
Educational Benefits	The Board will provide educational benefits for full-time College District employees through a tuition reimbursement program described in the College District’s procedures and guidelines for faculty and staff.
Tuition Waiver Policy	A full-time employee who resides outside Collin County will, upon submission of a written request and appropriate documentation to the College District’s financial aid office, receive a waiver of the difference between the out-of-county or out-of-state and in-county resident tuition.

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Relocation

Full-time employees who must relocate to accept a position with the College District may be eligible for a relocation allowance. In no case will the relocation allowance exceed actual documented expenses. Employees who received a relocation allowance reimbursement and who voluntarily terminate prior to completion of one year of employment will reimburse the College District for all relocation monies received, in accordance with the relocation agreement signed by the employee. The amount will be deducted from the final payroll check.

Wellness

Full-time faculty and staff may participate in any of the College District's wellness programs and receive matched time for their exercise efforts to a maximum of 30 minutes of paid time per day to a maximum of one and one-half hours per week. Employees will request approval from their supervisor prior to participation in a wellness program.

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Violations

Employees will comply with the Code of Ethics set out in DH(EX-HIBIT), the standards set out in this policy, and with any other policies, regulations, and guidelines that impose duties or requirements attendant to their status as College District employees. Violation of any policies, core values, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCC, DIAA, and DM series]

Record Retention

An employee will comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA and GCB]

Safety Requirements

All employees will adhere to College District safety procedures and guidelines and will report unsafe conditions or practices to the appropriate supervisor.

**Alcohol and
Drugs**

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, will be provided to all new employees and will be available on the College District human resources' website.

Employees ~~will not unlawfully manufacture, distribute, dispense, possess, use~~ will be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, dispensing, selling, or ~~being~~ under the influence of any of the following substances ~~during working hours~~ while conducting College District business or while on College District property or while engaged, in College District vehicles, or at College District-related activities, whether during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any performance-enhancing substance, including steroids.
5. Any designer drug.
- 4.6. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.
5. ~~Any drug paraphernalia used for controlled substances as defined under Health and Safety Code Section 481.002.~~

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The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances will also be prohibited under this policy.

An employee need not be legally intoxicated to be considered “under the influence” of alcohol or a controlled substance.

Exceptions

It will not be considered a violation of this policy if the employee:

1. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee’s personal use;
2. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee’s child or other individual for whom the employee is a legal guardian;
3. Cultivates, possesses, transports, or sells hemp as authorized by law; or
4. Lawfully possesses, sells, or distributes Dextromethorphan.

The District President is authorized by the Board to permit the serving and consumption of alcohol at special fundraising functions for the College District, at specially designated events in College District facilities, and as a part of specifically defined and approved academic curricular programs/classes (e.g., culinary arts).

State law will be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

Paraphernalia

The use, possession, control, manufacture, transmission, distribution, dispensation, or sale of paraphernalia related to any prohibited substance is prohibited.

Notice

In addition to a copy of this policy, each employee will be given a copy of the College District’s statement regarding a drug-free workplace and drug-free schools and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

Reporting Violations of the Law

Each employee will report violations of law to his or her supervisor, a human resources representative, the appropriate vice president or provost, or the District President as soon as he or she may become aware of the same. Failure to make such a report and/or failure to report as required by Board policies may compromise the integrity of the College District depending upon the severity of any concealment and may subject the employee to disciplinary action, including termination of employment with the College District.

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In instances in which an employee asserts that he or she is being suspended, terminated, or discriminated against on account of the good faith reporting of a violation of law, the employee has all rights and protections afforded by law and in particular under Government Code 554.001, et seq., whereby such action is a form of unlawful retaliation. Employees claiming retaliation under this section will exhaust all administrative remedies to correct an alleged injustice, including filing a resolution of employee concern form [see DGBA(LOCAL)] and following the appropriate procedures thereafter.

Weapons on Campus

The College District prohibits the use, possession, or display of any illegal knife, club, or prohibited weapon, in violation of the law or College District policies and procedures, on College District property or at a College District-sponsored or -related activity, unless written authorization is granted in advance by the District President or designee. [See CHF]

Arrests, Indictments, Convictions, and Other Adjudications

An employee (or designee, if the employee is incarcerated) will notify his or her immediate supervisor through a written letter via certified (verifiable) email or certified mail and sent/postmarked within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or any offense involving moral turpitude.

Moral Turpitude

Moral turpitude includes but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
6. Acts constituting abuse under the Texas Family Code.

Smoke and Tobacco Free Workplace

The College District prohibits smoking and the use of tobacco products or other electronic smoking devices on all College District property. Violators of this policy may be subject to disciplinary action, including, but not limited to, termination of employment. [See FLBD]

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An employee will not give or sell tobacco products or e-cigarettes to a person in violation of law.

Employees seeking assistance or related educational materials should contact the human resources office.

Use of College District Equipment at an Off-Campus Location

College District employees may use College District equipment for College District-related purposes at off-campus locations, including a personal residence, by completing an equipment check-out form and by following the related procedures. Failure to comply with the published guidelines may result in disciplinary action. An employee will not use College District facilities, secretarial assistance, office supplies and equipment, or other College District resources for personal gain or benefit; such use of College District resources for personal gain or benefit is a violation of College District policy and state law.

Fraternization / Consensual Relationships

Employees with direct teaching, supervisory, advisory, or evaluative responsibility over other employees, students, or student employees are expected to recognize and respect the ethical and professional boundaries that must exist in such situations. Employees must also avoid putting themselves in a compromising position, such as meeting alone with a student in a private residence or non-public place.

While personal relationships between consenting adults are a personal matter, they can create potential conflicts in the workplace and in the educational setting. Such relationships also have the potential for exploitation of an employee, student, or student employee and can possibly create professional or academic disadvantages for third parties.

Definitions

Consensual Relationship – a mutually acceptable, dating, romantic, or sexual relationship.

Consensual Relationship in the Workplace – a mutually acceptable, dating, romantic, or sexual relationship between a College District employee (including a student employee) with teaching, supervising, advising, evaluating, or grading authority, and an employee, student, or student employee who is, directly or indirectly, taught, supervised, advised, evaluated, or graded by that College District employee.

Conflict of Interest – Even when there is no actual conflict of interest, a potential conflict of interest or an appearance of impropriety may arise when individuals with the authority and the responsibility to evaluate the work or performance of an employee, student, or student employee initiate, acquiesce to, or engage in an intimate,

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	<p>dating, romantic, or sexual relationship with that employee, student, or student employee.</p>
Prohibited Conduct	<p>Employees are prohibited from having a consensual relationship in the workplace that is not reported in accordance with this policy.</p> <p>This policy applies to all College District faculty, staff, and students. As used in this document, the terms “faculty, staff, and students” include individuals serving as interns or as volunteers, such as volunteer coaches.</p>
Reporting Responsibility	<p>When a consensual relationship in the workplace exists, the individual in the position of authority must immediately (and no later than within five days of commencing such a relationship) notify his or her immediate supervisor of the relationship. Failure of the individual in the position of authority to report the consensual relationship in the workplace immediately may result in disciplinary action up to and including termination.</p> <p>If a conflict of interest or the appearance of a conflict of interest exists as a result of the consensual relationship in the workplace, the individual reporting the relationship will cooperate with his or her supervisor in making all the necessary arrangements to resolve the conflict of interest. If the conflict of interest cannot be resolved by the supervisor, the supervisor will refer the issue to the Human Resources Department for further resolution, including the removal of the reporting relationship, the reassignment of the reporting employee, other resolution of the conflict of interest, and/or termination of employment. If a consensual relationship in the workplace does not result in a conflict of interest or the conflict of interest is resolved, the relationship will be allowed by the supervisor.</p> <p>If an allowed consensual relationship in the workplace ends and as a result has a negative impact on either employee’s work, it is the employees’ responsibility to inform their supervisor(s) and to take appropriate steps to mitigate any conflicts at work. If employees are unable to resolve conflicts at work, the employees will be asked to mutually agree which employee will be reassigned or resign from the College District’s employment. If employees are unable to agree on that decision, the College District may elect to terminate the employment of one or both employees at the same time.</p>
Immediate Supervisor Responsibility	<p>A supervisor who is notified, or becomes aware, of a consensual relationship in the workplace will inform Human Resources. Human Resources will take steps to confirm that the consensual relationship in the workplace exists by meeting with the parties involved and advising that this type of relationship must conform to the guidelines of this policy. Human Resources will work with all parties</p>

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to alter the conditions that create an actual or potential conflict of interest or the appearance of impropriety caused by the relationship. In most instances, providing alternative arrangements for either party will alter the conditions. In providing alternative arrangements, the College District must ensure no harm comes to the person in the relationship who holds less power or authority. These alternative arrangements must be documented, kept in the employee's personnel file, and reported to the vice president in the reporting line of the employee in the position of authority in the relationship.

Procedures for
Failure to
Cooperate

Employees in positions of authority in consensual relationships in the workplace must fully cooperate in efforts to eliminate any conflict of interest or appearance of impropriety and are subject to disciplinary action up to and including termination for failure to do so. The College District will presume that the relationship was not consensual if the subordinate party complains of sexual harassment related to an undisclosed consensual relationships in the workplace. Allegations of sexual misconduct will be investigated in accordance with College District policy and procedures.

Procedure for
Grievances of
Disciplinary Actions

An individual who is disciplined under this policy may grieve or appeal through DGBA.

DELETE POLICY

Language previously moved to DHB (Local)

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~~

DELETE POLICY

Language previously moved to DHB (Local)

~~District will not require an employee to first report the employee's suspicion to a College District or campus administrator.~~

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.~~

DELETE POLICY

Language previously moved to DHB (Local)

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.~~

¹~~Texas Abuse Hotline Website: <https://www.txabusehotline.org>~~

Delete Policy

DELETE POLICY – language moved to NEW POLICY CU (Local)

**Faculty / Student
Collaborative
Research**

~~It is within the role and scope of faculty and student collaborative research at the College District to use human subjects from time to time in carrying out activities contributing to the advancement of knowledge.~~

~~Safeguarding the rights and welfare of human subjects in such research, development, and related activities is of prime concern to the College District and, therefore, it is the policy of this institution to review these research studies through an institutional review board (IRB) under the leadership of an appointed compliance officer. The purpose of the IRB is to minimize the risks of injury to human subjects and to ensure maximum protection for the rights and welfare of subjects. Operating guidelines of the IRB shall be consistent with the Belmont Report regarding ethical principles and guidelines for research involving human subjects, published in 1979 by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.~~

Review Process

~~Proposals with certifications in which human subjects are involved shall be referred by the compliance officer to the IRB for initial and continuing review. Proposals approved by the IRB and by the College District's leadership team shall be submitted to the Department of Health and Human Services in accordance with Part 46 of Title 45 of the Code of Federal Regulations.~~

Other Requests

~~Requests for research studies that are not a result of faculty/student collaboration (e.g., external dissertations, nonprofit organization studies, national surveys, and the like) shall be forwarded to the appropriate member of the College District's leadership team for review, evaluation, and/or possible delegation to the IRB.~~