

The Chief Student Success Officer will oversee the performance of records management functions prescribed by state and federal law:

- Records ~~administrator~~**Administrator**, as prescribed by Local Government Code 176.001 and 176.~~0065.007~~ [See BBFA, ~~CIA~~, and CFE]
- Officer for ~~public information~~**Public Information**, as prescribed by Government Code 552.201–.205. [See GCB]
- Public ~~information coordinator~~**Information Coordinator**, as prescribed by Government Code 552.012. [See BBD]

### **Local Government Records Act**

Local Government Record

Records Management Officer

The term “local government record” will pertain to all items identified as such by the Local Government Records Act.

The District Registrar or Manager of Records Systems will serve as and perform the duties of the College District’s records management officer, as prescribed by Local Government Code 203.023, and will administer the College District’s records management program pertaining to local government records in compliance with the Local Government Records Act.

### *Notification*

The records management officer will file ~~the officer’s~~**his or her** name with the Texas State Library and Archives Commission (TSLAC) within 30 days of assuming the position.

### Electronic Records

The records management officer will develop procedures for the management of electronic records that comply with the College District’s records control schedules and meet the minimum components required by law.

The procedures will:

1. Specify the objectives of the electronic records management program;
2. Identify the responsibilities of employees who create, receive, or maintain electronic records;
3. Ensure the maintenance of electronic records until the expiration of the applicable retention period and final disposition; and
4. Ensure that electronic records that must be protected from unauthorized use or disclosure are appropriately protected as required by law, regulation, or other applicable requirements.

EQUIPMENT AND SUPPLIES MANAGEMENT  
RECORDS MANAGEMENT

CIA  
(LOCAL)

**Records Control  
Schedules**

The records management officer will prepare and file records control schedules with the TSLAC that comply with the minimum legal retention requirements for local government records and will prepare and file timely amendments to maintain compliance.

**Website Postings**

The College District's records management program will address the length of time records will be posted on the College District's website when the law does not specify a posting period.

**Records Destruction  
Practices**

All local government records will be considered College District property, and any unauthorized destruction or removal will be prohibited. The College District will follow its records control schedules, records management program, and all applicable laws regarding records destruction. However, the College District will preserve records, including electronically stored information, and suspend routine record destruction practices where appropriate and in accordance with procedures developed by the records management officer. Such procedures will describe the circumstances under which local government records scheduled for destruction must be retained. Notification will be given to appropriate staff when routine record destruction practices must be suspended and when they may be resumed.

**Training**

The records management officer will receive appropriate training regarding the Local Government Records Act and will ensure that custodians of records, as defined by law, and other applicable College District staff are trained on the College District's records management program, including this policy and corresponding procedures.

## **RENAMED POLICY**

**CONTENT HEREIN FOR NEW DHA(LOCAL) IS RELOCATED FROM EX-  
ISTING DHB(LOCAL) WITHOUT REVISIONS**

### **Reasonable Suspicion Searches**

The College District reserves the right to conduct searches when the College District has reasonable cause to believe that a search will uncover evidence of work-related misconduct. The College District may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on College District premises or worksites or used in College District business. Searches that reveal a violation of the College District's standards of conduct may result in disciplinary action. [See DH]

### **Reasonable Suspicion Alcohol and Drug Testing**

The College District may remove an employee from duty and require testing if there is reasonable suspicion that the employee is under the influence of alcohol or drugs used in violation of College District policy. The determination of reasonable suspicion may be based on specific observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity seems to be impaired while on duty or other relevant information. Any employee who is asked to submit to drug or alcohol screening will be given the opportunity to provide relevant information about prescription or nonprescription medications that may affect the screening.

A College District employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion will be subject to disciplinary action, up to and including termination.

A College District employee confirmed to have violated the College District's policy pertaining to alcohol or drugs may be subject to disciplinary action. [See DM series and DH]

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**Note:** The following provisions apply to employees who are covered by the federal Department of Transportation (DOT) rules.

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### **Federally Required DOT Testing Program**

In accordance with DOT rules, the College District will establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by the drivers of commercial motor vehicles. The primary purpose of the testing program is to prevent impaired employees from performing safety-sensitive functions.

The District President will designate a College District official who will be responsible for ensuring that information is disseminated to employees covered under this testing program regarding prohibited

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driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

### Drug-related Violations

The following constitute drug-related violations under the DOT rules:

1. Refusing to submit to a required test for alcohol or controlled substances.
2. Providing an adulterated, diluted, or substituted specimen on an alcohol or controlled substances test.
3. Testing positive for alcohol, at a concentration of 0.04 or above, in a post-accident test.
4. Testing positive for controlled substances in a post-accident test.
5. Testing positive for alcohol, at a concentration of 0.04 or above, in a random test.
6. Testing positive for controlled substances in a random test.
7. Testing positive for alcohol, at a concentration of 0.04 or above, in a reasonable suspicion test.
8. Testing positive for controlled substances in a reasonable suspicion test.

An employee who operates a commercial motor vehicle, including a bus, and commits a drug-related DOT violation as defined above may be reinstated as a driver if he or she successfully completes a return-to-duty test. The employee may also be subject to follow-up tests.

### Alcohol Results Between 0.02 and 0.04

In accordance with DOT rules, a driver tested under this policy and found to have an alcohol concentration of 0.02 or greater, but less than 0.04, will be suspended from driving duties for at least 24 hours.

[In the event of a subsequent positive test result for alcohol of 0.02 or greater but less than 0.04, see the disciplinary consequences at College District-Imposed Consequences, below.]

### Reasonable Suspicion DOT Testing

Only supervisors specifically trained in accordance with federal regulations may, based upon reasonable suspicion, remove a

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driver from a safety-sensitive position and require testing for alcohol and/or controlled substances. The determination of reasonable suspicion will be based on specific observations of the appearance, behavior, speech, or body odors of the driver whose motor ability, emotional equilibrium, or mental acuity seems to be impaired. Such observations must take place just preceding, during, or just after the period of the workday that the driver is on duty.

The observations may include indication of the chronic and withdrawal effects of controlled substances. Within 24 hours of the observed behavior, the supervisor will provide a signed, written record documenting the observations leading to a controlled substance reasonable suspicion test.

### College District- Imposed Consequences

In addition to the consequences established by federal law, a College District employee confirmed to have violated the College District's policy pertaining to alcohol or controlled substances, including a second or subsequent positive test result for alcohol of 0.02 or greater but less than 0.04, will be subject to College District-imposed discipline, as determined by his or her supervisor(s) and the District President. Such discipline may include any appropriate action from suspension without pay during the period of removal from safety-sensitive functions, up to and including termination of employment.

In cases where a driver is also employed in a non-driving capacity by the College District, disciplinary action imposed for violation of alcohol and controlled substances policies will apply to the employee's functions and duties that involve driving. Additionally, upon recommendation of the employee's supervisor, disciplinary measures up to and including termination of employment with the College District may be considered.

## RENAMED AND REVISED POLICY

CONTENT HEREIN FOR NEW DHB(LOCAL) IS RELOCATED FROM EX-  
ISTING DHC(LOCAL) WITH REVISIONS REFLECTED

### Reporting

Any person who has reasonable 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. For purposes of this policy, the term "child" is defined in state law as a person younger than 17 years of age.

A professional who has reasonable cause to believe that a child has been or may be abused or neglected or may have been a victim of the crime of indecency with a child has an additional legal obligation to submit a written or oral report within 48 hours after the professional first has reasonable cause to believe the abuse or neglect has occurred or may be occurring. 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 also required to make a report if the person has reasonable 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 of 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

## **RENAMED AND REVISED POLICY**

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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.

**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.

EMPLOYEE STANDARDS OF CONDUCT  
CHILD ABUSE SEARCHES AND NEGLECT REPORTING/ALCOHOL/DRUG  
TESTING

DHB  
(LOCAL)

**RENAMED AND REVISED POLICY**

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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.

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