

NEW POLICY

GRANTS AND AWARDS

The District President shall be authorized to:

1. Apply, on behalf of the Board, for any and all special federal and state grants and awards as deemed appropriate for the College District's operations;
2. Approve commitment of College District funds for matching, cost sharing, cooperative, or jointly funded projects up to the amounts specifically allowed under the College District budget approved by the Board; and
3. Approve grant and award amendments as necessary.

The College District shall comply with all requirements for state and federal grants and awards imposed by law, the awarding agency, or an applicable pass-through entity. The District President shall develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to provide reasonable assurance that the College District is complying with requirements for state and federal grants and awards.

[See CAAA, CAAB]

FEDERAL AWARDS

CONFLICT OF INTEREST

Each employee, Board member, or agent of the College District who is engaged in the selection, award, or administration of a contract supported by a federal grant or award, and who has a potential conflict of interest as defined at 2 C.F.R. 200.318, shall disclose to the College District in writing any conflict that meets the disclosure threshold in Local Government Code Chapter 176. [See CAAB]

In addition, each employee, Board member, or agent of the College District shall comply with any other conflict of interest requirements imposed by the granting agency or a pass-through entity.

For purposes of this policy, "immediate family member" has the same meaning as "family member" as described in Local Government Code Chapter 176. [See BBFA]

For purposes of this policy, "partner" shall have the same meaning as defined in Business Organizations Code Chapter 1, Subchapter A.

An employee, Board member, or agent of the College District who is required to disclose a conflict in accordance with the provisions above shall not participate in the selection, award, or administration of a contract supported by a federal grant or award.

GIFTS AND GRATUITIES

Employees, Board members, and agents of the College District shall not solicit any gratuities, favors, or items from a contractor or

NEW POLICY

a party to a subcontractor for a federal grant or award and shall not accept:

1. Any single item with a value at or above \$50; or
2. Items from a single contractor or subcontractor that have an aggregate monetary value exceeding \$100 in a 12-month period.

[See BBFB, CAAB, and DBD. In the event of a violation of these requirements, see CDE and DH.]

APPROPRIATIONS AND REVENUE SOURCES
GRANTS, FUNDS, DONATIONS FROM PRIVATE SOURCES

CAM
(LOCAL)

UNSOLICITED GIFTS

The Board delegates authority to All bequests of property for the District President to accept unsolicited gifts on behalf benefit of the College District.

CONDITIONAL GIFT
EXCEPTION

Any gift that shall vest the potential donor has expressly made conditional upon property in the College District's use for a Board. When not specified purpose, by the grantor, funds or other property donated, or the income therefrom, may be expended in any gift of real property, shall require Board approval manner authorized by statute. The College District President shall make recommendations to the Board regarding the acceptance of the gift. gifts and donations including donor, value, form, and restrictions. The authority to accept gifts shall be vested solely with the Board.

CRITERIA FOR
ACCEPTANCE

The College District shall not accept any gift that would violate or conflict with policies of or actions by the Board or with federal or state law. The College District Board shall not accept gifts that discriminate against any person on the grounds of race, color, religion, sex, gender, race, color, religion, national origin, age, or disability, veteran status, or any other basis protected by law.

Before the District President accepts a gift or recommends acceptance of a gift to the Board, as applicable, the District President shall consider whether the gift:

1. Has a purpose consistent with the College District's educational philosophy, goals, and objectives;
2. Places any restrictions on a campus or College District program;
3. Would support a program that the Board may be unable or unwilling to continue when the donation of funds is exhausted;
4. Would result in ancillary or ongoing costs for the College District;
5. Requires employment of additional personnel;
6. Requires or implies the endorsement of a specific business or product [see GE for advertising opportunities];
7. Would result in inequitable funding, equipment, or resources among College District schools or programs;
8. Obligates the College District or a campus to engage in specific actions; or
9. Affects the physical structure of a building or would require extensive maintenance on the part of the College District.

APPROPRIATIONS AND REVENUE SOURCES
GRANTS, FUNDS, DONATIONS FROM PRIVATE SOURCES

CAM
(LOCAL)

UPON ACCEPTANCE Once accepted, a gift becomes the sole property of the College District.

SOLICITATIONS An employee who solicits gifts on behalf of the College District or to use in the fulfillment of his or her professional responsibilities shall comply with relevant state and federal law and College District policy and regulations, including those addressing the use of names or images of the College District, campuses, employees, or students.

All donations solicited on behalf of the College District, including solicitations in the name of the College District or a campus, or donations solicited using College District or campus resources, become the sole property of the College District for use consistent with the terms of the solicitation.

DELETE—CONTENT MOVED TO DIAA and DIAB

Note:—~~This policy addresses discrimination, harassment, and retaliation targeting College District employees. In this policy, the term “employees” includes former employees and applicants for employment. For the College District’s response to discrimination, harassment, and retaliation targeting students, see FFD.~~

~~STATEMENT OF
NONDISCRIMINATION~~

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

~~DISCRIMINATION~~

~~Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, national origin, age, disability, veteran status, or any other basis prohibited by law, that adversely affects the employee’s employment.~~

~~HARASSMENT~~

~~Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:~~

- ~~1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;~~
- ~~2. Creates an intimidating, threatening, hostile, or offensive work environment; or~~
- ~~3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.~~

~~EXAMPLES~~

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

~~SEXUAL HARASSMENT~~

~~Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:~~

- ~~1. Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment, or when submission~~

DELETE—CONTENT MOVED TO DIAA and DIAB

~~to or rejection of the conduct is the basis for an employment action affecting the employee; or~~

~~2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.~~

EXAMPLES

~~Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.~~

RETALIATION

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

~~An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.~~

EXAMPLES

~~Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.~~

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

~~An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct shall report the alleged acts within 15 College District business days from the date he or she knew or with reasonable diligence should have known of the conduct or action giving rise to the complaint. The employee may report the alleged acts to his or her immediate supervisor or file a formal complaint pursuant to DGBA(LOCAL).~~

~~Alternatively, the employee may report the alleged acts to a College District official.~~

~~For the purposes of this policy, College District officials are the ADA/Section 504 coordinator, the Title IX coordinator, the Deputy Title IX coordinator for human resources, and the College President.~~

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

<p>DEFINITION OF COLLEGE DISTRICT OFFICIALS</p> <p>ADA / SECTION 504 COORDINATOR</p>	<p>DELETE—CONTENT MOVED TO DIAA and DIAB</p> <p>The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended.</p> <p>Name: — Norma Allen</p> <p>Position: — Vice President of Human Resources</p> <p>Address: — 3452 Spur 399, McKinney, TX 75069</p> <p>Telephone: — (972) 599-3159</p>
<p>TITLE IX COORDINATOR</p>	<p>Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the Title IX coordinator. The College District designates the following persons to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</p> <p>Name: — Norma Allen</p> <p>Position: — Vice President of Human Resources</p> <p>Address: — 3452 Spur 399, McKinney, TX 75069</p> <p>Telephone: — (972) 599-3159</p>
<p>DEPUTY TITLE IX COORDINATOR FOR HUMAN RESOURCES</p>	<p>Name: — Tonya Jacobson</p> <p>Position: — Manager HR/Compliance</p> <p>Address: — 3452 Spur 399, McKinney, TX 75069</p> <p>Telephone: — (972) 758-3856</p>
<p>OTHER ANTI- DISCRIMINATION LAWS</p>	<p>The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.</p>
<p>ALTERNATIVE REPORTING PROCEDURES</p>	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator, may be directed to the College President or designee.</p> <p>A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<p>TIMELY REPORTING</p>	<p>Reports of prohibited conduct regarding the alleged act or knowledge of the alleged act shall be made within 15 College District business days from the date the employee knew or with rea-</p>

DELETE—CONTENT MOVED TO DIAA and DIAB

~~sonable diligence should have known of the conduct or action giving rise to the complaint. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.~~

~~NOTICE OF REPORT~~

~~Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.~~

~~INVESTIGATION OF
THE REPORT~~

~~The College District may request, but shall not insist upon, submission of a written complaint form. If a report is made orally, the College District official shall reduce the report to written form.~~

~~Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.~~

~~If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.~~

~~The investigation shall be conducted in accordance with DGBA(LOCAL). When appropriate, a third party, such as an attorney, may be designated as the hearing officer by the College District. Additionally, when appropriate, the supervisor shall be involved in or informed of the investigation.~~

~~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.~~

~~CONCLUDING THE
INVESTIGATION~~

~~The investigator shall prepare a written report and findings of the investigation in accordance with DGBA(LOCAL). The report shall be filed with the College District official overseeing the investigation.~~

~~COLLEGE DISTRICT
ACTION~~

~~If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.~~

~~The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.~~

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

DELETE—CONTENT MOVED TO DIAA and DIAB

~~CONFIDENTIALITY~~

~~To the greatest extent possible, the College District shall 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 complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.~~

~~The complainant may have a right to file a complaint with appropriate state or federal agencies.~~

~~RECORDS RETENTION~~

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

~~ACCESS TO POLICY~~

~~This policy shall be made available to College District employees on the College District's website. Copies of the policy shall be readily available at the College District administrative offices.~~

NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)

Note: This policy addresses employee complaints of sex and gender discrimination, sexual harassment, **sexual violence**, and retaliation. For legally referenced material relating to this subject matter, see DAA(LEGAL). For sex discrimination, sexual harassment, sexual violence, and retaliation targeting students, see FFDA.

DEFINITIONS

Solely for purposes of this policy, the term “employee” includes former employees, applicants for employment, and unpaid interns.

STATEMENT OF NONDISCRIMINATION

The College District prohibits discrimination, including harassment, against any employee on the basis of sex or gender. Retaliation against anyone involved in the complaint process is a violation of College District policy.

DISCRIMINATION

Discrimination against an employee is defined as conduct directed at an employee on the basis of sex or gender that adversely affects the employee’s employment.

SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination defined as **unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:**

1. Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee’s work performance or creates an intimidating, threatening, hostile, or offensive work environment.

SEXUAL VIOLENCE

Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol or due to an intellectual or other disability.

EXAMPLES

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; **offensive or derogatory language of a sexual nature directed at another person;** and other sexually motivated conduct, communication, or contact.

RETALIATION

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

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
SEX AND SEXUAL VIOLENCE

DIAA
(LOCAL)

NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.

EXAMPLES

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

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

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should **immediately** report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor.

Alternatively, the employee may report the alleged acts to one of the College District officials below.

For the purposes of this policy, College District officials are the Title IX coordinators and the District President.

DEFINITION OF COLLEGE DISTRICT OFFICIALS

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinators. The College District designates the following persons to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

TITLE IX COORDINATOR

Name: Floyd Nickerson

Position: Vice President of Human Resources

Address: 3452 Spur 399, McKinney, TX 75069

Telephone: (972) 599-3159

DEPUTY TITLE IX COORDINATOR FOR HUMAN RESOURCES

Name: Tonya Jacobson

Position: Manager HR/Compliance

Address: 3452 Spur 399, McKinney, TX 75069

Telephone: (972) 758-3856

OTHER ANTI-DISCRIMINATION LAWS

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

NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)

ALTERNATIVE
REPORTING
PROCEDURES

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinators, may be directed to the District President or designee.

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

TIMELY REPORTING

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

NOTICE OF REPORT

Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.

INVESTIGATION OF
THE REPORT

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

Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the College District official shall refer the complaint for consideration under DIAB, as appropriate.

If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

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. When appropriate, the supervisor shall be involved in or informed of the investigation.

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.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
SEX AND SEXUAL VIOLENCE

DIAA
(LOCAL)

<u>CONCLUDING THE INVESTIGATION</u>	<p><u>NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)</u> <u>Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</u></p> <p><u>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</u></p>
<u>COLLEGE DISTRICT ACTION</u>	<p><u>If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</u></p> <p><u>The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</u></p>
<u>CONFIDENTIALITY</u>	<p><u>To the greatest extent possible, the College District shall 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.</u></p>
<u>APPEAL</u>	<p><u>A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.</u></p> <p><u>The complainant may have a right to file a complaint with appropriate state or federal agencies.</u></p>
<u>RECORDS RETENTION</u>	<p><u>Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]</u></p>
<u>ACCESS TO POLICY, PROCEDURES, AND RELATED MATERIALS</u>	<p><u>Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall 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 shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.</u></p>

NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)

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

STATEMENT OF
NONDISCRIMINATION

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

DISCRIMINATION

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

HARASSMENT

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

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 workplace accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

RETALIATION

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

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.

EXAMPLES

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

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

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should **immediately** report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor.

Alternatively, the employee may report the alleged acts to one of the College District officials below.

For the purposes of this policy, College District officials are the ADA/Section 504 coordinator and the District President.

DEFINITION OF COLLEGE DISTRICT OFFICIALS

ADA/ SECTION 504 COORDINATOR

The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Floyd Nickerson

Position: Vice President of Human Resources

Address: 3452 Spur 399, McKinney, TX 75069

Telephone: (972) 599-3159

OTHER ANTI-DISCRIMINATION LAWS

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

ALTERNATIVE REPORTING PROCEDURES

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator, may be directed to the District President or designee.

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

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)

TIMELY REPORTING

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

NOTICE OF REPORT

Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.

INVESTIGATION OF THE REPORT

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

Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the College District official shall refer the complaint for consideration under DIAA, as appropriate.

If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

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. When appropriate, the supervisor shall be involved in or informed of the investigation.

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.

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

NEW POLICY—CONTENT MOVED FROM DIA(LOCAL)

COLLEGE DISTRICT
ACTION

If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

CONFIDENTIALITY

To the greatest extent possible, the College District shall 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 complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

RECORDS RETENTION

Retention of records shall 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, shall 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 shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.

NEW POLICY

The grounds and facilities of the College District shall be made available to students or registered student organizations [see FKC] when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting students or student organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Board.

REQUESTS

To request permission to meet on College District premises, interested students or registered student organizations shall submit a request through OrgSync with the Office of Student Engagement in accordance with administrative procedures.

The students or the registered student organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.

APPROVAL

The Assistant Director of Student Engagement shall approve or reject the request in accordance with provisions of and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that:

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes non-permissible solicitation [see FI];
4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
5. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
6. The proposed activity would disrupt or disturb the regular academic program;

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7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or

8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The Assistant Director of Student Engagement shall provide the applicant a written statement of the grounds for rejection if a request is denied.

ANNOUNCEMENTS
AND PUBLICITY

In accordance with administrative procedures, all students and registered student organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.

IDENTIFICATION

Students or registered student organizations using College District facilities shall provide identification when requested to do so by a College District representative.

VIOLATIONS

Failure to comply with the policy and procedures regarding student use of College District facilities shall result in appropriate administrative action, including but not limited to, suspension of a student's or a registered student organization's use of College District facilities and/or other disciplinary action in accordance with the College District's discipline policies and procedures [see FM and FMA].

APPEALS

Decisions made by the administration under this policy may be appealed in accordance with FLD(LOCAL).

[For distribution of literature, see FLA]

STUDENT RIGHTS AND RESPONSIBILITIES
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STUDENT CODE OF
CONDUCT

College District students are both citizens and members of the academic community. As citizens and students, they enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy. As members of the academic community, they are subject to the obligations that are theirs by virtue of this membership.

The College District expects its students to conduct themselves in a manner that reflects credit upon the institution they represent. There are two basic standards of behavior required of all students:

1. They shall adhere to College District policies and municipal, county, state, and federal laws; and
2. They shall not interfere with or disrupt the orderly educational processes of the College District.

Students are entitled to only those immunities or privileges by law as enjoyed by other citizens. In the event any provision of this policy conflicts with the laws of the State of Texas or the United States of America, the state or federal law shall prevail.

SCHOLASTIC
DISHONESTY

Every member of the College District community is expected to maintain the highest standards of academic integrity. All work submitted for credit is expected to be the student's own work. The College District may initiate disciplinary proceedings against a student accused of scholastic dishonesty. While specific examples are listed below, ~~it~~ this is not an exhaustive list, and scholastic dishonesty may encompass other conduct, including any misconduct through electronic or computerized means. Scholastic dishonesty shall include, but is not limited to, one or more of the following acts:-

1. Cheating,
2. Collusion,
3. General Scholastic Dishonesty, and/or
4. Plagiarism.

Definitions of the scholastic dishonesty terms listed above are located in the current *Student Code of Conduct*.

~~General scholastic dishonesty includes, but is not limited to, statements, acts, or omissions related to applications for enrollment, credit, or class work, research, or the award of a degree; falsifying academic records; using annotated texts or teacher's editions, using information about exams posted on the Internet or in any electronic medium; leaving a test site without authority; failing to secure test materials; and/or submitting work that is not one's own. All~~

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~~work submitted for credit is expected to be the student's own work. Students are expected to record honestly and accurately the results of all their research. Falsification of research results shall include misrepresentations, distortions, or omissions in data or reports on research.~~

~~Plagiarism is the use of an author's words or ideas as if they were one's own without giving credit to the source, including, but not limited to, failure to acknowledge a direct quotation. In the preparation of all papers and other written work, students must distinguish their own ideas and knowledge from information derived from other sources. The term "sources" includes not only published primary and secondary materials but also information and opinions gained directly from other people. Whenever ideas or facts are derived from a source, the source must be indicated by the student.~~

~~Cheating is the willful giving or receiving of information in an unauthorized manner during an examination or to complete an assignment; collaborating with another student during an examination without authority; using, buying, selling, soliciting, stealing, or otherwise obtaining course assignments and/or examination questions in advance; unauthorized copying of computer or Internet files; using someone else's work for an assignment (in whole or in part) for more than one class or institution without permission from the professor or professors; or any other dishonest means of attempting to fulfill the requirements of a course.~~

~~Collusion is intentionally or unintentionally aiding or attempting to aid another in an act of scholastic dishonesty, including, but not limited to, failing to secure academic work; providing a paper or project to another student; providing an inappropriate level of assistance or unauthorized collaboration; communicating answers to a classmate about an examination or any other course assignment; removing tests or answer sheets from a test site; and allowing a classmate to copy answers.~~

In cases where an incident report has been filed for an alleged violation of scholastic dishonesty, the faculty member ~~is requested to~~shall delay posting a grade for the academic work in question until the case is final. A student found responsible for a scholastic dishonesty offense(s) shall receive an ~~authorized appropriate~~ disciplinary penalty or penalties from the ~~dean~~Dean of ~~student~~Students development oOffice. The student may also receive an academic penalty in the course where the scholastic dishonesty took place. The faculty member shall determine the appropriate academic penalty, which may range from a grade of zero (0) on the assignment to failing the course.

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OTHER OFFENSES

The College District may initiate disciplinary proceedings for a student who commits an offense as provided below. This list is not exhaustive but provides examples of the types of violations that may result in discipline:

1. Forging, altering, or misusing College District documents or records.
2. Disrupting the orderly process of the College District (e.g., classes, events, or meetings) or interfering with the lawful rights of others.
3. Conducting himself or herself in a manner that interferes with College District teaching, research, administration, disciplinary procedures, or other activities and public service functions.
4. Damaging, stealing, defacing, or destroying College District property, property belonging to a third party on a College District-sponsored trip, or property belonging to a College District student, faculty or staff member, or a campus visitor.
5. Theft, sabotage, destruction, distribution, or other use of the intellectual property of the College or third parties without permission.
6. Knowingly giving false information in response to reasonable requests from College District officials.
7. Assaulting, threatening, abusing (physically, verbally, and/or sexually), or endangering in any manner the health or safety of a person at the College District, on College District property, or at a College District-sponsored event.
8. Violating College District Student Code of Conduct; Board policies; laws; or administrative rules, regulations, and procedures (e.g., parking, guidelines for student events, registration of meetings and activities, use of College District facilities or the time, place, and manner of public expression).
9. Failing to comply with directions of College District officials and/or police acting in the performance of their duties.
10. Failing to notify College District officials of a change in residency status or current address.
11. Being convicted of an indictable offense under either municipal, state, or federal law that occurred on College District property or at an off-campus, College District-sponsored event.

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12. Attempting to, or possessing, manufacturing, delivering, distributing, selling, purchasing, using, or being under the influence of, alcoholic beverages, illegal controlled substances (as defined in the Texas Controlled Substance Act), steroids, substances referred to as “designer drugs,” and inappropriately or illegally using over-the-counter medications, prescription medications, inhalants, herbal/“natural” euphoriant, look-alike products (what is represented to be any of the above-listed substances) at the College District, on College District property, or while attending College District-sponsored activities on- or off-campus. [See FLBE]
13. ~~Unlawfully r~~Retaliating against another student, campus visitor, or staff or faculty member.
14. ~~Unlawfully h~~Discriminating against, harassing, ~~and/or~~ stalking another student, campus visitor, or staff or faculty member, including, but not limited to, sexual, racial, and disability ~~dis-~~
~~crimination or~~ harassment, and/or creating an intimidating, hostile, or offensive educational environment.
15. Using, possessing, or displaying any illegal knife, club, or prohibited weapon, in violation of the law or College policies and procedures, on College property or at a College-sponsored or -related activity, unless written authorization is granted in advance by the District President or designee. [See CHF]
16. Engaging in gang-related activity and/or organized criminal activity at any College District facility or grounds. Such actions shall subject a student to disciplinary penalties, while a student involved in illegal acts may be arrested and face criminal prosecution.
17. Releasing restricted course call numbers to other students.
18. Misusing or sharing College-Wide Identification numbers (CWID), CougarMail e-mail accounts, or other restricted access codes or passwords.
19. Repeatedly violating College District policies, procedures, or guidelines and/or repeating less serious breaches of conduct.
20. Misusing College District technology and/or using computing systems to harass others (including, but not limited to, sending, distributing, posting, or displaying offensive or threatening material, and forging mail messages, sending chain letters, and the like), and/or any violation of digital copyright laws resulting in demonstrable harm to the College District’s network or disruption of classroom activities. These violations may result in the suspension of College District technology resource

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privileges and shall be addressed as a formal disciplinary matter.

21. Gambling illegally in any form, at the College District, on College District property, or at any College District-sponsored activity.

22. Engaging in the disruptive use of electronic, digital media, or telecommunications devices during class, labs, or other College District learning environments. In addition, all electronic, digital media, or telecommunication devices must be completely turned off (not in silent or vibrate mode) while taking examinations and prior to entering the College District's Testing Center.

23. Students shall demonstrate respect for the privacy rights of employees, other students, and visitors, shall comply with all regulations and laws regarding the protection of confidential information, and shall comply with all College regulations regarding the use of cameras and recording devices.

~~22-24.~~ Engaging in hazing at the College District, on College District property, or at any College District-sponsored activity.

~~23-25.~~ Smoking or using any tobacco product or other electronic smoking device (including personal vaporizers) on all College District property. [See FLBE]

~~24-26.~~ Committing any other offense that violates the College District's core values or that disrupts the educational processes of the College District.

HAZING

Section 51.936 of the Texas Higher Education Code and Texas Education Code Chapter 37, Subchapter F, prohibits hazing at the College District, on College District property, or while attending College District-sponsored activities on- or off-campus. [See FLBC(LEGAL)] The office of the dean of students at the College District shall publish or distribute a list of organizations that have been disciplined for hazing or convicted for hazing on- or off-campus during the previous three years.

NEW POLICY—Content Moved from GF(Local)

TOBACCO AND
E-CIGARETTES

The College District prohibits smoking and the use of tobacco products and e-cigarettes/electronic smoking devices on College District property, in College District vehicles, and at College District-related activities.

~~The College District is a smoke- and tobacco-free institution. The use of tobacco products or other electronic smoking devices is strictly prohibited anywhere on College District property or in campus buildings. Violators of tobacco regulations may be issued a citation by the College District police department and may face legal fines. Additionally, violators may be subject to disciplinary action by the College District.~~

NEW POLICY

PROMOTIONAL
ACTIVITIES

College District facilities shall not be used to advertise, promote, sell tickets, or collect funds for any ~~nonschool-related~~ purpose ~~unrelated to the college~~ without prior approval of the District President.

[For information relating to community use of College District facilities, see GF.]

ADVERTISING

For purposes of this policy, “advertising” shall mean a communication designed to attract attention or patronage by the public or college community and communicated through means under the control of the College District in exchange for consideration to the College District. “Advertising” does not include public recognition of donors or sponsors who have made contributions, financial or otherwise, to the College District or College District support organizations.

Advertising shall be accepted solely for the purpose of generating revenue for the College District and not for the purpose of establishing a forum for communication. The College District shall retain final editorial authority to accept or reject submitted advertisements in a manner consistent with the First Amendment. The College District shall retain the authority to determine the size and location of any advertising. The College District shall also reserve the right to reject advertising that is inconsistent with federal or state law, Board policy, College District or campus regulations, or curriculum, as well as any content the College District determines has a reasonable likelihood of exposing the College District to controversy, litigation, or disruption.

Acceptance of advertising shall not constitute College District approval or endorsement of any product, service, organization, or issue referenced in the advertising, nor shall acceptance of advertising from a vendor determine whether the College District will purchase goods or services from the vendor through the College District’s formal procurement process.

[For information relating to College District–sponsored publications, see FKA.]